

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING

Time: 7:00 PM

June 4, 2014

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

There were no minutes approved at this meeting.

PUBLIC INPUT

Mr. William Farrell, the Town Recreation Director, asked Supervisor Croce about the sign in front of the Town Hall. He wanted to know if he could put events on the sign that he was having through the Recreation Dept. He stated that he wanted to put up the Summer Camp Registration and the Senior Trip and he knew that the Town Clerk wanted to put up that there would be a Rabies Clinic. He is being told that the sign can only be changed once a month.

Supervisor Croce stated that the sign was managed by the Town Publicist and it is updated every couple of weeks.

Mr. Farrell stated that while he felt it was nice to congratulate the senior class, he felt that programs for the Recreation Dept. should take precedence. And there will still be time to have the congratulations at the end of the month.

Supervisor Croce stated that he has had a discussion with the Publicist and she cannot put any letters on the bottom row because the bottom strip is missing. So there is a space constraint and as he discussed with him already we should try to get everything on the website. The Town spent a lot of time and money to get the website to be more user-friendly and it is a good way to get information out to the public. He stated that he did agree that Town programs might take precedence over congratulating the senior class and felt that we should put up what we can in chronological order. He suggested that he make sure all the information for all the programs get to the Publicist so she can get them on the website as that should be the go to location for all the events.

Mr. Farrell stated that he has parents who say they didn't know about a program because they did not see it on the sign.

Supervisor Croce stated that he would hope that he would urge those residents to go to the Town website as space is very limited on the sign.

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 7:10 PM. Councilman Farrelly seconded.
On the vote: all ayes.

SECTION 1 – CIRCUS COMING TO TOWN

Supervisor Croce stated that the Circus is coming to Town. He stated that the Town Board had asked him to negotiate with the Circus Company to use the parking lot on the south side of Patura Road and Rt. 32. He stated that when he suggested a fee of \$1,000.00 for the use of the field, the representative did not feel this was acceptable and they settled on \$750.00. So they will be coming on the 26th of June and we already have their certificate of liability insurance. He stated that he has also spoken to Mr. DePew, who was awarded the bid to hay this field, and he has assured him that it will be mowed before June 26th.

The Town Board thanked the Supervisor for his work in negotiating this event.

SECTION 2 – FOSLER ROAD, LLC

Supervisor Croce stated that Fosler Road LLC is a project that has been before the Planning Board for many years. They were around when we were making changes to our Multi-Family Law and had to do some modifications once the new law was adopted.

Supervisor Croce introduced Mr. Michael Moriello, who is the Attorney for the project and Mr. Rosato who is an owner on this project.

Mr. Moriello gave the Town Board a short overview of the project because some members were not on the Town Board the last time they came before the Board for an approval needed for this project.

Mr. Moriello stated that they have been in contact with the Town Attorney, Paul Kellar, and have been working on the final draft of a resolution to have the Town Board issue a Development Permit. The Town Board is also being asked to make a decision on a bond that is required by Town Law, that the owner of the property must put into escrow, enough money to fix any problem with the water and/or sewer facility at this Multi-Family Development site.

Mr. Moriello suggested to the Town Board that they should review this law as he was not sure that everything in it was something that could be done legally. This project is a private development and the Town is asking that the owner put down approximately \$68,000.00 in an escrow account for ever and ever. He will not be able to take the money out of escrow. He felt that if the escrow account was set up to cover any concerns about the systems not being completed or that they had to be in working order for a year or two, and then the escrow account was given back to the owner, this would make more sense. But to ask him to put that money into escrow, where it will just sit and cannot even accumulate interest, is an undue burden on the owner/developer. He would like to suggest that maybe an insurance bond, where the owner would pay an insurance policy on the maintenance of the facility,

would be a better way to get around this problem. He state that this was private infrastructure and he did not think asking for this surety bond was legal.

Supervisor Croce stated that he thought this was put in the law so that if it broke down and the owner wouldn't fix it, then the Town could go in and take this money to fix it. He stated that he feels it is the same situation as we just had with putting in driveways that have to be done by the engineer's specifications.

Mr. Moriello stated that he could see this being done if the Town were taking it over, but this is a private project on private property. And after the driveways are done, the money is returned to the developer. His client will have to put up this bond for \$68,000.00 and just let it sit there. It could sit there forever. He stated that a bond is usually for a certain period of time. This is money he will have to put out and never recover.

Councilman Farrelly asked about using a Letter of Credit?

Mr. Moriello explained that a Letter of Credit is usually time sensitive. In this case, he will never get that money back. He stated that he is proposing that they allow them to get a Performance Bond which is through an agency that pledges the money if it is ever needed. He stated that because this is a private project, he feels we might be able to work something out so that Mr. Rosato will not have to put up this large amount of money that he will never get back. He stated that if something were to happen, there is a mortgager who would also step in.

Mr. Moriello stated again that he felt the Town Board should review this law and make some amendments or changes to it. He stated that he felt there were several issues with this Zoning Law and some of it he feels could be illegal. He stated that he could see doing some of these things if this was a commercial project, but it is a private project. Why would the Town be involved with a private project?

Supervisor Croce stated that he would discuss some of these issues with Mr. Kellar.

Mr. Moriello stated that as far as the resolution, he has been in contact with Mr. Kellar and they have made some changes. He pointed out several sections where the wording had been changed slightly.

Supervisor Croce stated that he had spoken with the Planning Board Chairperson and all the conditions that they require have been met.

Councilman Farrelly suggested that the Town Board obtain a letter on this from the Planning Board.

Supervisor Croce stated that he would ask the Planning Board for that letter.

Mr. Moriello stated that he was going to continue to speak with Mr. Kellar to finalize the wording in the resolution and to discuss the set-up of the bond.

Councilwoman Delgado stated that she did not have a copy of the document from the Title Company.

Mr. Moriello stated that he would send the Town Board a copy. He stated that when he has all the documents completed, he will get back to the Supervisor.

Supervisor Croce stated that he did request additional funds for the escrow account and has received a check to replenish that account.

Supervisor Croce thanked Mr. Moriello and Mr. Rosato for coming in this evening.

SECTION 3 – EAGLE SCOUT PROJECT

Supervisor Croce explained that he and Mr. Wager and Alex Robisch all met at the Park to review the Eagle Scout Project that Alex was looking to do. He introduced Mr. Robisch to give an overview of what his project would entail.

Mr. Alex Robisch stated that he was a member of Troop #195 out of the United Methodist Church across the street from the Town Hall. He stated that he would like to re-vitalize the flag area at the Town Park. He would like to take out the wooden border that is rotted around the walkway and re-do the walkway; maybe even adding a few more bricks. He stated that he wanted to clean up the bushes and garden area and put in some new plantings. He would be putting in more stone dust along the pathway. He had a drawing of what the area would look like and he showed it to the Town Board.

The Town Board asked about fundraising for this project and Mr. Robisch stated that he estimated the cost to be about \$1,500.00 and it will probably take about 30 hours. He stated that he would be doing some fundraisers and he would make sure that anyone who helps him wears safety glasses and gloves.

Mr. Robisch stated that he also wanted to get in touch with the former Eagle Scout that did the original project to make sure he is ok with what he wants to do. The project was done a long time ago and the renovation project will just be up-grading his project.

The Town Clerk stated that the Eagle Scout that did the original project was Kyle Wellman and his brother Eric Wellman put in the two monuments. They were both here for Memorial Day Weekend, but have now returned to the Marines and Navy. If you contact the family, they should be able to get in touch with them.

Supervisor Croce stated that he had also suggested that Mr. Robisch contact the Wellman family to make sure that they realize what this project was all about.

There was some discussion that there may be more bricks added to the original walkway and the Town Clerk stated that she has had people ask how they could get their name on a brick in the walkway. Perhaps selling more engraved bricks may also be part of the fundraising for this project.

Supervisor Croce stated that he would suggest putting up caution tape around the area where he will be working as the Park is open and he may find people walking through his project when he is not there.

Councilman DePew stated that Mr. Robisch made a good point that the first thing you see when you enter the Park is the flag pole area. This is a great project.

* Councilman DePew made a motion to allow Mr. Alex Robisch to proceed with his Eagle Scout Project to renovate the flag area at the Town Park.

Councilman Putnam seconded.

On the vote: all ayes.

SECTION 4 – FREE CLEAN-UP COUPONS FOR THE TRANSFER STATION DURING JULY

Supervisor Croce stated that the Town has offered \$20.00 in free transfer station coupons, during the month of July, for many years and he would like to see the Town Board approve this again for this year. He stated that this would be \$20.00 per household. It does cost the Town some money, but it is an incentive for people to clean up their yards and to get rid of bulky items.

The Town Board was in agreement that they wanted to offer the coupons again this year.

* Councilwoman Delgado made a motion to do free coupon month at the Transfer Station, in July, at \$20.00 per household.
Councilman DePew seconded.
On the vote: all ayes.

SECTION 5 – PLATTEKILL DAY CONTRACTS

Supervisor Croce stated that the Town Board has received a memo from Linda Byrnes, the Plattekill Day Director, for entertainment on Plattekill Day, Sept. 20, 2014. The memo stated that she was recommending hiring all the contracts listed as these are the same entertainers that were hired in the past with much success.

Supervisor Croce read that the Night Light Entertainment DJ service for the day would cost \$300.00, the Dylan Doyle Band would cost \$150.00 for 2 hours, the Tea For Two Band would cost \$325.00 for 2 hours and they would also do a children’s band and Joey Hoey the magician would be \$300.00 for a 1 hour show.

* Supervisor Croce made a motion to hire the entertainment for Plattekill Day, Sept. 20, 2014, as was recommended by Linda Byrnes with the Night Light Entertainment DJ service at \$300.00, the Dylan Doyle Band at \$150.00, the Tea For Two Band at \$325.00 and the Joey Hoey Magician at \$300.00.
Councilman Farrelly seconded.
On the vote: all ayes.

SECTION 6 – FIREWORKS CONTRACT FOR JULY 12TH EVENT

Supervisor Croce stated that he was having trouble finding companies that would give him an estimate for the Fireworks Event. He stated that he contacted “Melrose Fireworks” and they would not give him an estimate unless we were willing to pay around \$50,000.00. He stated that “Fireworks Extravaganza” gave him a cost of \$5,500.00, which was the same amount as last year, but has cautioned that next year’s estimate will probably go up as costs have gone up and they have given us this same price for the past 3 years. He stated that this has always been a good event for the Town and we get a lot of people coming to watch the fireworks. Also, the organizations that we have selling food, drinks, snacks, ice cream and glow sticks use this event as their yearly fundraiser.

* Councilman Putnam made a motion to hire Fireworks Extravaganza, at a cost of \$5,500.00, for the fireworks portion of our annual July Fireworks Event to be held on July 12th, with a rain date of July 13th, 2014.
Councilman DePew seconded.
On the vote: all ayes.

SECTION 7 – FLAGS AT TOWN PARK

Councilman Farrelly stated that he noticed, at the Park on Memorial Day, that we did not have a “POW Flag” under the American Flag. He asked if it was possible to get a POW Flag to put under the American Flag.

Supervisor Croce stated that they have been looking into getting the POW Flag for the Park. He stated that he had discussed this with Mr. Dougherty, from the Highway Dept., and they were looking up the regulations for hanging this flag. He stated that it must be under the American Flag, but above the State Flag. He stated that he was amazed at all the regulations.

Supervisor Croce stated that he has already signed a voucher to purchase the POW Flag and Mr. Dougherty is going to make sure that it is hung correctly.

SECTION 8 – VOUCHERS

* Councilman DePew made a motion to pay the Voucher Detail Report dated June, 4, 2014, which includes the General Fund amount of \$27,774.73, the Highway Fund amount of \$17,123.06 and the Trust & Agency amount of \$1,135.00 for a total amount of \$46,032.79 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 9 – ADJOURNMENT

* Supervisor Croce made a motion to adjourn the meeting at 8:15 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.