

Catskill Town Board Meeting
Catskill Town Hall
October 7, 2008 6:30 pm

Attendance: Peter Markou, Supervisor
Robert Antonelli, Councilman
Lewis O'Connor, Councilman
Patrick Walsh, Councilman
Elizabeth Izzo, Town Clerk

Absent: Michael Smith, Councilman

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

Supervisor Markou reviewed the following minutes:

09/02/2008 Catskill Town Board Monthly Meeting
Motion Councilman Antonelli
Second Councilman Walsh
Ayes 4, Nays 0, Absent 1(C. Smith)

09/10/2008 Bid Opening #2-2008-Little Red Schoolhouse
Exterior Painting
Motion Councilman Antonelli
Second Councilman O'Connor
Ayes 4, Nays 0, Absent 1(C. Smith)

09/17/2008 Catskill Town Board Committee Meeting
Motion Councilman Antonelli
Second Councilman Walsh
Ayes 4, Nays 0, Absent 1(C. Smith)

09/28/2008 Government Operations Committee
Motion Councilman Antonelli
Second Councilman O'Connor
Ayes 4, Nays 0, Absent 1(C. Smith)

10/01/2008 Special Meeting #3-2008-Presentation of 2009
Tentative Budget
Motion Councilman Antonelli
Second Councilman Walsh
Ayes 4, Nays 0, Absent 1(C. Smith)

Supervisor Markou reviewed the following resolutions:

RESOLUTION #113-2008 ACCEPT BID FOR EXTERIOR PAINTING OF
LITTLE RED SCHOOLHOUSE.

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, THE Catskill Town Board received a grant to do exterior painting of the Little Red Schoolhouse, and

WHEREAS, three (3) bids were received for aforementioned project, and

WHEREAS, the bids were reviewed by Scott Dutton Associates, and found to be acceptable, according to specifications, so

THEREFORE, WE, the Catskill Town Board do hereby award the exterior painting project to the low bidder, Kohl Construction, in the amount of \$ 8,858.00.

Councilman Walsh seconded this motion.

Ayes 4, Nays 0, Absent 1 (Councilman Smith) Motion Passed

RESOLUTION #114-2008 Solicit Requests for Proposals for Individual/Firm
to Administer Small Cities CDBG Program for
Community Center ReDevelopment Project.

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, the Town of Catskill has been awarded \$ 400,000.00, through the Small Cities Community Development Block Grant from the Governor's Office for Small Cities, toward the Community Center Redevelopment Project, and

WHEREAS, the Town of Catskill is in need of an individual or firm qualified to administer this grant, so

THEREFORE, WE, the Catskill Town Board, do hereby authorize the Town Supervisor to solicit requests for proposals to assist in the administration of this grant, and

FURTHER, that these proposals are due no later than 04:00PM, on October 21st, 2008.

Councilman O'Connor seconded this motion.

Ayes 4, Nay 0, Absent 1(Councilman Smith) Motion Passed

RESOLUTION # 115-2008

SCHEDULE BUDGET WORKSHOPS ON 2009
TENTATIVE BUDGET

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, the Catskill Town Board has been presented with the Tentative Budget for 2009, and

WHEREAS, the Town Board wishes to schedule Budget Workshops on said Tentative Budget, so

THEREFORE, WE RESOLVE to hold Budget Workshops on the 2009 Tentative Budget on the following dates and times:

Workshop I, on Tuesday, October 14, 2008, at 5:00PM, and

Workshop II, on Tuesday, October 21, 2008, at 7:00PM, at

Catskill Town Hall, 439-441 Main St., Catskill, NY to hear comments and concerns regarding proposed 2009 Tentative Budget.

Councilman O'Connor seconded this motion.

Ayes 4, Nays 0, Absent 1(Councilman Smith) Motion Passed

RESOLUTION # 116-2008

APPOINTMENT OF CODE
ENFORCEMENT OFFICER
(PROVISIONAL)

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, Denise Sossa has been working in the Code Enforcement Office on a full-time provisional basis, and

WHEREAS, Denise will be taking the civil service exam for Code Enforcement Officer, so

THEREFORE WE, the Catskill Town Board hereby appoints Denise Sossa to provisional full-time Code Enforcement Officer effective October 7, 2008.

Councilman Walsh seconded this motion.

Ayes 3, Nays 1 (Councilman O'Connor) Absent 1(Councilman Smith) Motion Passed

RESOLUTION # 117-2008

APPOINTMENT OF JOSEPH IZZO TO CHAIR
WAR VETERANS MEMORIAL COMMITTEE

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, the Catskill Town Board is desirous of erecting a memorial honoring all War Veterans, and

WHEREAS, a committee needs to be established to plan and propose such a memorial, so

THEREFORE, WE, the Catskill Town Board hereby appoint former Town Supervisor, Joseph Izzo, to chair said War Veterans Memorial Committee.

Councilman Smith seconded this motion.

Ayes 4, Nays 0, Absent 1 (Councilman Smith) Motion Passed

RESOLUTION # 118-2008

APPOINTMENT TO JOSEPH HANUSIK
MEMORIAL COMMITTEE (JOSEPH IZZO).

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, the Catskill Town Board wishes to honor the efforts and dedication of former Town Councilman, Joseph Hanusik, and

WHEREAS, Mr. Hanusik had served the citizens of the Town of Catskill with honor and dedication as Town Councilman for 21 years, so

THEREFORE, WE, the Catskill Town Board do hereby appoint former Town Supervisor, Joseph Izzo, to chair said committee, to plan and propose an appropriate memorial, honoring Joseph Hanusik's long-time service to the people of the Town.

Councilman Walsh seconded this motion.

Ayes 4, Nays 0, Absent 1 (Councilman Smith) Motion Passed

RESOLUTION # 119-2008

APPOINTMENT OF OPERATIONS
SUPERVISOR FOR TOWN AMBULANCE
SERVICE. (PROVISIONAL)

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, there is a position available for an Operations Supervisor, for the Town of Catskill Ambulance Service, and

WHEREAS, Stephen Brucato has been recommended for said position, and

WHEREAS, this is a Civil Service Competitive position, so

THEREFORE, WE, the Catskill Town Board appoint Stephen Brucato, provisionally, as Town of Catskill Ambulance Operations Supervisor, at \$31,350.00, until successful passage of required Civil Service Examination.

Councilman Walsh seconded this motion.

Ayes 4, Nays 0, Absent 1 (Councilman Smith) Motion Passed

RESOLUTION #120-2008 Solicit Requests for Proposals for Individual/Firm
for Architectural Services for Small Cities CDBG
Program for Community Center ReDevelopment
Project.

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, the Town of Catskill has been awarded \$ 400,000.00, through the Small Cities Community Development Block Grant from the Governor's Office for Small Cities, toward the Community Center Redevelopment Project, and

WHEREAS, the Town of Catskill is in need of an individual or firm qualified to administer this grant, so

THEREFORE, WE, the Catskill Town Board, do hereby authorize the Town Supervisor to solicit requests for proposals for the architectural services of this grant and other future Town projects that require such, and

FURTHER, that these proposals are due no later than 04:00PM, on October 28, 2008.

Councilman O'Connor seconded this motion.

Ayes 4, Nay 0, Absent 1 (Councilman Smith) Motion Passed

Supervisor Markou reviewed the County Resolutions:

Resolution #361-2008 Approving Reimbursement to Community Colleges
(Catskill's share is \$1,944.00)

Resolution #362-2008 Amounts due County Treasures by Respective
Towns (Catskill's share is \$111,187.08)

This figure consists of college chargeback and approximately sixteen thousand nine hundred and some odd dollars that the County is charging the Town for holding elections in November.

Supervisor Markou discussed new business. He asked if there was a representative in attendance from the Kiskatom Fire District that wanted to address the Board.

Chris Sutherland, Chairman of the Board of Fire Commissioners for Kiskatom Fire District approached the Board. He stated the District received a copy of the letter that the Town sent to John Farrell in regard to the Town's Code Enforcement Officer only needing to be notified in the event of fire or explosion. The District sent a letter to the Town Board regarding this. Kiskatom, along with other Town Fire Departments, have asked the Code Enforcement Officer to be dispatched for a variety of issues including fire, explosion, faulty fuel appliances, presence of toxic fumes, and unsafe structures. Chris has stated that in the past there has always been a timely response from the Code Enforcement Office, and just recently, has there been an issue of the Code Enforcement Officer not coming to the scene or there has been a lengthy follow up to the scene when services are required. He stated that now that the Town Board has potentially interfered, stating when the Code Enforcement Officer will come to a scene, the lives of the residents in Kiskatom as well as the Town are at risk for potential loss of life or liability at the scene.

Chris has stated that if the fire department leaves the scene at 3 am in the morning and the Code Enforcement Officer doesn't arrive until 9 am and someone dies because the scene was not to up to Code; who is responsible?

He wants to have Code Enforcement come out when warranted. He stated that emergencies happen twenty four hours a day and not just during the Town's business hours. He would like the Town to rescind the letter, change the policy, and cause the Code Enforcement Officer to do their job.

Supervisor Markou asked for a copy of Chris's statement. He stated that in response to his statement, it is being taken under advisement. He has spoken with the Town's Attorney and is speaking to the Department of State to review the Code to see if it needs to be changed.

Supervisor Markou asked if anyone else would like to address the Board.

Joseph Izzo approached the Board regarding the same issue. He stated that he has not seen a copy of the letter that was sent to John Farrell, however, when the commander on the scene deemed there to be an unsafe structure, and the Code Enforcement Officer was unattainable, as past Supervisor, he has been called to the scene and used his police powers under this authority as Supervisor. He believes that the Supervisor should be available or the Chairman of the Public Safety Committee should be contacted if Code cannot be reached after 4 pm.

Joseph Izzo, further remarked that there should be a letter sent to Fire Control Center that indicates who is to be called. The first call should go to the Code Enforcement Officer within the Town. If that person is unavailable, then you contact the next Code Enforcement Officer and you work your way down the chain until you arrive at the Supervisor.

Mr. Izzo also stated he is unaware if the commander on the scene has the authority to declare the building unsafe. He stated that this should be addressed when discussing the issue.

Supervisor Markou asked if anyone else would like to address the Board.

John DelVecchio approached the Board. He stated that the Board may be unaware of some issues. He stated that when the Town of Catskill adopted the building code in 1971 and again in 2006, the Board agreed to abide by all State Laws and Regulations involving the NYS Building Code. One of those regulations is that the Town Board cannot interfere with the enforcement of the building code. The Board can interfere if the job isn't being done, but the Board cannot make statements saying do that, do this. They do not have the authority. Secondly, under NYS Building Code, the Town of Catskill is not allowed to make a law lesser than that that is required by the State. Mr. DelVecchio stated that by the Town Board stating the Code Enforcement Officer will only come out for structure fire and explosions they have made the law less than what is required by the State of New York. The State requires the Code Officer to come out for structural damages, malfunctioning furnaces, CO detectors etc. He stated that the Board should call the State's Code Division.

Floyd Prince, Chief of the Catskill Fire Department, asked who would be called tonight if there was an incident. Supervisor Markou stated that you call the Code Enforcement Officer.

Councilman O'Connor, who stated he has been a volunteer fireman for the Kiskatom Fire District for 36 years, has never had a problem like this before. He suggests that the Town of Catskill place a resolution in effect that will allow the chief or the officers in charge, when calling for a code enforcement officer, they will receive one on the scene. He believes there may be a legal ramification that can come about to a chief or person in charge of the fire company when he can't make the determination to not allow people back into a structure. He stated that that is why we have a Code Enforcement Office. He stated that there have been a lot of calls that the Code Enforcement Officer has not been called out for because it was not needed. He stated that the fire companies do not abuse this privilege. He stated that the Code Enforcement Office gets paid to go out on a call and is reimbursed for mileage. He stated that the Town has two full time Code Enforcement Officers now, and one part time person. He stated that for the amount of calls that take place, there should be no problem.

Supervisor Markou asked Councilman O'Connor if the Code Enforcement Office ever refused to come to a call. Councilman O'Connor stated in the affirmative. He is in the

process of getting the records. He stated that a couple of times they did not come to structural fires. He stated that the letter that was sent to John Farrell stated that the Code Enforcement Office would come to structural fires.

Supervisor Markou asked if anyone else would like to address the Board.

Joseph Izzo stated that we shouldn't be getting into a we versus us situation. He stated that if there is an issue, the chiefs of the departments can determine between themselves, as the powers of the commander on the scene, if they can declare a situation unsafe; or in conjunction with the Code Enforcement Office or the Supervisor, under their police powers. He would like to see the situation resolved so everyone knows what to do, and when to do it, so no one would be at risk, for any liability.

Supervisor Markou asked if anyone else wanted to address the Board.

Mr. Izzo stated that in the County resolution that was read, Supervisor Markou indicated that there was \$16,000 fee for election services in the College chargeback. Supervisor Markou stated that was true. It is for sixteen thousand nine hundred and some dollars. Mr. Izzo stated that there was a discussion and commitment that the County, once they assumed control of the election process, would not be charging back to the Town's, the cost of those elections. The Town because of that, allowed the County to hold the elections in polling places within the Town and the Town pays for the electricity et al. He believes that if the County is going to charge the Town \$16,000, he believes the Board should consider charging them rent for the use of Town property or spaces in the amount of \$16,000.

Supervisor Markou agreed. He stated that if they are charging us for an election, then they should be charged for the use of the space.

Michael Gerrarity, Chief of Kiskatom Fire Company, would like to know that, until the issue gets addressed, who he would contact to stop a person from re-entering a house in the case of a structural or furnace malfunction. He does not want to be personally liable or have the fire department liable in case of injury or such.

Supervisor Markou stated that he understands the liability issue quite clearly and this is why is he is talking to the Town's attorney.

George Holsapple, Chief of Leeds Fire Department, stated that his biggest problem is the Quality Inn. He states that the fire doors are always open. He states that the owner wedges the doors open. He has called the Code Enforcement Office on several occasions to come out and a couple of times they didn't. He states that when he goes into a building and he sees a fire code violation, it is his duty to call the Code Enforcement Office.

Chris Sutherland stated that the same has happened with Friar Tuck in regards to two calls that the Code Enforcement Office failed to appear.

Supervisor Markou asked to have these alleged incidents written down and submitted. Chris Sutherland stated that John Farrell can give us that information from dispatch tapes. Councilman O'Connor stated that they are already working on that.

Councilman O'Connor stated that the sidewalks at the Ambulance building are being completed. The front entrance will be concrete and the green space will be taken care of.

Kellie Darling, CCC Director, presented the 2008 Summer Recreation Committee report. She stated they had the anticipated shortfall, which the Community Center is taking care of. She also submitted their 2009 projected budget with the known shortfall. They will try to have fundraisers.

Supervisor Markou urged the Community Center to attend the budget workshop meetings. He stated that it is going to be a tough year for the Town of Catskill and there is only so much the taxpayers can take.

Tom Baldwin of Route 32 addressed the Board regarding the noise ordinance. He stated the Sheriff's office is responding promptly, but they have to keep returning. He believes that the people who are allowing the problem to persist should pay the Sheriff's Department. He believes there should be some sort of penalty.

Supervisor Markou asked if anyone else would like to address the Board. With no further comment, a motion to adjourn the meeting was made by Councilman Antonelli and seconded by Councilman Walsh. Meeting ended at 7:14 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk