

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING

July 16, 2014

Time: 7:00 PM

SALUTE TO FLAG

Supervisor Croce opened the meeting with a salute to the American Flag.

ROLL CALL

The following Town Board Members were present:

Supervisor Croce
Councilman Putnam
Councilman Farrelly
Councilwoman Delgado
Councilman DePew

MINUTES

* Supervisor Croce made a motion to dispense with the reading of the minutes from the June 24, 2014 and June 30, 2014 Special Town Board Meetings and the July 2, 2014 Regular Town Board Meeting.

Councilman Farrelly seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the June 24, 2014 Special Town Board Meeting – Assessor Interviews.

Councilman Putnam seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the June 30, 2014 Special Town Board Meeting – Assessor Interviews.

Councilman Putnam seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the July 2, 2014 Regular Town Board Meeting.

Councilman Putnam seconded.

On the vote: all ayes.

ADDITIONS

There were no additions this evening.

PUBLIC INPUT

Mrs. Dicapua–Guerriero, a resident on South Street, stated that she has three foreclosed properties right next door and across the street from her home. She stated that the lawns are not mowed and there have been burglaries and safety issues that are of much concern to her and her family. She stated that she has been working with Dawn Maresca, the Building Dept. clerk, and she has been more than helpful. She keeps calling the banks to try to get the homes cleaned up. She stated that Mrs. Maresca has gone way above and beyond to try to get something done but there have now been 2 burglaries, 1 house has been stripped of all its copper plumbing and she is fearful for her families' safety. She asked if it was possible for the Town to take over the care of these properties until they can be sold.

Supervisor Croce stated that we have had this same situation in other areas of Town. He stated that the banks usually take over the homes, but they do sit for a while before being re-sold. Sometimes the banks then sell the properties to other banks and we have to go chasing after who owns the property.

Mrs. Decapua–Guerriero stated that she realizes the banks change, but there should be some way to make them keep the properties clean and mowed. She stated again that she has been working with Mrs. Maresca to contact the banks and she has been trying to stay on top of this issue for months now. She has spent a lot of time and has been wonderful to work with, but we get the bank to mow and then it gets put off to a new bank and she has to start over again.

Supervisor Croce stated that he would contact the Police Chief and see what can be done. Maybe they can step-up patrols in this area. He stated that he would also speak to the Building Dept. to see if something can be done to secure the homes.

Mrs. Decapua –Guerriero stated that she wanted to thank the Town Board for any help they could offer.

Mr. David Scarpino, a resident from the Stone Oaks Subdivision, stated that he noticed the developer has started to finish the drainage on the sides of the road so that the road can be dedicated to the Town. He stated that his property is at the top of the hill and the only place that he sees water runoff is in his backyard. He stated that it appears the developer will be coming in about 20 feet on his front lawn to dig a very large hole to catch the water. He stated that he did not want this done to his front lawn.

Supervisor Croce stated that Mr. Scarpino had called him on this matter last week and his feelings are that the road, at this point, is not a Town road and therefore the Town does not have the authority to make decisions about the road. He stated that the second issue is that the developers went through the Planning Board process and the drainage system was designed by an engineer and the maps were approved and signed. He stated that he would call Andy Willingham, the Town Engineer, and see if he could set up a meeting with him, the developer and Mr. Scarpino to discuss these drainage issues.

Supervisor Croce stated that we did have a previous issue with one of the driveways and after some discussion, the driveway was moved to a new, better location. Perhaps this situation could be adjusted/changed also, but that would be up to the engineer and developer to decide.

Mr. Scarpino stated that he has lived in his home for almost 10 years and he has all his landscaping done. He stated that he did not want them to tear up his front lawn. He stated that he will not allow them on his property if that is what it will take.

Supervisor Croce stated that the Town Board could not make this decision. This subdivision was done through the Planning Board process and he would have to believe the engineers set up the drainage system. He stated that he believes the only ones who could possibly change it would be the engineer and the developer. He stated that he was not sure if something like this would have to go back before the Planning Board or not. He will try to set up a meeting for Mr. Scarpino with the developer and the engineer, to discuss this issue.

Mr. Bill Farrell stated that there was a newspaper article recently about all the homes that are empty and the Banks have foreclosed on. He stated that the article talked about Towns starting to fine the Banks, on a day to day basis, for not taking care of the properties. The Towns are making a lot of money on this.

Supervisor Croce stated that he did not think the Town of Plattekill had anything in the Town Code stating we could fine the Banks.

Mr. Dwight Dougherty stated that he wanted to let the Town Board know that he felt the Red, White and Blue Fireworks Event was great. He stated that he had attended some fireworks at other area Towns and he felt ours were much better and the food was good too.

Supervisor Croce stated that he would agree with Mr. Dougherty. He stated that it was a beautiful day and most of the vendors either sold out all their food or there was very little left. He stated that this event is specifically for organizations in Town to do their fundraising and he is sure they all did very well.

Supervisor Croce stated that he wanted to thank the Highway Dept. for setting everything up and for the Fire Police who helped with traffic control. Everyone pitches in and that's what makes for a great event. He stated that he was speaking with the fireworks company and their prices will be going up next year, so we will have to put a little more money in the budget. He stated that he felt this was a worthwhile event that brings the community together and he would like to see it continued. Thanks to all who helped make this event possible.

There were no further comments or questions from the public.

* Supervisor Croce made a motion to close the Public Input Section of the meeting at 7:33 PM.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 1 – POLICE DEPT. JUNE MONTHLY REPORT

Supervisor Croce read the June 2014 Monthly Report for the Police Dept. He read that there were 327 documented calls for service for the month of June, 91 traffic tickets issued and 11 motor vehicle accidents with 8 persons reported being injured.

Supervisor Croce did not read the extensive Arrest Blotter and informed everyone that a copy of this report is available at the Town Clerk's office.

Supervisor Croce read that there were 16 cases worked with 2 burglary cases being closed with investigation. There was no problem with any of the vehicles. He read that the Plattekill PBA hosted the

2nd annual Pig Roast to benefit the Bruce Loertscher Scholarship Fund and they raised enough to give 4- \$500.00 scholarships next year to a student from the Wallkill, Marlboro, Highland and New Paltz School Districts.

Supervisor Croce stated that the PBA had a great day this year. It was warm and sunny and they had a car show and music. He stated that he was glad to see that they made enough to give these scholarships again next year.

SECTION 2 – JUNE 2014 - BUILDING DEPT. MONTHLY REPORT

Councilwoman Delgado read the Building Dept. monthly report for June 2014. She read that there were 41 field inspections done, 16 violations issued, 1 violation closed, 4 complaints taken, 21 building permits issued, 5 Certificates of Compliance issued, 11 municipal searches done, 2 Court cases scheduled for July 25th, 1 site plan reviewed, 4 fire safety inspections done and 2 office meetings held.

Supervisor Croce stated that he sat in on a second demo of new software for the Building Dept. He stated that the Building Dept. is reviewing several new systems to see which one will be the best for our needs and is most cost effective.

SECTION 3 – MAY & JUNE 2014 - DOG CONTROL MONTHLY REPORT

Councilwoman Delgado read the Dog Control monthly report for May 2014. She read that there were 14 total calls with 7 calls coming through the Plattekill PD and Ulster County Sheriff's Dept. There was 1 open case, 2 dogs impounded or seized, 1 dog redeemed by the owner and there are currently 2 dogs in the kennel. She read that there is 1 dangerous dog hearing in the Plattekill Court and 1 potential hearing under investigation.

Councilwoman Delgado continued to read that there is discussion on the possibility of a local Girl Scout Troop doing an event to benefit the Dog Shelter and Mr. McKee would like to thank them for considering the shelter for their support.

Councilwoman Delgado finished reading the report stating that Mr. McKee had attended the annual NYS Ag & Markets training in Guilderland and another workshop on "Investigating Animal Cruelty".

Councilwoman Delgado read the Dog Control monthly report for June 2014. She read that there were 19 total calls with 5 calls coming through the Plattekill PD and Ulster County Sheriff's Dept. There were 3 cases open, 1 dog impounded or seized, 1 dog redeemed by owner, 2 appearance tickets issued and there are currently 2 dogs in the kennel. She read that there was one dangerous dog hearing in the Plattekill Court and there is one potential dangerous dog hearing under investigation.

Councilwoman Delgado continued to read that Mr. McKee would like to thank the Town Board for approving the Girl Scout event at the pavilion in September. This event will benefit the Municipal shelter. The report stated that the Girl Scouts have already donated over 100 lbs. of blankets, sheets and towels to use in the shelter.

Councilwoman Delgado read that Mr. McKee would also like to thank Hannaford's store for donating damaged bags of food that we use to feed the dogs in our shelter. We appreciate their support also.

SECTION 4 – RECREATION MONTHLY REPORT – SUMMER CAMP

Mr. William Farrell, the Recreation Director, was present to give his monthly report. Mr. Farrell stated that the camp was running smoothly and is in its third week. He stated that the new Camp Director, Stephanie Dolan, and her staff have been very active in creating a schedule that keeps the kids and counselors motivated and involved in a variety of activities. They have had the Music Professor from Marist who did a sing along program for 2 hours where the children made their own instruments out of items such as paper plates, macaroni noodles and cups. There have been Zumba classes, a magic show and trips to the movies, bowling, Camp Redwood and the Ulster County Pool. There are currently 83 kids enrolled with 14 to 15 counselors to watch them each day.

Mr. Farrell wanted to remind the Town Board that they had raised the camp registration fee by \$25.00 (from \$300.00 to \$325.00) to offset the increase in the minimum wage set by NY State to \$8.00 per hour. He was requesting that the Town Board make this adjustment to the budgeted amount for camp salaries so that he will be within his 2014 budgeted amount. At the time the budget was put together last fall, the minimum wage had not been increased. He stated that as far as the rest of the budget, he has been able to keep the expenses relevant to the 2014 budget. He stated that the Camp is under the auspices of Ulster County and NY State, which means that there are mandated requirements; which means it costs more to run the camp.

Mr. Farrell stated that the last day of Camp is August 1st and they will be having a Talent Show. He wanted to invite the Town Board to attend if they are available.

Mr. Farrell stated that he received some feedback on the Red, White and Blue Celebration and the general consensus is that it was a pretty good show. He stated that the band had some issues with the electric in the beginning, but once that was resolved, they performed really well. He stated that a singer came in to sing the Star Spangled Banner and God Bless America and all the vendors he spoke to either sold out or almost sold out. It was a really nice crowd and we did not have any real police issues.

Mr. Farrell stated that his one concern was where the port-a-potties were located. He stated that he felt they were in the way for people to get down to the fields, they were the first thing people saw when they came in and people exiting the port-a-potties were hitting some of the people with the doors as they were trying to pass through that area. He would suggest that they be put back to the area where they have been in the past, on the edge of the parking lot towards the area where the Stune house used to be.

The Town Board thanked him for his comments.

SECTION 5 – LIBRARY SUMMER READING PROGRAM

Supervisor Croce introduced Mr. John Georghiou, the Director of the Plattekill Library, who was present this evening to announce the Summer Reading Program at the Library. Mr. Georghiou and his staff gave a presentation on how important it is to keep children reading throughout the summer and that they have many programs to keep children interested in reading. They also spoke about adult reading programs as well as arts and craft programs and computers that are available for use by the public.

Mr. Georghiou stated that the Library has a newsletter, to keep residents up-to-date on all that they have to offer, that can be sent to anyone who gives them their e-mail address and there is always the Plattekill Library website which connects people with other programs and tutoring for students.

The Town Board thanked Mr. Georghiou and his staff for coming in this evening and sharing what the Plattekill Library has to offer.

SECTION 5 – RESOLUTION IN SUPPORT OF PROPOSED COUNTY RESOLUTION – ELECTION EXPENSES

Supervisor Croce stated that he would like the Town Board to consider adopting the following resolution which is in support of the proposed County Resolution authorizing Ulster County to pay for the cost of Election Expenses instead of individual Towns in Ulster County putting funding in their local budgets.

**RESOLUTION OF THE TOWN BOARD
TOWN OF PLATTEKILL**

Resolution in Support of Proposed County Resolution No. 224 of July 15, 2014, Authorizing
Ulster County to Pay for the Cost of Election Expenses

Date: July 16, 2014

* Supervisor Croce made a motion to adopt the following resolution:

WHEREAS, Ulster County Resolution No. 410 of December 6, 2006 authorized the County of Ulster to charge back the towns and the City of Kingston for the cost of elections; and

WHEREAS, the Help America Vote Act, or HAVA, mandated that all states and localities upgrade many of their election procedures, including their voting machines, registration processes and poll worker training; and

WHEREAS, the increased costs associated with elections have proven to be a substantial expense and burden on the Town of Plattekill; and

WHEREAS, the financial burden is expected to escalate, as future costs associated with repair and/or replacement of the new electronic voting machines could be cumbersome; and

WHEREAS, pursuant to New York State Election Law, Article 4, Section 4-136, "...the expenses of providing polling places, voting booths, supplies thereof, ballot boxes and other furniture for the polling place for any election, including the storage, transportation and maintenance of voting machines, appliances and equipment or ballot counting devices, and the compensation of the election officers in each election district, shall be a charge upon the county in which such election district is situated..." and

WHEREAS, New York State Election Law, Article 3, Section 3-226 states that "All voting machines, and appliances and equipment relating to or used in the conduct of elections shall be in the care, custody and control of the board of elections," and therefore, not the responsibility of the local municipalities; and

WHEREAS, the Town of Plattekill has no say in the increases in the chargeback pricing rates; and

WHEREAS, the Town of Plattekill has no ultimate authority as to who is hired by the county to be local election workers; and

WHEREAS, the Town of Plattekill has no authority for election worker compensation rates; and

WHEREAS, in a reasoned September 23, 1992 opinion to Broome County, the New York State Comptroller said, in part, “there is no requirement that the chargeback should appear in a city, town, or village budget,” and

WHEREAS, the county does not charge back for services it renders from the Sheriff’s Office, Weights and Measures, Emergency Services, District Attorney’s Office, or the other county departments, and

WHEREAS, the Town has become a “middleman” in the election process rather than an active participant with any authority of home rule; and

WHEREAS, this chargeback is no less than an unfunded mandate from the County to the Town of Plattekill; and

WHEREAS, County Resolution No. 224, currently pending, would direct the cost of election expenses be borne by Ulster County, and not billed to its municipalities, effective January 1, 2015; and

WHEREAS, the Town of Plattekill Town Board supports the passage of said Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Town of Plattekill Town Board hereby supports the passage of said Resolution and respectfully requests that the Ulster County Legislature pass the proposed resolution; and

BE IT FURTHER RESOLVED that the Town Clerk send a certified copy of this resolution to the Ulster County Legislature and Ulster County Executive within ten (10) days.

Councilwoman Delgado seconded.

On the vote:	<u>AYES</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Supervisor Croce	X			
Councilman Putnam	X			
Councilman Farrelly	X			
Councilwoman Delgado	X			
Councilman DePew	X			

The Town Clerk stated that she would send signed and sealed copies of this resolution to the County Executive and the County Legislature.

SECTION 6 – TRAINING REQUEST - ZONING SUMMER SCHOOL CLASSES

Supervisor Croce stated that the Town Board has received a request from the Zoning Board to allow Zoning Board members to attend the NY State Association of Towns Summer Classes which will be held in Kingston on Tuesday, July 29th, from 8:30 AM to 3:45 PM. The classes are \$80.00 per person, pre-registered and would satisfy the yearly requirement of training hours of continuing education. There are four Zoning Board of Appeals members who would like to attend.

* Councilman DePew made a motion to approve the Zoning Board of Appeals training to be held July 29th, 2014, for four Zoning Board members at a cost of \$320.00.

Councilman Putnam seconded.

On the vote: all ayes.

SECTION 7 – HIGHWAY DEPARTMENT TRANSFER

Supervisor Croce stated that the Town Board has received a request from the Highway Superintendent to transfer funds to purchase two culvert pipes. One is for the New Unionville Road Culvert Project and the second one is for the Old Unionville Road Culvert Project. He explained that these pipes will be used during the construction phase of the two bid projects that are currently out for bid through the Town Clerk's Office and Highway Dept. The remaining funds will be for the purpose of purchasing catch basins and piping for other Town drainage situations.

* Councilman DePew made a motion to transfer \$75,000.00 from the Highway Budget Line #DA0917 Highway Unassigned Fund Balance to the Highway Budget Line #DA5120.4 Bridges Contractual to cover the cost of both box culvert pipes for the New Unionville Road and Old Unionville Road projects and the remaining money will be used towards drainage for the Town by purchasing catch basins and piping. A copy of the complete transfer is attached to these minutes.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 8 – EXECUTIVE SESSION

* Supervisor Croce made a motion to close the regular Town Board meeting and enter into Executive Session to discuss a Union personnel position.

Councilwoman Delgado seconded.

On the vote: all ayes.

Time: 8:22 PM

Back: 8:50 PM

* Supervisor Croce made a motion to close Executive Session and to re-open the regular Town Board Meeting.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 9 – VOUCHERS

* Councilman DePew made a motion to pay the Voucher Detail Report dated 7/16/2014, which includes the General Fund amount of \$42,769.61, the Highway Fund amount of \$18,120.37, the Clintondale Light District amount of \$633.04, the Modena Light District amount of \$1,118.90 and the Trust & Agency amount of \$3,611.90 for a total amount of \$66,253.82 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 10 – ADJOURNMENT

* Councilman DePew made a motion to adjourn the meeting at 8:52 PM.

Councilman Putnam seconded.

On the vote: all ayes.