Catskill Town Board Monthly Meeting
Catskill Town Hall
October 1, 2013 6:30 pm

Attendance: Joseph Leggio, Supervisor; Robert Antonelli, Councilman; Pat Walsh, Councilman; Gary Carlson, Councilman; Elizabeth Izzo, Town Clerk

Also Attending: Michael Smith, Town Attorney; John Cashin, Code Enforcement Officer; Audre Higbee, Assessor

Supervisor Leggio opened the meeting with a moment of silent prayer and the Pledge of Allegiance.

NEW BUSINESS:

Arnold Jones from the NYSORPS was present regarding the new law requiring people to register with the State for the Basic Star Exemption. This is one way the State is informing the public about this new requirement. A study was conducted in 2011 which showed some people had more than one Basic Star Exemption and there was some amount of fraud going on. The local assessors do not have the ability to look at other municipal data to see if someone is getting more than one exemption which is why it was done on a State level.

The registry has to be completed at the State level. There is a Star Registry hotline for people to either ask questions or to register. Letters were sent to all property owners which will include a Star code and instructions on how to register by phone or on their website. If a person does not register another letter will be sent December 1st as a reminder. The deadline to register is December 31st. On March 1st a final notification will be sent to the Assessor's office to remove Basic Star Exemption for those who did not register. An appeal process is in place however it is only on a State level; not a local level.

For new Star Exemptions the process is not different than it has been. The exemption will be put on the 2014 assessment roll sent to the State and they will compare to the 2013 roll and those homeowners will be contacted by the State to register. He asked if there were any questions. Supervisor Leggio thanked him for coming.

Mary Beth Bianconi from Delaware Engineering was present in regards to the Leeds Sewer Project. She stated the next step by the board is to secure bond counsel and issue a bond resolution for a BAN to fund the remaining engineering studies for the project such as how much rock there is, understanding where the cultural resources are so we can avoid or mitigate those areas and having a topography survey completed. The goal is to conduct these in fall and hone

in on the potential cost of the sewer project and look at forming a district in the winter, having the engineer plans and bidding the project.

The bond resolution for $500,000 is to fund the rest of the study, once that is completed we can go to the funding agency and close on short term financing which would be rolled into the total loan of the project or another option is to borrow the money for the study work and after that if the project were to not continue, you would of only used the portion of the money borrowed and that would be paid back by a general obligation of the town. If the project goes through the costs of the project are borne on those in the district. The bond resolution is subject to an estoppel. After the estoppel the town is free to contact lenders and request proposals.

Supervisor Leggio stated if we wait till the first of the year to borrow the money we lose the timing to get the surveys done. Ms. Bianconi stated it depends on how you want to fund the work. If there is money in the general fund you can do the work and use the BAN to pay back the general fund. It would be nice to get the work done now because if there is snow on the ground we will not have correct elevations.

Supervisor Leggio stated we still need to pass so we can move forward. Councilman Antonelli stated the money for the BAN is not in this year's budget and he would rather wait until January to borrow the money so we can start to re-pay in January of 2015. Ms. Bianconi has spoken to surveyors and boring specialists and archeologists so they are in a position to give us quotes. As long as they know we have the BAN and the payday will be January of 2014 it should be no problem. She will get RFP's for the three services.

Supervisor Leggio asked for a motion to secure bond counsel. *Motion by Councilman Antonelli second by Councilman Walsh to use Whiteman, Osterman, and Hanna LLP as bond counsel for the Leeds Wastewater Project in an amount not to exceed $24,750.00. Adopted: 4 Yes 0 No*

Supervisor Leggio asked for a motion for the Bond Resolution authorizing the issuance of $500,000 of bonds or notes. *Motion by Councilman Antonelli second by Councilman Walsh authorizing the bond resolution in the amount of $500,000 to complete the engineering studies for the Leeds Wastewater Project. Adopted: 4 Yes 0 No. Roll Call Vote: Councilman Walsh-Yes; Councilman Antonelli-Yes; Councilman Carlson-Yes; Supervisor Leggio-Yes.*

Larry Federman of the newly formed "GREENE" group presented to the board information on hydro racking "brine" and requested the Town follow the Village in banning the wastewater as a deicing solution and/or accepting in wastewater facilities. He stated even though there is no intention at this time by the Village, Town or County there is no State oversight or even EPA oversight. He proceeded with a brief background on hydro racking which is a process of extracting natural gas from the ground. The contaminants include heavy metals and high levels

of radiation, Radium 226, which is water soluble. This is a known cause of cancer. The testing in PA wells shows a 3,609 times higher level than the federal limit for safe drinking water and 300 times more radioactive than nuclear plants. The Marcellus Shale has a higher concentration of radiation. The issue is the water coming from PA. DEC does not address adequate studies in wastewater. We need to be strong and enact a ban so it cannot be used on our roads. Westchester, Putnam, Nassau, Suffolk, and Albany counties have issued a ban on using hydro racking wastewater. Texas bans its use. Pennsylvania bans its use. It is incredibly toxic. He wishes the town enact legislation to ban the use of hydro racking wastewater on town roads. He stated if the stuff gets in our water it will be there forever.

Mr. Blake from the Woodstock Town Board was present and stated when he heard DEC decided what goes into the ground can be hazardous waste but what comes out is considered industrial waste; they do not regulate for the sake of individuals but for corporations. If it is labeled industrial waste it means it can be used on our roads. They have two different labels on the same material and that is outrageous. Mr. Federman stated industrial waste is exempt from the Clean Water Act or the Safe Drinking Water Act. There are loopholes.

Supervisor Leggio stated he will give the copy of the local law presented to the Town Attorney for review and it will be discussed at the next meeting and see where it goes. He understands where you are coming from. Mr. Federman stated this is about our area and the health and well being of our kids and our kids' kids.

Councilman Carlson stated he hates to see legislation that doesn't have a bite to it. Who does the enforcing? It needs to have a practical sense. He is hesitant about having law upon law upon law but promises to give it due consideration.

APPROVAL OF MINUTES:

August 3, 2013 (Public Hearing #5, #6 & Town Board Monthly Meeting): Motion by Councilman Antonelli second by Councilman Walsh. Adopted
August 18, 2013 (Town Board Committee Meeting): Motion by Councilman Antonelli second by Councilman Walsh. Adopted

CORRESPONDENCE:

Letter from Frank Munich regarding contributing of $597 for historic marker for Hamlet of Alsen. *Need clarification. Will address at next meeting.*

Letter from the Catskill Public Library reinstating their monthly story hour called "Follow That Book" in where interested businesses will take a turn hosting a small group of community members, likely younger children as the program is in the morning, to read a few stories on site.

Letter from Recreate NY Smart Home Program regarding early notice and public review of a proposed activity in the 100 year floodplain.

Letter from Kathryn Reed of HealthMatch, which connects health professionals with communities.

Letter from Timothy Farrell of NYSDOT stating they will be replacing railings and adding snow fences on Route 23 over the New York State Thruway. *Thanked DOT for repairing bridge abutment on Route 32.*

Memo from John Cashin requesting approval for Andrew Fuller to attend a one day training program at the cost of $115. *Motion by Councilman Walsh second by Councilman Antonelli approving request for Andrew Fuller to attend one day training at cost of $115. Adopted 4 Yes*

Memo from John Cashin requesting the board schedule a public hearing for a violation of Chapter 90 on property owned by Virginia Scarantino located at 898 West Main St. *Motion by Councilman Antonelli second by Councilman Walsh to schedule a public hearing for Monday, October 21st at 6 pm at Catskill Town Hall. Adopted 4 Yes*

Letter from Audre Higbee requesting reappointment of Roger Moore to the BAR. *Motion by Councilman Antonelli second by Councilman Walsh to reappoint Roger Moore to the Board of Assessment Review for a term beginning October 1, 2013 through September 30, 2018. Adopted 4 Yes*

Email from George June, Ambulance Administrator, regarding policy for advanced life support care by TOC Ambulance Service. *Supervisor Leggio asked the board to review.*

Office of ITS invitation to a Cyber Security 101: "Why It Matters" webinar being held on October 24, 2013 from 1 pm to 2 pm.

Letter from Dept of Army regarding permit application for property located off Pennsylvania Avenue.

Letter from DEC regarding permit extension/modification pertaining to the wall replacement at Woodstock Ave.

Email from Mark Evans, Greene County EMS, asking for a letter from the Town to Mid Hudson Cable for them to be included under a municipality and/or not-for-profit rate. *Supervisor Leggio*

stated this is for them to save $40 a month. Councilman Carlson proposed writing a letter stating the $40 saving is reflected in our budget.

Letter from Mark Evans, GCEMS, 2014 Town Contributions (Catskill's projected calls 672, share $189,533 compared to 2013 calls 658:$167,104) Supervisor *Leggio stated they are worried about saving $40 a month but the Town offered a space in the ambulance building so they can save money so as far as a letter when they are worried about $40 when they could have saved $22,000 moving into our ambulance building. The Town's contribution is increasing $22,000. We need to be diligent next year when our contract expires to be in line for Paramedic level service in 2015. It is a slap in our face not using our facility. He wishes to be out before 2015 but needs to think of the safety and well being of the Town of Catskill.*

Letter from Eileen Dees in regards to the 4th Annual "A Day in December" being held on December 7th. They are requesting a donation to pay for a fireworks display. *Supervisor Leggio stated we spent quite a bit of money on celebrations and will review with the Comptroller to see if we can help offset the cost if not full cost.*

Letter from Tal Rappleyea, attorney for the Town of Cairo, in regards to their public hearing on their proposed first zoning law. It will be held 9.25 at 5 pm at Cairo Town Hall.

Letter from Transmission Developers Inc. regarding the Champlain Hudson Power Express Transmission Project listing us as a possible Co-located Infrastructure or "CI" such that they would like the town to enter into a confidentiality agreement with them. The NYS Public Commission approved the construction of the project which is a 1,000 MW High Voltage Direct Current transmission line from the United States-Canadian border to Astoria, Queens, New York. The two cables will be underwater and or buried for its entire route-underground in certain locations and beneath the waters of Lake Champlain and the Hudson, Harlem and East Rivers.

Quote from North East Fire Protection to removed outdated dry pipe valve and air compressor and install new, $6,854.61. To remove/install valve only est. $5,700. *The system is 50 years old. Will check with Comptroller to make sure funds are there first. Councilman Walsh agrees with Supervisor.*

Quote from Webjogger for site analysis and pre-project engineering town's computer equipment and configurations in the amount of $2,475.00. *Supervisor Leggio stated there is an issue with time clocks. They have been working the past week but we have been having an issue for the last 18 months and he wishes to evaluate our computer system. If we decide to change companies half of this cost will be deducted. Motion by Councilman Antonelli second by Councilman Walsh to have Webjogger do the analysis in the amount of $2,475.00. Adopted 4 Yes.*

Quote from Clough Harbour regarding the town's zoning map and GIS updates requested by Planning Board as there are discrepancies to the 2003 zoning map and 1995 zoning map. Scope of work $4,500. *Joseph Izzo. Planning Board Chairman stated the Planning Board approached the Town Board regarding discrepancies found in the 2003 Zoning Map compared to 1995's map. When the 2003 map was done it was done incorrectly in certain sections. He went to the County to see the changes made as they updated the map. At the time it was done digital mapping was not available. Their files have no updates to them. They used State GIS for wetlands. He approached Clough Harbor as they did the initial assessment for the Town. To get the correct zoning map we need to overlay the 1995 with the 2003 map to see the changes. There have been two updates in 2000 but those are correct on the map. The Planning Board does not feel comfortable using the map because of the accuracy or lack thereof. Clough Harbor will overlay the maps, update the Federal and State wetlands, and show the zoning districts the town board had established. The Planning Board will come back to the Town Board for you to see what needs to be changed.*

Councilman Carlson stated the wetlands being fluent change as basis in time. They are designated and redesignated by DEC. In 2003 it can be different. Mr. Izzo stated that's correct so we want to use the most up to date information but this isn't the only criteria to use as a conservation zone. Those haven't been changed since the 1988 map and he is unsure if they are the same. Supervisor Leggio there are discrepancies in the map with different residential and high density. Mr. Izzo stated it has been more than 10 years since the map was reviewed. The Planning Board has it in their budget to have the work done.

Motion by Councilman Walsh second by Councilman Antonelli to have Clough Harbor review the Zoning Map and make any related edits to the GIS system in an amount not to exceed $4,500. Adopted: 4 Yes

MONTHLY REPORTS:

Town of Catskill Code Enforcement Office
Town of Catskill Cemetery
Town of Catskill Highway Report

Available at the Town Clerk's Office.

The Town Clerk presented the 2014 Tentative Budget to the Town Board Members. Supervisor Leggio stated we need to schedule budget hearings. Budget hearings are scheduled for Wednesday, October 9th at 5:30 pm; Monday, October 14th at 5:30 pm; and Friday, October 18th at 8 am. All at Town Hall.

Supervisor Leggio stated he needed a motion to schedule public hearing for the Village of Catskill Fire District contract. *Motion by Councilman Antonelli second by Councilman Walsh to have the public hearing October 16th at 5:45 pm at the Leeds Fire House. Adopted 4 Yes*

Supervisor Leggio asked if there was any public comment. He asked the board if they had any comment. Councilman Antonelli stated we need to sit down and come up with the rent for the Senior Center. It should be broken down by how many rooms will be used and there should be a cap on the time to four hours. He would like Ronni to draw up the policy and procedures.

Mr. Smith stated in the event there needs to be town supervision it should be absorbed in the price of the room. Supervisor Leggio stated he will set up a meeting with the director next week. Councilman Antonelli stated it has nothing to do with her.

With no further comment a motion to adjourn the meeting was made by Councilman Carlson second by Councilman Walsh. Meeting ended 8:20 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk