Catskill Town Board Committee Meeting
Catskill Town Hall
January 20, 2010 6:30 pm

Attendance:	Peter Markou,	Supervisor
	Robert Antonelli,	Councilman
	Patrick Walsh,	Councilman
	Michael Smith,	Councilman
	Kevin Lennon,	Councilman
	Elizabeth Izzo,	Town Clerk
	Alfie Beers,	Highway Superintendent

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

The following resolutions were reviewed:

RESOLUTION # 9-2010 APPOINTMENT LOCAL COUNSEL FOR CEMENTON WASTEWATER SYSTEM IMPROVEMENT PROJECT

Councilman Smith presented the following for consideration and adoption,

WHEREAS, the Town of Catskill had authorized Segel, Goldman, Mazzotta & Siegel to act as bond counsel to the Town in connection with the issuance of bonds for the Town's Wastewater System Improvement Project for Smith's Landing (Cementon), and

WHEREAS, this project also requires the need for the Town's local attorney, so

THEREFORE WE, the Catskill Town Board hereby appoint James Wagman as local counsel for this project.

Councilman Walsh seconded this motion.

Ayes 4, Nays 0 Absent 1 (Antonelli) Carried

RESOLUTION # 10-2010 AMENDMENT TO RESOLUTION 5 OF 2010

Councilman Smith presented the following for consideration and adoption,

WHEREAS, the Town of Catskill passed a resolution on January 5, 2010 for the purchase of overhead doors for the Town Highway Garage, and

WHEREAS, this purchase was to also include electric openers in the amount of $499.00, so

THEREFORE WE, the Catskill Town Board amend the purchase price of the overhead doors to include the electric openers by $499.00.

Councilman Walsh seconded this motion.

Ayes 4, Nays 0 Absent 1 (Antonelli) Carried

This resolution relates to the policy received by the Board last week. This is part of the collective bargaining agreement that this was instituted and negotiated with the Union. The Union has accepted and the Town needs to pass a resolution.

RESOLUTION # 11-2010 CONTROLLED SUBSTANCE & ALCOHOL TESTING POLICY TOWN OF CATSKILL AMBULANCE SERVICE

Councilman Smith presented the following for consideration and adoption,

WHEREAS, the collective bargaining agreement between the Town of Catskill and the Ambulance Service contains a Drug and Alcohol Testing provision, and

WHEREAS, this policy meets with the Town Board's approval, so

THEREFORE WE, the Catskill Town Board hereby adopt the Controlled Substances and Alcohol Testing policy for the Town of Catskill Ambulance Service.

Councilman Walsh seconded this motion.

Ayes 5 Nays 0 Absent 0 Carried

Supervisor Markou next spoke about CJ Properties and asked the attorney representing the property to approach the Board.

George Rodenhaus, who represents CJ Properties, stated they are currently before the Planning Board. He stated the project was initially 36 lots but has been cut to 26 lots with one large lot reserved for open space.

The project involves a loop road for the 26 lots. The Planning Board's issue is if this will be a road privately owned by the HOA and maintained by the HOA or a Town road. The applicant's preference is for a Town road which would be dedicated to the Town after it is built to specs.

The sketch plan has gone through review by the Planning Board and it was shown to the Town Board. The loop road goes in, loops around, and comes out. Mr. Rodenhaus stated that a road was going to be a paper road going off into the property of the Armory but that piece of land will remain Armory property so the road is of no purpose. Mr. Rodenhaus stated there is another paper road that abuts a proposed housing development. He stated that on the other side is a proposal to the Planning Board who wants to make sure they hook into this road.

Mike Sterthous asked if he has looked into their plans. Mr. Rodenhaus stated he has spoken with their engineer. Mike Sterthous asked Mr. Rodenhaus if the plan was not going to be a paper road if it was intended to be a cul-de-sac. Mr. Rodenhaus stated they are trying to reconfigure those lots so there will be no flag lots.

Mr. Rodenhaus stated the loop road is approximately 3,700 feet. It would be built out completely and finished before dedication to the Town. There would be an offer and it would be dependent upon subdivision approval. He stated there is a road that would be left undeveloped but there would be a 50 foot driveway on it. The idea would be to dedicate the land to the Town with an easement to the property or have an offer session to the Town so when it is developed it would be deeded to the Town.

CJ Properties hasn't gone to SEQRA yet so right now he is looking for feedback. Mr. Beers asked if all the homes are coming from the main roadway. Mr. Rodenhaus stated yes but a little longer driveway here and some longer ones there. Mr. Beers stated yes but that isn't dedicated to the Town yet so this is something different. There are no side roads off of anything else. Mr. Rodenhaus said there will be no cul-de-sacs.

Supervisor Markou stated that if we are plowing, we would just go in and out.

Councilman Smith asked about Town maintenance of the road other than plowing. Mike Sterthous stated once it is a Town road it becomes Town property, if the offer is accepted. Mr. Rodenhaus stated there is drainage features which has not been done in detail but there will be storm water requirements that will need to be dealt with.

Councilman Lennon asked what the elevation of the properties is in location to the land. Mr. Rodenhaus stated the land is relatively flat. There was a camp there at one time. The trees will be kept as much as possible and have clearing areas around the homes.

Mike Sterthous stated there is a wet area that crosses twice. Mr. Rodenhaus stated there is a linear wetland that goes along the stream. The design has been changed to reduce the taking of the wetland area as much as they can.

Supervisor Markou asked where they are with the Planning Board. Mr. Rodenhaus stated they just discussed the new plan and they are happy with the changes and the general sketch. They are asking about the Town ownership of the road and that is why he is here today. He stated they will be coming back with the preliminary plat in about 2 to 3 months.

Councilman Antonelli asked if they are giving us this road before it is built. Alfie stated the road has to be built first to specs and then the board has to wait at least 6 months before they can accept it.

Mike Sterthous stated because of the subdivision laws being only a couple years old, there hasn't been this issue yet. There are procedures. The Board will have to give some thought to the maintenance and control of the road. It has to be built to the specs of the Planning Board.

Councilman Smith asked what the relationship is between individual homeowners and the HOA. Mr. Rodenhaus stated all 26 would be required to be part of the HOA. Councilman Smith stated if the Town did not take over the road, the association could ask for assessments from the lot owners to maintain the road. Mr. Rodenhaus stated yes. Councilman Smith stated they are asking to cede from the HOA to the Town to take over the road.

Mr. Rodenhaus stated private roads owned by the HOA have problems with most school district buses not going into the road and would require pick up on the main road. The mail won't go in and post office boxes would be required on the main road and there could eventually become a problem with the HOA not maintaining the road and the Town would not have any jurisdiction to the road.

Mr. Rodenhaus wanted to know if there was any resistance from the Board. Alfie stated it is a benefit to both the homeowners and the Town to have it a Town highway than private to avoid potential problems like Paradise Lake.

Supervisor Markou stated he would personally feel comfortable having it a Town road. Councilman Walsh and Councilman Smith concurred.

Supervisor Markou asked Matt Leibowitz, Ambulance Administrator, to speak regarding the ambulance bids.

Matt stated he reviewed the bids with the Town Attorney, James Wagman, and he is recommending the bid be awarded to North Eastern Rescue Vehicles as they were the only one who had all the necessary paperwork required in the bid. Matt also stated the lowest bid was a different model/make than requested. It was an older year and it was a demo. Matt stated the third bid did not have the non-collusive bidding certification and they made some modifications to their vehicle to meet the specs. They also stated it would be a 210 day delivery date and the specs stated 45 day delivery date.

Councilman Smith asked about the demo vehicle. Matt stated we were looking for new. Matt stated they have been driving this one around the State trying to sell it. He also stated back in 1995 the Board passed a resolution to standardize the fleet. This demo is a different make and model. An agreement would have be to be entered with a different servicing agency as this is a Chevy.

Councilman Smith asked how much mileage was on it. Supervisor Markou stated that is irrelevant. It is a demo model. It has been used and it could have all kinds of problems. He prefers a new ambulance.

Councilman Antonelli stated you couldn't take this bid anywise as they didn't met specs.

RESOLUTION # 12-2010 AWARD BID FOR AMBULANCE

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town of Catskill has received three bids for the purchase of a new ambulance for the Town of Catskill Ambulance Service, and

WHEREAS, these three bids were reviewed by the Ambulance Administrator and the Town Attorney, so

1.	Gorman Enterprise	$83,227.00
2.	North Eastern Rescue Vehicle	$99,593.00
3.	Osage Ambulance Cromcode	$115,842.00

THEREFORE WE, the Catskill Town Board hereby award the bid to North Eastern Rescue Vehicle in the amount of $99,593.00 as they met all the bid specifications that were required by the Town.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0 Carried

Supervisor Markou stated he and Liz received an email today stating Scott Dutton is ready to go to bid on the Community Center. He stated the bid is for a single prime contract and the bids will be due by February 16th in the Town Clerk's office. They will be publicly read aloud.

RESOLUTION # 13-2010 ADVERTISEMENT FOR BIDS CATSKILL COMMUNITY CENTER

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town and Village of Catskill applied for a Community Development Block Grant for Small Cities for the rehabilitation of the Catskill Community Center and was awarded this grant in 2008, and

WHEREAS, Scott Dutton Associates was awarded to administer this grant, and

WHEREAS, the Town of Catskill wishes to entertain bids for a single prime contract for work on the Catskill Community Center, so

THEREFORE WE, the Catskill Town Board hereby authorize the request for bids for a single prime contract for work on the Catskill Community Center. Bids will be due by 2:00 pm on February 6, 2010 at the Town Clerk's Office and will be publicly opened and read aloud.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0 Carried

Supervisor Markou stated this brings us to the last item of business which is Greene Health Care Associates' Part II SEQRA determination.

Mike Sterthous gave a brief synopsis of the project. He stated a number of alternatives were looked at to consider rezoning the property to accommodate the applicant and the resident's of the Town to make the zoning consistent with the Comprehensive Plan.

Mike stated instead of changing zoning lines, the use of zoning would be changed to allow professional offices as a special use permit. He stated Part I was prepared by the applicant. He stated it was referred to the County and was reviewed. He stated under SEQRA you need to consider the project impacts under Part II.

Councilman Smith stated Jefferson Heights is a mixed use community. He stated around the hospital there is a lot of emphasis for professional use, but a short distance away, such as Wildwing Park, it is strictly residential. He believes that within the context of Wildwing Park it is strictly residential and would this zoning change have an impact on those areas that are currently strictly residential.

Supervisor Markou stated he would argue that because the area is already impacted by Cumberland Farms, by the pharmacy, by Mid-Hudson Cable, by the doctor's offices on North Jefferson Avenue, the fact that Community Action is there, the fact that the hospital has a nursing home, the fact that the hospital is building a $4.5 million facility. He stated the impacts have been there for years. He stated when it was discussed he heard no complaints from Wildwing Park.

Councilman Antonelli stated the only one problem there is where Dr. Alegra has her office. He stated when the property was sold to her she was told it was on South Jefferson Avenue; however, it is a corner lot, and she is under the restrictions of Wildwing Park. She was taken to court and she won. What came out of that is when she is ready to sell the property it has to be converted to a residential house.

Mike Sterthous and the Board went through Part II of the SEQRA. The following resolutions were passed based on Part I and Part II of the SEQRA.

RESOLUTION # 14-2010 SEQRA DETERMINATION GREENE HEALTH CARE ASSOCIATES

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill (the "Town") is in receipt of an application from the Greene Health Care Associates ("GHCA") seeking a zoning amendment to enable it to utilize its existing medical office building for general and professional offices. The property is located at 159 Jefferson Heights, being a portion of tax map parcel # 155.12-5-22, and more particularly described in Appendix A attached hereto and incorporated by reference herein; and

WHEREAS, the existing medical office building on the GHCA property is located in the Town's High Density Residential ("HR") district. Professional offices are presently not a permitted use in the HR district; and

WHEREAS, the adoption of changes in the allowable uses within a zoning district is classified as a Type I action subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA"); and

WHEREAS, GHCA has prepared and submitted part 1 of the full Environmental Assessment Form ("EAF"); and

WHEREAS, the Town Board, as agency principally responsible for approving zoning law amendments, established itself as the lead agency for purposes of this SEQRA review; and

WHEREAS, on or about June 22, 2009, the Town Board referred the action along with the EAF part 1 to the Greene County Planning Board pursuant to NY General Municipal Law 239-m; and

WHEREAS, on or about July 17, 2009, the Town Board received a positive referral response from the Greene County Planning Board; and

WHEREAS, on June 2, 2009 and on November 3, 2009, the Town Board conducted a properly noticed public hearing on the zoning amendment; and

WHEREAS, on January 20, 2010, the Town Board completed part 2 of the EAF; and

WHEREAS, the Town Board carefully considered the environmental impacts associated with this action, including reviewing and evaluating the EAF and the criteria for determining significance contained in 6 NYCRR § 617.7 (c) and has set forth its determination of significance in a written reasoned elaboration, a copy of which is attached hereto and incorporated by reference herein; and

WHEREAS, for the reasons set forth in the written Negative Declaration annexed hereto, the Town Board has determined that a change in the allowable uses in the HR district to include "general and professional offices" as a special use in the HR district will have no significant adverse environmental impacts, and accordingly has decided to issue a Negative Declaration of Environmental Significance under SEQRA.

NOW, THEREFORE BE IT RESOLVED that:

1. The Town Board certifies that the requirements of 6 NYCRR Part 617 have been met.

2. The facts and conclusions set forth in the written Negative Declaration annexed hereto are derived from the EAF, reports, submittals and other relevant information, including the personal knowledge and familiarity of the Town Board members with the site and its surrounding areas.

3. The Town Board hereby declares and adopts the written Negative Declaration annexed hereto.

4. Based upon the Negative Declaration, the Town Board hereby declares that the Project will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA.

BE IT FURTHER RESOLVED that the Town Board directs the Secretary of the Board to:

1. place on file the Negative Declaration (copy attached) and a copy of this resolution in the Office of the Town Clerk;

2. mail copies of the Negative Declaration (copy attached) and this resolution to the applicant, the Greene County Planning Board, and SEQRA involved agencies, if any;

3. publish notice of this Negative Declaration in the Environmental Notice Bulletin; and

4. make the Negative Declaration and a copy of this resolution available for inspection and copying by the public.

BE IT FURTHER RESOLVED that his resolution shall take effect immediately.

Councilman Smith seconded this motion.

TOWN BOARD MEMBER	AYE	NAY
Peter J. Markou	Aye	
Robert Antonelli	Aye	
Patrick Walsh	Aye	
Michael J. Smith	Aye	
Kevin C. Lennon	Aye	

Ayes 5, Nay 0, Absent 0 Carried

RESOLUTION # 15-2010 ADOPTION OF LOCAL LAW NO. 1 OF 2010

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill (the "Town Board") is in receipt of an application from the Greene Health Care Associates ("GHCA") seeking a zoning amendment to enable it to utilize its existing medical office building for general and professional offices. The property is located at 159 Jefferson Heights, being a portion of tax map parcel # 155.12-5-22, and more particularly described in Appendix A attached hereto and incorporated reference herein; and

WHEREAS, the existing medical office building on the GHCA property is located in the Town's High Density Residential ("HR") district. Professional offices are presently not a permitted use in the HR district; and

WHEREAS, the Town Board considered a number of alternative zoning amendments to accomplish the needs of the applicant while being protective of Town residents and its comprehensive plan including, among others, the amendment of specially permitted uses in the HR district to include professional offices; the expansion of the General Commercial district; and the enactment of a new zoning law provision to address lots divided by district boundaries; and

WHEREAS, on or about June 22, 2009, the Town Board referred the application for the zoning law amendment to the Greene County Planning Board, pursuant to General Municipal Law section 239-m and on July 17, 2009, the County Planning Board issued a referral response supporting the proposed amendment; and

WHEREAS, on June 2, 2009 and November 3, 2009, the Town Board conducted a properly noticed public hearing on the proposed zoning law amendment; and

WHEREAS, the Town Board, as lead agency under the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA") classified the zoning map amendment as a Type I action under SEQRA and issued a resolution adopting a negative declaration on January 20, 2010; and

WHEREAS, after considering a number of alternative zoning amendments, the Town Board's preferred alternative is one that would amend the Town's zoning law to include general and professional offices as a use allowed in the Town's HR district pursuant to a special use permit, and

WHEREAS, the Town Board finds this zoning law amendment to be consistent with the Town Zoning Law and Comprehensive Plan which encourage appropriate commercial development along existing commercial nodes, major transportation corridors and hamlets of the Town while limiting the commercial uses permitted in the HR district; and

WHEREAS, the Town Board finds general and professional offices to be compatible with the special permit uses currently allowed in the HR district especially when compared with other commercial uses allowed in the General Commercial district which the Town Board considered inappropriate for the HR district; and

WHEREAS, the Town Board finds that the use of the applicant's parcel for general and professional offices is consistent with the existing use of the parcel for medical offices; and

WHEREAS, as a special use, any such use will first require review and approval by the Town of Catskill Planning Board pursuant to the zoning law as to, among other things, the adequacy and appropriateness of the use for each particular site, and an environmental review pursuant to SEQRA.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby enacts Local Law 1 of 2010 to amend the Town of Catskill Zoning Law to add "general and professional offices" to the list of special uses in the HR district.

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to file a certified copy of Local Law 1 of 2010 with the New York State Secretary of State and provide a copy of the Local Law and this resolution to Greene Health Care Associates.

BE IT FURTHER RESOLVED that Greene Health Care Associates is directed to the Town of Catskill Planning Board to seek a special use permit to allow general and professional office use on its property located at 159 Jefferson Heights (tax map parcel # 155.12-5-22), including further SEQRA review.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon filing with the Secretary of State as provided by statues.

Councilman Smith seconded this motion.

TOWN BOAR D MEMBER	**AYE**	**NAY**
Peter J. Markou	Aye	
Robert Antonelli	Aye	
Patrick Walsh	Aye	
Michael J. Smith	Aye	
Kevin C. Lennon	Aye	

Ayes 5, Nays 0, Absent 0 Carried

Supervisor Markou opened the floor to public comment.

Joseph Izzo addressed the board to let them know about the Greene County Highway Department attending the next board meeting to discuss the Jefferson Heights Road Improvement Project.

He also reported on the Planning Board and stated they have an applicant, CJ Properties, who is in the process of putting 27 units on Cairo Junction Road. He stated they received notice that DeSantis submitted a revised site plan. He also stated they approved two site plans, one for Circle W in Palenville and the other for Mr. Frascello on Easy Street.

Mr. Izzo also stated that Harry and he appreciate their appointments as Chair and Vice Chair to the Planning Board. He also stated there are 4 other applications that they are working on. He stated there are outstanding applications that were waiting for the road changes and they have been notified that they have passed.

Supervisor Markou stated that Mr. Izzo may be pleased about being appointed but no more pleased than he is having him take on this responsibility and how the Planning Board is moving forward with applications and they are doing a great job and that the Board appreciates them.

Supervisor Markou asked if anyone else would like to address the Board. With no further comment a motion to adjourn was made by Councilman Antonelli and seconded by Councilman Smith. Meeting ended 7:15 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk