

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING

March 18, 2015

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 February 18th and March 4th, 2015 Regular Town Board Meeting and the March 13, 2015 Special Town Board Meeting. Councilman Putnam seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the February 18, 2015 Regular Town Board Meeting.

Councilman Putnam seconded.

On the vote: Supervisor Croce	Yes
Councilman Putnam	Yes
Councilman Farrelly	Yes
Councilwoman Delgado	Abstained (she was absent)
Councilman DePew	Yes

* Supervisor Croce made a motion to accept the minutes from the March 4, 2015 Regular Town Board Meeting.

Councilman Farrelly seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the March 13, 2015 Special Town Board Meeting.

Councilman Putnam seconded.

On the vote: all ayes.

ADDITIONS

There were no additions this evening.

PUBLIC INPUT

Mr. Derek Doubrava, a resident of Palazzo Lane, stated that he wanted to make a few remarks in regards to Liberty View Farm and the discussion at the last Town Board Meeting. He stated that he took exception to the character assassination that began almost immediately when Mr. Van Roestenberg's attorney started speaking. He stated that it was interesting to him that Mr. Gilbert was characterized as an out-of-towner who just came in to our Town and was trying to change the rules. And this attorney was representing a couple who own land here, but live in New York City. He stated that he feels the neighbors have made their points on the issues that affect their quality of live on their own properties.

Mr. Doubrava stated that he also had an issue with Mr. Van Roestenberg stating that he has 4 thousand trees on his existing farm and just purchased property with an additional 5 thousand trees. That would be 9 thousand trees total. He stated that he and his wife went on the internet and satellite-googled the farm site to actually see how many trees were there. They came up with approximately 500 trees on the original property and approximately 1,550 on the new property. That is a far cry from 9,000 trees. He stated that he is a farmer too and there is no right granted to anyone that their farm will be a success. He stated that he did not see why the Town should bend the rules for this one property.

Mr. Doubrava stated that Mr. Van Roestenberg said he was celebrating the 82nd wedding at the farm. If you look at the numbers, they have only been doing this for the past 4 years; that would mean more than 10 to 12 weddings a year. He stated that they rent trees for \$99.00. He just purchased the new trees so his income for the past years is just on the approximately 550 trees. The numbers just don't add up. He stated that they use the produce from the farm, but he stated that they have lamb, salmon and sweet potatoes. He doesn't grow these items on his farm. At least 50% of your income must come from what you produce.

There was discussion that the woman who does the catering did not say that she used the produce from the farm.

Councilwoman Delgado stated that she did say she used some of the farm produce.

Mr. Doubrava stated that he did not hear her make that comment.

Mr. Doubrava stated that there is a State "Right to Farm" Law in New York State and it does not give the right to make noise other than noise from farming. Good farming practices are tractor noise, spraying and there are several ways to keep the crops warm in cold temperatures. Nothing says you can make noise from parties and events. He stated that there was a labor camp issue many years ago at this farm and he heard that this farm was not considered big enough to have a labor camp. He was not sure about all the details.

Supervisor Croce stated that he was not sure either. He had not heard anything about this.

Mr. Doubrava stated that if his farm was failing and needed that much help, why purchase more land? He stated that this is not a personal issue; it is a quality of life issue. He has a commercial business. He stated that he was looking out for his interest and the interest of the neighbors in the area. He stated that his wife had heard something that he doesn't have a Building Permit for the Yurt. It is

being billed at \$135.00 per night. That is not farming. He stated that he realizes Mr. Van Roestenberg has a Bed & Breakfast there, that is allowed, but there are still regulations and codes to be followed. Ready, fire, aim is not the way to do things. If you want to be a good neighbor, then do what you say. Don't bring in some attorney who is saying there are no problems. He stated that they are all neighbors and did not want to have to call the Police or anyone else. He stated that he does not know where things will go from here.

Supervisor Croce thanked him for his comments. He stated that the Town Board has a lot of work to do and doesn't feel we can just take this situation into account to make this decision. We have to consider the entire Town. He stated that he felt he, and the entire Town Board, will do the best that they can to try to figure this out and come up with a solution.

Mr. Doubrava stated that he appreciated the Town Boards efforts and he wanted to re-state something Mr. Demaio said a few months ago. Noise is noise and it is not something negated by a fence or berm. It will always be a problem. The only things that will help are distance and time. He asked if there was a meeting set up with Ag & Markets? Can the neighbors be involved?

Supervisor Croce stated yes, there is a meeting set up but he could not speak for the head of Ag & Markets. He stated that he would be meeting with him next week and he will relay the information to anyone who requires it.

Mr. Doubrava asked about a "cease & desist" letter?

Supervisor Croce stated that it was not a "cease and desist" letter, but a letter was sent to all the parties involved with Liberty View Farm notifying them that if they did continue events for this season, there could be injunctive relief by the Town or neighbors and that we, as the Town, would like to avoid having to do that.

Mr. Doubrava stated that he wanted to let the Town Board know that the advertising for all of this is still going on.

Supervisor Croce stated that he got some sage advice that it might be better for us to notify them of the situation if they were to continue. This way they could not say that we never told them they couldn't continue. He stated that he did not want to see someone schedule a wedding or other event there and then have a problem. He stated that he would not like to see this happen anyone booking a wedding. He stated that he did contact the Town Attorney in drafting the letter, but it was actually sent out by the Building Dept.

Mr. Doubrava stated that he felt the same. He would not like to see someone book a wedding and then have their wedding day ruined.

Supervisor Croce stated yes, and that was part of his concern.

Mr. Doubrava stated that he had reviewed the deed description on the lots and he was looking to meet with the head of Ag & Markets.

Supervisor Croce stated that he could not make him a part of his meeting with Mr. Somer from Ag & Markets. He will hopefully have his Deputy Supervisor and the Building Inspector there with him. He stated that he was not sure where this is all going to go. He stated that it also seems that they have taken a different approach now and he was not sure that he understood it. They will be talking about it and they are certainly aware of all the dynamics of the situation and they have a lot of work to do. He

stated that his folder gets bigger and bigger every day and they will be discussing all of this with the Town Attorney before making any decisions.

Mr. Doubrava thanked the Town Board for allowing him to bring his concerns to them and stated that he appreciates their consideration on this situation.

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 7:20 PM. Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 1 – POLICE MONTHLY REPORT – FEBRUARY 2015

Supervisor Croce read the February 2015 Police Monthly Report. He read that there were 247 documented calls for service and a total of 119 traffic tickets issued. There were 11 motor vehicle accidents handled by the Plattekill Police and there were no injuries reported.

The Arrest Blotter was long and anyone wanting to obtain a copy can do so at the Town Clerks' Office.

Supervisor Croce continued reading that there were 6 Petit Larceny cases, 1 Identity Case, 1 Missing Juvenile Case, 1 Criminal Mischief Case, 1 Attempted Burglary Case and 1 Burglary Case worked by the Detectives. They also closed 1 Larceny Case, 1 Grand Larceny Case, 1 Criminal Mischief Case, 1 Petit Larceny Case and one Burglary Case.

Supervisor Croce read that the PBA has announced that this year's annual Bruce Loertscher Scholarship Pig Roast was scheduled for Sunday, June 7, 2015 at 1:00 PM. Tickets will be available soon. He stated that this is a worthwhile event to support as the PBA was able to give 4 scholarships last year to students furthering their education in either farming or Criminal Justice.

Supervisor Croce finished by reading that all of the vehicles were running and several of them had received routine maintenance. He stated that the Highway Dept. does a good job of keeping all our vehicles running and maintained. A big Thank-You to them!

SECTION 2 – DOG CONTROL REPORT – FEBRUARY 2015

Councilman DePew read the Dog Control Monthly Report for February 2015. He read that there were 22 calls received including 7 calls from the Plattekill Police, State Police or Ulster County Sheriff's Dept. The report stated that there were 4 active complaints that were responded to which are now closed or resolved. There are currently 3 open cases that are being addresses. There were 0 stray dogs impounded, 0 appearance tickets issued, 0 dogs in the kennel and there are no cases in the Plattekill Justice Court.

SECTION 3 – BUILDING DEPT. REPORT – FEBRUARY 2015

Councilwoman Delgado read the Building Dept. Monthly Report for February 2015. She read that there were 7 field inspections done, 1 violation issued, 0 violations closed, 1 complaint for a floor sinking, 1 Structure Fire at 22 Hunt Rd., 11 building permits issued, 0 Certificates of Occupancy issued, 0 Certificates of Compliance issued, 5 municipal searches done, 1 Court case waiting for the Judges decision, 0 site plans reviewed, 10 fire safety inspections done, 2 Mobile Home inspections done and 2

office meetings held. These numbers do not include returning phone calls and residents coming in for assistance with codes, building permits and zoning & subdivision issues.

Councilman Farrelly stated that he thought the Building Dept. was going to start giving us an idea of what the violations were, how many of them are out there and how many are closed.

Supervisor Croce stated that when he spoke to the Building Inspector they were supposed to be able to give us a more detailed report when they were up and running on the new computer system. He stated that he would check back with them to see if the more detailed report could be generated yet.

SECTION 4 – ASSESSOR REPORT – FEBRUARY 2015

Supervisor Croce read the Assessor's Monthly Report for February 2015. He read the Sales Report which stated that there were 22 transfers, 3 foreclosures, 9 armslength transactions, 2 vacant properties, 8 residential, 1 commercial and one mobile home.

SECTION 5 – CORNERSTONE COMMUNICATIONS

Supervisor Croce stated that there was a representative from Cornerstone Communications here this evening to speak to us about our contract with them for the Town phone system. He stated that Cornerstone is the company that gives us our dial tone.

Kate Dietrich, the representative from Cornerstone, stated that last year the Town did an upgrade from the copper lines to cable wires. She stated that the older copper wires caused a lot of static in bad weather and would continue to get worse as they got older. She stated that they made "bundles" to the cable lines, but kept one line in each bundle as a copper so if the cable line should fail for some reason, then there would always be at least one line in each bundle that would still work, on the copper line.

Ms. Dietrich stated that she would not recommend changing anything at this time as it all seems to be working well with some savings.

Councilman DePew asked about the cost analysis that she had given to the Town Board for review.

Ms. Dietrich stated that it showed the Police have had a lot of usage and they are still on the copper lines, however the Town's estimated savings is \$51.03 per month.

Supervisor Croce stated that there were some problems over the past few days. There were a lot of dropped calls.

Ms. Dietrich stated that there was a huge problem over the past few days, but it was with the Northeast Carrier and not the local companies.

Supervisor Croce asked the Town Board if they had any questions for Ms. Dietrich?

The Town Board stated that they did not have any questions.

Supervisor Croce asked Ms. Dietrich to send him a contract and if the Town would get a discount for signing up for more than one year?

Ms. Dietrich stated that she would look into the discount before sending the contract.

The Town Board thanked her for coming in this evening.

SECTION 6 – EAGLE SCOUT PROJECT - GARY BENKEN

Supervisor Croce stated that Mr. Gary Benken was present this evening to request permission to do an Eagle Scout Project at the Town Park.

Mr. Benken explained to everyone that he would like to build four horseshoe pits at the Town Park. They would be done according to the National Horseshoe Pitchers Association. He stated that the game of Horseshoes is fun and entertaining and can be played by almost anyone. He stated that if there is a growing passion for the game, then maybe other scouts would build more pits and there could eventually be a league that people can start and participate in. Mr. Benken then gave the Town Board a copy of the specifications and details of his project for their consideration.

Councilman Farrelly asked if he had figured out where to put the pits?

Mr. Benken stated no, he was waiting for the snow to melt away to see where the best location would be.

Councilman Farrelly asked how he was going to deal with having the stake sticking up when the pits are not in use?

Mr. Benken stated that he has put this question to the Insurance Company and they stated that if there was some kind of cover for the pit or just for the stake itself that would be enough. They suggested that he could cover them with something like a tennis ball or something like that. He is still looking at options.

Councilman Putnam asked what he was building the platforms out of?

Mr. Benken stated that he was going to use pressure treated lumber.

Mr. Wager, the Town Highway Superintendent, stated that he checked with NYMIR, the State Insurance company and they didn't see a problem with it. They will look to keep it away from the playground area and in a level location.

Councilwoman Delgado asked if the Town Clerk would be receiving a set of horseshoes for people to borrow or do people bring their own?

Mr. Wager stated that the Town Clerk does have a set of bocce balls for the bocce court, but he felt that people would probably bring their own horseshoes to play. We could get a set for the Town Clerk's Office too.

* Councilman DePew made a motion to authorize the Eagle Scout Project for Gary Benken to install horseshoe pits at the Thomas Felten Park under the direction of the Highway Superintendent.

Councilwoman Delgado seconded.

On the vote: all ayes.

Supervisor Croce stated that he felt this would be a good addition to the other activities we already have at the Park. Not many people use the bocce court, but this could be a good addition to the facility.

SECTION 7 – PEDDLERS PERMIT FOR SOLAR CITY

Supervisor Croce stated that he wanted everyone to know that he has issued a peddlers permit to Ricardo Irizarry from Solar City a Newburgh based solar business. He came in to obtain the permit because he has been working in Town and wanted to approach neighbors to see if they would be interested in solar energy. He stated that this company is not affiliated with the solar company on the

corner of Rt. 32 and Rt. 44-55 in Modena. He stated that he felt it was very nice of him to come in and he did pay the yearly fee for the permit. We are also notifying the Police Dept. in case they get any calls.

Councilman DePew suggested that maybe we should put this on the website so people will know.

Supervisor Croce stated that he would speak with the Publicist to see where it might go on the website.

At this time, Councilman Putnam asked whether the entire Town Board had been invited to David Burtchaell's Eagle Scout Award Ceremony?

Supervisor Croce stated that he was not sure. He stated that he usually receives an invitation and he makes up a certificate to award to the Eagle Scout on behalf of the Town and Town Board. He stated that he did not think they would be offended if other Town Board members were to show up too.

Some of the Town Board members stated that they were busy on Saturday, but they would try to make it to the ceremony.

This started a discussion about all the Eagle Scout Projects that had been done over the years by many, many Boy Scouts. They have done so many projects at the Town Park, Library building and the Town Hall that it is hard to remember all of them.

Councilman DePew suggested that maybe there could be a section of the website to honor the Boy Scouts that have done their Eagle Scout projects for the Town.

Supervisor Croce stated that he would have to check with the Publicist to see about creating a new section on the website.

Supervisor Croce stated that he had attended the DARE Graduation at Leptondale School. He stated that it is a great program and Det. Riley does a wonderful job with the children. He explained that the children have to write an essay and one of them is picked for a prize. He stated that it was heartwarming to see the children when one is picked for the prize. There are no sour faces and everyone is happy for that child. He stated that Assemblyman Cahill also gives the Town a grant so this program can continue. It is a very worthwhile program.

SECTION 8 – VOUCHERS

* Councilman DePew made a motion to pay the Voucher Detail Report dated 4/18/2015, which includes: the General Fund amount of \$26,767.05, the Highway Fund amount of \$13,811.62, the Clintondale Light District amount of \$705.05, the Modena Light District amount of \$1,303.00 and the Trust & Agency amount of \$110.00 for a total amount of \$44,696.72 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 7:55 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.