

TOWN OF CATSKILL
AGENDA
August 1, 2023

CONTINUATION OF PUBLIC HEARING 6:30 PM – Proposal for expansion of Leeds Jefferson Heights Sewer and Water District to include property located at 27 Brooks Lane, Catskill, NY.

MINUTES TO BE ACCEPTED:

July 19, 2023 Public Hearing Extension of Leeds/Jefferson Heights Sewer and Water Districts
July 19, 2023 Town Board Committee Meeting

RESOLUTION:

Res 70-23 Change in Employment Status – changing Peter Gallo from PT Maintenance Helper to FT Maintenance Helper effective August 7, 2023.

CORRESPONDENCE:

Letter from NYSDOT the Town was not selected for funding replacement of the Embought Road culvert over the Middle Spring Brook.

Letter from NYSDOT the Town was not selected for funding replacement Penn Avenue culvert over the Kaaterskill Creek.

Invitation from Congressman Molinaro to an open house at his office on Gilfeather Park Rd August 11th from 3 pm to 5 pm.

Notice of Greene County awarding propane bid to Nolan Bottle Gas Company, Ravena, NY.

CONTINUING BUSINESS:

Signage – Town Hall.

Authorization to use the parking area in Palenville for the Tours the Catskill Cycling Event, August 16th.

NEW BUSINESS:

VOC Fire Contract

PUBLIC COMMENT:

Public Hearing – Petition for Extension of Leeds Jefferson Heights Sewer and Water Districts
Catskill Town Hall
July 19, 2023 6:15 PM

PRESENT: Dale Finch, Supervisor
Jared Giordiano, Councilman
Patrick McCulloch, Councilman
Paul Vosburgh, Councilman

Supervisor Finch opened the public hearing with the Pledge of Allegiance. He asked the clerk to read the notice.

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Catskill at Catskill Town Hall, 439 Main St., Catskill, NY 12414 on the 19th day of July at 6:15 PM for the purpose of conducting a hearing upon a proposal to expand the Leeds Jefferson Heights Water and Sewer District in the Town of Catskill to include property located at 27 Brooks Lane in the Town of Catskill. The general boundaries of the proposed expansion include new parcels on the east side and west side of Brooks Lane. The new two unit building on the West Side of Brooks Lane is located in the sewer and water districts. The new two unit building on the East Side of Brooks Lane is where the sewer and water district will be expanded. The new buildings are proposed on lots be subdivided from Tax Lot # 138.00-15-24 located in the Town of Catskill. At the above stated time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same. The proposed expansion area is delineated on a map on file with the Town Clerk. A copy of the map and additional materials submitted in support of the petition for expansion will be made available for public inspection in the Town Clerk's Office and on the Town website in advance of the public hearing. The Town Board reserves the right to modify the boundaries of the proposed district expansion to address the concerns raised during the public comment period and to serve the best interests of the Town. The improvements proposed to be made are as follows: Each building will have a 4-inch schedule 40 PVC effluent pipe, which will combine and connect to the existing sewer stub outside of the units as shown on the design plans. The sewer lines will gravity flow into the existing sewer stub with a minimum slope of 2%. Cleanouts will be installed outside each unit and no bends will exceed 45 degrees. The sewer pipes will conform with ASTM D-3034. All connections will have rubber gaskets conforming to ASTM D-3212. All of the sewer system connections will be installed and tested in accordance with the Town of Catskill Sewer Use Law and the Intermunicipal Agreement between the Town and Village of Catskill. The proposed expansion areas and townhouse units will connect to existing water and sewer lines in Brooks Lane; no sewer or water main extensions are needed or proposed. The Engineer's Report and Plan are on file with the Town Clerk. All costs associated with the expansion of the Leeds Jefferson heights Sewer and Water District and the construction of the proposed sewer and water connection shall be paid by the Petitioner. The Town will not incur any cost from the expansion of the sewer and water district and the construction of the proposed connections. The Petitioner will own and maintain the lines or service laterals in the district expansion area and will be responsible for the operation, maintenance, repair, supervision, and replacement of the service laterals located on the subject property. The Petitioner would be charged as a district user in accordance with applicable agreements and legal authority. Dated: June 21, 2023 Catskill, New York, By Order of the Town Board of the Town of Catskill, Elizabeth Izzo, Catskill Town Clerk

Supervisor Finch stated most people present are familiar with the project. We are working with Delaware Engineering and have not done our leg work yet to move forward with the project. We are working with Mr. Vipler and his attorney, Allyson Phillips, on how to proceed with the extension.

Mr. Vipler approached the board and gave a brief history of the project. He stated he had met with Bob Young of the Village DPW to make sure there is enough water to handle the project and there should be a letter on file with the Planning Board where there is enough water to handle the two buildings. Mr. Vipler has stated he has never had any issue with water pressure at his own home located at the end of Locust Park.

He hired an engineering firm to review the attachments to the water and sewer district which is in the petition as exhibit A. There was an error in calculation about how much water the units will use as they used a NYSDEC calculation based on the number of bedrooms. He has phoned Kaaterskill Engineering to figure out the average water use of a home which is 7 to 12 units per quarter with one unit being 750 gallons. He is not agreeable to hiring another engineering firm since the letter in the PB file approves the four homes under the subdivision and if the town wishes to pay for the review, he has no problems.

Supervisor Finch stated he is not comfortable with moving the project forward without the review of DE for the water capacity and flow study. Mr. Vipler stated no one is more qualified to talk about the average water flow than DPW. Councilman Vosburgh does not believe we can discard what DEC states about the average use of water.

Councilman Giordiano stated he is a resident of Brooks Lane and when the country club had the fire, he had no water and occasionally has water pressure issues. He believes the flow in the pipe may not support the additional units. He stated without a third party review he would not support the petition.

Mr. Vipler confirmed what was being told, that even with the letter from DPW and the petition to file which cost \$10,000, there is now the possibility of the board not approving the extension. This should have been disclosed ahead of time.

Councilman McCulloch stated the town is hiring DE. Supervisor Finch stated there is a question of the infrastructure supporting a four bedroom and three-bedroom townhome and asked what Mr. Vipler's vision is for the property; would they be short term rentals or weekend stays, what will the capacity for eight individuals and then in the future, more business, more activity. The only decision we need to make will require the engineering report regarding the water pressure.

The board asked Mr. Vipler his future vision. Mr. Vipler stated there will be no more buildings unless a new line is brought in. He will stop with the two buildings under the existing water line. The units are to be sold and if they do not sell, then he will not proceed with the building the other unit.

Supervisor Finch and Mr. Vipler agreed to get an estimate of how much it will cost for a third-party evaluation. Supervisor Finch asked if there were any further comments. Councilman McCulloch stated the number scared him in the report as it is a lot of water and all we want to know is the number. DE will only do a water feasibility study and pressure test.

Councilman Giordiano motioned to keep the public hearing open seconded by Councilman McCulloch. The public meeting ended at 6:52 pm with the Town Board Committee Meeting convening.

Respectfully submitted,
Elizabeth Izzo
Town Clerk

Catskill Town Board Committee Meeting
Catskill Town Hall
July 19, 2023 6:52 PM

PRESENT: Dale Finch, Supervisor
Jared Giordiano, Councilman
Patrick McCulloch, Councilman
Paul Vosburgh, Councilman

The regular meeting reconvened at the end of the public hearing.

MINUTES:

June 6, 2023 Town Board Monthly Meeting
June 21, 2023 Town Board Committee Meeting

Motion to accept made by Councilman Giordiano, second Councilman McCulloch; carried.

RESOLUTION:

Res 64-2023 Standard Workday and Reporting Resolution for Elected and Appointed Officials on motion of Councilman Vosburgh second by Councilman McCulloch. Adopted Vote: 4 Yes 1 Absent (Scannapieco)

Supervisor Finch discussed the Town Court's request opposing the NYS Senate and Assembly bills regarding Town and Village Courts in the 100 largest towns and villages have licensed attorneys be judges.

Res 65-2023 on motion of Councilman Vosburgh second by Councilman McCulloch opposing New York State Senate Bill S-001398B and Assembly Bill A-135B requiring all Judges presiding in the 100 largest Towns and Village Courts to be licensed to practice law in the State and to have been admitted to the NYS Bar for at least five years. Adopted Vote: 4 Yes 1 Absent (Scannapieco)

CORRESPONDENCE:

Letter from Cameron O'Connor of Carson Power Renewable Energy looking for suitable land for a community solar project.

Letter from Kiskatom Fire Department regarding 4858 Route 32 and intentional hampering their fire suppression access to the site and Supervisor Finch's response regarding litigation and Judge Mott's order.

Email from Joe Izzo regarding information for the proposed hotel project at the thruway site which can be found on the IDA website.

Email from Dieter Drake regarding the 16th Annual Tour of the Catskills cycling ride, Saturday, August 16th and request to use the parking area across from the church in Palenville for an aid station as has been done in years past.

Email Rory Cohan, regarding Rivers Electric LLC's license amendment application to the Federal Energy Regulatory Commission for the Mill Pond Hydroelectric Project (FERD No. P-9985). Application available for public FERC [eLibrary](#).

CONTINUING BUSINESS:

Update regarding Town Hall building renovations – *Supervisor Finch stated next week there will hopefully be a site visit to finish the work in the back. He received pricing on replacing the fence. He spoke with Shawn Beers and he is on board repaving the parking lot. We are waiting for a proposal from Next Gen signs for replacement of signage on the front of the building.*

NEW BUSINESS:

Requests from Town Court:

1. Adopt a resolution in opposition to New York State Senate Bill S-00139B and Assembly Bill A-1358B. The Senate bill was passed and if passed by the Assembly and signed by the Governor, would require Town and Village Justices to be licensed to practice law in the State and have been admitted to the NYS Bar for at least five years. *See Resolution # 65-2023 above.*
2. Authorization by resolution for the Court Justices to attend the Annual NYS Magistrates Conference October 1-4, 2023 Syracuse, NY. *Resolution # 66-2023 on motion of Councilman McCulloch second by Councilman Vosburgh authorizing the Town Justices attend the NYS Magistrates Association Annual Conference. Adopted Vote: 4 Yes 1 Absent (Scannapieco)*
3. Authorization by resolution for the Town Court to apply for a JCAP Grant. *Resolution # 67-2023 on motion of Councilman Vosburgh second by Councilman Giordiano authorizing the Town Court apply for a JCAP Grant in the 2023-24 grant cycle of up to \$30,000. Adopted Vote: 4 Yes 1 Absent (Scannapieco)*

Replacement fencing behind Town Hall – Supervisor Finch has a proposal from A & C Fencing in the amount of \$1,400. *Resolution # 68-2023 on motion of Councilman Giordiano second by Councilman McCulloch accepting the proposal to replace the fence from A & C Fencing in an amount not to exceed \$1,400.00 and applying the remainder of the County ARPA funds towards the cost. Adopted Vote: 4 Yes 1 Absent (Scannapieco)*

Dell Technology quote for CPU's (Webjogger) – this is for informational purposes as Webjogger will list which monitors will need upgrades and will discuss further then.

Proposed Town Code Revisions including Planned Development District from the Planning Board and request to schedule public hearing September 5, 2023 on revisions. *Supervisor Finch asked for a motion to schedule a public hearing for review of the proposed revisions to the town code. Resolution # 69-2023 on motion of Councilman Vosburgh second by Councilman McCulloch to schedule a public hearing to address revisions to Town Code Chapters 134B, 138, 140, 160 and to add a new chapter 51 subject to adoption of Local Law 4 of 2023. Adopted Vote: 4 Yes 1 Absent (Scannapieco)*

SUPERVISOR COMMENTS:

There is concern about speeding on Woodstock Avenue near the Tannery Bridge. He will speak to the Sheriff's Office about the speeding. Motorists are using the roadway as a short cut. Will monitor.

PUBLIC COMMENT:

Teresa Golden, Planning Board Chairwoman, asked if the board looked at Embought Road. There is an application before the Planning Board and they have asked Shawn Beers to respond. The concern is the volume of traffic on the road and if the road can manage it. Mr. Federman stated during the public hearing that a resident stated they were denied a retaining wall as the integrity of the road would be compromised. Supervisor Finch stated there are no shoulders on the road and the complaint is people could not use the road because of the volume of traffic and speed.

Supervisor Finch asked if anyone had any further comments. Councilman Giordiano inquired about having a vendor permit for events under 1,000 persons. Supervisor Finch stated this would require a change in the code and will ask the Town Attorney about it. Councilman Giordiano stated the Town Clerk would issue the permit. It is being discussed as Griffin's wants to do events and asked the CEO about permits.

Councilman McCulloch stated the Summer Recreation program is going great. He met with Pastor Snowden and they did a walk through of the church as it will be used beginning July 31st. They are working on planning next year's program. Councilman Giordiano asked about an end of season party. Councilman McCulloch stated the town received a donation from Ben Fein. Councilman Vosburgh asked if we received monies from the Community Center. Councilman McCulloch stated no. Supervisor Finch asked if we forwarded an application. Councilman McCulloch stated no.

With no further comment a motion to end the meeting was made by Councilman Vosburgh second by Councilman McCulloch. Meeting ended 7:23 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk



**Department of
Transportation**

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

JANICE A. McLACHLAN
Chief of Staff

July 7, 2023

Mr. Dale Finch
Town Supervisor
Town of Catskill
439 Main Street
Catskill, NY 12414

Dear Mr. Finch:

The New York State Department of Transportation regrets to inform you that the Town of Catskill application for the Replacement of the Embought Road culvert over Mineral Spring Brook was not selected for funding through the 2022 BRIDGE NY Program.

Projects were selected based on a condition and need analysis along with consideration of available funds. Requests for funding exceeded the available funds, and thus, we were unable to fund all the projects submitted for consideration.

NYS DOT appreciates the effort put into your application and encourages your participation in future funding opportunities.

If you have any questions, please contact me at (518) 485-1382.

Sincerely,

Donald F. Mattimore, PE
Director, Office of Regional Planning and Program Coordination



**Department of
Transportation**

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

JANICE A. McLACHLAN
Chief of Staff

July 7, 2023

Mr. Dale Finch
Town Supervisor
Town of Catskill
439 Main Street
Catskill, NY 12414

Dear Mr. Finch:

The New York State Department of Transportation regrets to inform you that the Town of Catskill application for the Replacement of the Pennsylvania Avenue culvert carrying the tributary to Kaaterskill Creek was not selected for funding through the 2022 BRIDGE NY Program.

Projects were selected based on a condition and need analysis along with consideration of available funds. Requests for funding exceeded the available funds, and thus, we were unable to fund all the projects submitted for consideration.

NYSDOT appreciates the effort put into your application and encourages your participation in future funding opportunities.

If you have any questions, please contact me at (518) 485-1382.

Sincerely,

Donald F. Mattimore, PE
Director, Office of Regional Planning and Program Coordination