Town of PLATTEKILL

REGULAR TOWN BOARD MEETING

March 5, 2025

Time – 7:00pm

SALUTE TO THE FLAG:

ROLL CALL:

The following Town Board Members were present:

Supervisor DePew

#### Councilman Fazio

Councilman O’Flaherty

Councilman Castillo

Councilman Hoppenstedt

PUBLIC HEARING: None

MINUTES:

* Supervisor DePew made a motion to NOT read the minutes from the February 19, 2025 Town Board Meeting

Seconded by Councilman Hoppenstedt

On the vote: All Ayes

Supervisor DePew made a motion to ACCEPT the minutes from the February 19, 2025 Town Board Meeting.

Seconded by Councilman Fazio

On the Vote: All Ayes

ADDITIONS:

* E-Waste Day, March 29th. Rotary

TEG Bank is adding a Shredding truck for residents.

* Building Department Training Request-Letter

W. Johosky & G. Hermance (Two inspectors) would like to attend NYS Codes training on April 22-April 25, 2025. NYS requires a minimum of 24 hours of continuing education for their code enforcement certificates.

$385.00 per person.

Councilman Fazio- This will cover everything and bring them into compliance

Councilman Hoppenstedt makes a motion to allow the two officers to attend the training at a cost of $385.00 per person.

Seconded by Supervisor DePew

On the Vote: All Ayes

* Take Home Car- Building Department

Building Inspector/Code Enforcement.

Requesting a take home vehicle, as part of his role as the Code Enforcement Officer within the Town of Plattekill. There are increased responsibilities with having to often respond to emergencies within the town.

Councilman Fazio- I know paying for mileage has increased but he is a part time working. Meaning he would have the vehicle 7 days a week. I think it would be more cost efficient paying for mileage in his own vehicle to come here and get the truck.

Councilman Hoppenstedt- agrees with Councilman Fazio

Councilman Castillo- We have had a problem with this on numerous occasions. Cars going all over the place. I rather see us pay mileage when he needs to respond. The truck will stay here, there is no abuse and we can maintain the truck.

Councilman O’Flaherty- Which vehicle? I agree with this, it is hard to keep track of where it is going. I understand community presence.

Councilman Castillo- He is not Fire or Police. He is being called in. He can come here and pick up the vehicle and go to wherever he is called. He is not putting out the fire.

Supervisor DePew- In looking at this, if we have a vehicle off property 7 days a week, we do lose the opportunity to use the vehicle the other 4 days. The highway department uses those vehicles. If we do a take home car, we open up liability to the town. We do need to give our employees the tools to complete the job. I think giving him a spare set of keys, paying mileage for his own personal car to get here. A spare set of keys would have him avoid unlocking the building, he can just jump in and go.

Councilman Castillo made a motion to have the Code Enforcement and Fire Inspector assigned a set of spare keys to avoid entering the building. Anytime that he is called to do the duties of his job, he is to be paid mileage if he uses his own vehicle to/from.

Seconded by Councilman O’Flaherty On the Vote: All Ayes

REPORTS: NONE

PUBLIC INPUT:

* Supervisor Depew made a motion to open Public Input at 7:20 pm.

Seconded by Councilman Fazio

On the vote: All Ayes

1. Annette Laskowsky- I never sit back this far, I thought Willie said he was setting up the room with microphones and speakers.

Councilman Castillo- Yes, we are having an issue with the wires. I am working on it.

Supervisor DePew- He has donated his own time and own equipment doing this system. It is a work in progress.

1. Anthony Covino- I am here again with this illegal project behind my house. I was here last meeting and you (Dean) suggested I give you more bullet points with questions and concerns. When I was here last time, I gave bullet points along with FOIL’s that I have looked into. I know you (Dean) have been part of this building since High School. Very well known in the town. We have had many conversations regarding this incident. As I am looking through these FOIL’s, because in January 2020, you were part of the Town Board.

Supervisor DePew answered Yes.

1. Covino- When this project started to happen, things were voted on, things were pushed through, it was all done illegally. I stood outside in that parking lot a few weeks ago and talked to you. It was a good conversation and bad conversation. We had a disagreement of course, you said you were disappointed in me because I did not know the Zoning Laws. You are saying that I did not know it but there are people on this board including yourself (Dean) that voted yes for this project yet it went against your own town zoning Laws. That is concerning to me. I took all my paperwork and went up to Albany Ethics Committee, everyone’s name is on it. The question they had for me, is does this town have an ethics committee here? Yes, there is. Knowing that this was going on and you are now Supervisor and were part of the Town Board then. Who sits on the Ethics committee?

Supervisor DePew- I do, Councilman Fazo, and three other individuals. If it was something that involves me or comes up, I would recuse myself.

Anthony Covino- I Foiled site maps and they are being looked over. I will be at next meeting too. I have been stone walled, Yes’d to death. I have been told we are looking into it but yet, I had an old Board member tell me that automatically the code enforcement officer, knowing all of this is going on, there should be a stop work order and those containers should be taken out of there since they are illegal. Ed Diller is a stand-up guy who was pushed out, he was the only one that stepped up and did his job. In the 5 years, no one has given me respect with the stuff I have been dealing with going on behind my house. I was approached by someone that works for Mr. Earl- aren’t you the guy with the broken signs, that was done on purpose.

Supervisor DePew- What broken signs?

Anthony Covino- What broken signs? The signs that I brought to the meeting that were torn down off my trees. 5 of them, no trespassing signs. I was told he was a good ole boy that has had steel containers on his properties for years. Scott Mandoskie has known about it and seen them. In your own Zoning Laws, it says residential or business cannot have steel containers and they are still there. You can see them from the road and from Rolling Acres Park. We had a conversation and you (Dean) told me that you cannot wait to start cleaning up this town. I am waiting and have waited patiently. Here is some guy approached me at Stewarts, former employee of the Town told me that I am stirring the hornet’s nest but he is a good ole boy. This goes back to day one. Joe Croce pushed me off, Patty Brooks told me that I don’t know what I am talking about. I am standing here again; you are now Supervisor he and in a bad position. Business is business. It is easy to sit behind that desk and yes me to death, stone wall me, it has been 5 years of this. I wonder why Scott M resigned, why did Ed Diller leave? He was pushed out. My point to you is, after bringing all of this information to the board, when are you going to do your job? When are you going to right this wrong? It is done illegal. Another 5 years? Are you going to continue to let him keep doing this, when its black and white. You all voted Yes. Everyone is that stupid of the fix is in?

Hands out documents/pictures to the Town Board.

My house takes a hit in my property value. When is the Town Board going to do their job.

Supervisor DePew- I have known you for a very long time. I have a lot of respect for you but I do not respect when you have inaccurate information. I cannot tell you every single thing we are researching. There is a lot of things we are looking into. I disagree with some of your facts and comments you stated. We talked for almost 2 hours that day out in the parking lot. You have concerns and questions about this. You feel mislead and lied too. Neither one of those gentlemen were pushed out, they left on their own choice. Yes, I was on the Town Board when this project was approved. It was approved by what the Town Board was told about the Zoning. That was accurate at the time. Same thing goes for today. Are there things that I feel should have been done right? Yes. Do I think that the project is not conducive to the town, that is my own personal opinion. I have known you pretty much my entire life. We have concerns about this. This touches my desk, thoughts and conversations more than a dozen times a week. This is a project that went on in your backyard. I am also morally obligated to look at this and make it better. I spent time with you. I would love for you to come in and have a civil conversation about it. At the end of the day, I want to make sure the information I give you is spot on. I appreciate all the documents and pictures you have given me.

Anthony Covino- This wrong needs to be made right.

Supervisor DePew- This is never going to be satisfying to you or complete to you until something is completely done. That takes time. I can assure you that there is not a single person sitting on this board that is not concerned with you and this project. Not one person on this board that has not had multiple conversation with me about this project. We are all aware of this project and have seen this. I do promise you that I will do everything I can in accordance with the law. If it is allowed to be there, then it is going to be allowed to be there. If it is not allowed to be there, there will have to be some avenue of compliance.

Anthony Covino- The first 8 months, he did not have permission to be there and was digging until I received a letter to come to a Planning Board meeting. You cannot speak for Joe Croce, but he started this. When someone presents you things and keeps presenting things, it has been 5 years. This town has created this monster. He does what he wants when he wants. He has had these containers in his business for years and has never been approached for years. He should not be allowed to have them just like everyone else in this town is not allowed to have them. He is not bothered because he is in with the town.

Supervisor DePew- When did you see these containers? When did you first notice them? Have you ever made a complaint to the building department? It should be in writing.

Anthony Covino- Now you are hearing about them. I will do whatever I have to do. Why should he be allowed to do it if no one else in not allowed to do it? What makes him so special? He was built by the town. My intent is to make a complaint to the building department.

Supervisor DePew- I will be in the building department tomorrow and I will mention this. Councilman Fazio- Anthony are you around tomorrow? Give me a call, I will take a ride tomorrow with you.

Councilman Castillo- The concept started in 2019. In 12/2022, it was signed by the other board. Things might have been discussed during meetings but the map is the final outcome. That is what it goes by. There is 62-day window when you get approval to when you can go for an article 78. It is over 2 years from the signing of the map to you coming in. About a year and a half ago, when they were knocking down trees. I told you to call me and you didn’t call me.

Anthony Covino- They didn’t come back and do more tree’s

Councilman Castillo- I cannot speak for the board but I did go and look at that map. On the upper right corner, it says about empty containers. Farms, Hannaford’s during renovations, they were temporary. In the last meeting, you said about toxic waste, those containers will always be empty. I called Bobby Earl, and asked if he can arrange with the building department once a month to make sure they are empty. They go to the job site, get used, and get emptied. Nothing is supposed to be in those containers. Up there is a business, it is not a storage facility. That map is what you go by. Whatever was suggested, talked about, and not on the map, is maybe what you are questioning. I talked to Bobby Earl and I suggested they plant something to block the view. All I can do is make a suggestion, it is out of my hands. We are all working to the common goal and see what is right. Whatever was done prior to me, we have to look at it. If it goes to a civil dispute, it is out of our hands. We cannot make another comment if it goes civilly. The Board at the time accepted this. The Planning Board works for the Town Board. After last meeting, I sent a card to Spagnoli because I want to cut ties with Earl so we have no financial dealings. I don’t want to have that situation. I don’t want financial ties in case it goes to court. I understand you are upset. You are not falling on deaf ears and we are taking this seriously. We all are. Government does not work like the private sector. I feel we should cut ties because I don’t want any problems. We need a paper trail with complaints. I am not patrolling and looking for problems but if you bring it to me, I will look into it. I don’t care what party you are. I will help you. I helped someone get action with their problems with their neighbor’s chicken coop.

Anthony Covino- It has been 5 years. To me there is no reason to cut ties if everything has been done right. I could care less about chickens. This has been 5 years.

Councilman Castillo- It has not been 5 years when it got signed in 12/2022.

Anthony- I have been coming here sine 2020. I have been dealing with it. It shouldn’t matter when it was signed. It started becoming a project 5 years ago.

Supervisor Depew- I am going to say one last thing, in the past, we have allowed businesses like Hannaford and a few other businesses to have a container on their property. We allow it for a short amount of time while they worked out of it. We don’t have any provisions in our code for that. We don’t have any permitting, any acceptance. I will be in the building department tomorrow.

1. Roy Jacobs- In listening to this conversation, what was the Zoning on that property where this operation is?

Supervisor DePew- I have been on the town board since 2013. I am not sure. When the project was presented, it was presented at the time as an allowable use.

Roy- Who presented that to you?

Supervisor DePew- The supervisor at the time. It would be at someone’s request, either the planning board or zoning board at the time. It was voted on by the information that was given.

Roy- The home that is next to the property which was part of the property. I put up the double wide there. That was zoned residential to have the house put up there. So, if this residential property there, there was a farm once there. Wet lands. Wouldn’t he have to get a variance from the ZB to get a commercial operation there. We should start there if he didn’t get a variance from the ZB there. It is illegal until he gets there.

Councilman Castillo- The planning board looks at that and if it is an allowable use, they do not have to go to Zoning.

Roy- You are giving me semantics. You all know as well as I do but you are not putting a commercial operation in a residential area without getting a variance.

Councilman Castill- I understand what you are saying. The code enforcement sends a letter to the PB and if he says it is an allowed use, and if he says it is not an allowed use, they send it to the Zoning Board. Planning looks at straight lines. Zoning Board looks at diagonal lines.

Supervisor DePew- So when a project comes before the PB, there is a prescribed path and certain obligations they have to meet. Before the project goes through, the code enforcement official has to give a letter of determination.

Councilman Castllo- Yes.

Supervisor DePew- The letter of determination should say it meets the code. Those codes may be residential but can be mixed use. If it is outside that mixed use, it may be referred to ZBA for a variance or a change of use.

Roy Jacobs- Yes you need to see if it was all done that way.

Supervisor DePew- The letter of determination gives the PB the guidance to do what they need to meet everything in the codes. Isn’t there also a building that goes to this property that has not been built yet?

Councilman Castillo- Yes

Supervisor DePew- The PB will again have to do their due diligence with this. That is part of the process. It is the PB obligation, the code enforcement, the ZBA obligation. That would be the path.

Councilman Fazio- Mike Lembo, you were on planning? What are the 3 uses?

Mike Lembo- Accessory, Special use and principal permitted uses.

Roy Jacobs- You need to figure out if this was done in the process you mentioned. Normally when you go from residential to commercial, there is a lot to the process.

2019 is started. Site plan was signed 12/2022.

Councilman Castillo- On that site map, no one from the public is going on that site. It is for him to have them empty at all times.

Supervisor DePew- They are not even supposed to be cleaned on site.

Councilman Castillo- Nothing on site.

Councilman O’Flaherty- Us as the board, we have to look back into the minutes of the planning information?

Supervisor DePew- No, we as the board are being asked to go back and correct what was wrong and make it right. Get this corrected. We have to go see if this was wrong.

Councilman O’Flaherty- We have to see about the zoning Willie.

Anthony Covino- Mr. Earl stated that he was not reasponsible for what is in those containers. I drop them off and pick them up. That is why I asked about insurance with the town if there is an accident with these containers.

Councilman Castillo- He can put guns in there and we have no idea. And it isn’t going to his property.

Anthony Covino- He stated he doesn’t know that since he doesn’t pick up personally.

Councilman Castillo- His company, his responsibility. To make sure everything is done right. I told Bobby Earl with the building department to have inspections done once a month. We are all looking at this situation.

Supervisor DePew- Recently, Councilman Castillo spoke with Mr. Earl to allow the code enforcement on his property to do the inspections. It would be a random inspection.

Roy Jacobs- I cannot imagine the PB looked at this and didn’t tell him he had to go to Zoning Board for a variance. Did he get a variance?

I gave you a call a month ago or so, there is an issue with the traffic near the Firehouse and Post office, coming off the hill. You would think trucks would slow down. Cars and trucks do not slow down. It is getting worse.

Councilman Fazio- I believe the speed limit is 35 through there.

Supervisor DePew- I did reach out to DOT regarding that and the timing on the traffic light at this intersection in town. They are supposed to be coming out and looking at it. In Clintondale, coming down that hill, going west, there is lights but I will call them again tomorrow for an update. There definitely should be something there even with the firehouse going out on emergencies.

1. Mike Lembo- Getting back to the Earl Property, it sounds like step was missed. It went from the Planning Board to the Town Board, and the town board signed this. The Town Board should sign performance bonds, and maintenance agreements. How did the Town Board get involved with signing this approval unless a step was skipped. It should have gone from Planning Board to Zoning Board.

Supervisor DePew- We don’t know if it went to the Zoning Board? The property that goes out to the road is part of a 110-acre parcel in the town of Lloyd owned by Blind-O-Corp. The access that goes up in there is a right of way for the other 2 separate parcels on the right and left. It was sold by a company from Middletown, I believe its 7 and 15 acres, it is two funny looking parcels and that is the part that Mr. Earl bought. There must’ve been a deeded right of way.

Councilman Fazio- There was something from the Town Board, about 4-5 pages agreement talking about that road going to his land.

Supervisor DePew- That may be the only access to that property. I don’t want to be inaccurate, but it was 2 separate parcels. The Blind-O-Corp 110 acres in the back access went through it and at one time there was an opportunity for the 110 acres, to have access on the old rail trail that came underneath the thruway and came out by the Keeon farms off S. Ohioville Road. The Thruway closed the tunnel.

Mike Lembo- They filled it in.

Supervisor Depew- The only access to that property was in the Town of Plattekill up into the town of Lloyd. I don’t remember specifically why it was brought in front of the Town Board. It was presented to the Town Board. With his site plan, it is a business, and the containers are supposed to be stored on the property empty. When he rents them, get them back empty and cleaned off site. Not stacked more than 2 containers high.

Anthony Covino- Regardless of that, the Zoning Laws and all my bullet points at all of these meetings, it was never presented to the ZB. It went through the Planning Board and Town Board. Why do I have to keep presenting all of this but this is not happening in your back yard since 2020.

Supervisor DePew- This is a slow process and the more information I can get, the better.

Anthony Covino- There should be a stop work order on this property until this is figured out.

Councilman Fazio- That piece of property, what is it described as? Self-Storage Unit? We need to get to the bottom of that.

Anthony Covino- I don’t want to go civilly but this needs to get fixed.

Supervisor DePew- Patty Brooks does not work for the Town of Plattekill.

Councilman Castillo- The Town Board approved this. Do the complaint form, so we can follow through with this.

Anthony Covino- I have been putting all of this in writing since Joe Croce was here.

Councilman Castillo- We are taking this very seriously. I don’t want any problems.

1. Bobby Jackson/Plattekill Fire Department- Hands out document to the town.

Supervisor DePew- Is this the original document?

Bobby Jackson- Yes, April 5, 2024. I am just making sure this is in the books. We came last meeting about hosting the parade. We seem to have had an answer but then weren’t so sure after last meeting. We called Monday (2/24/25) after that to follow up about you contacting the insurance company like you asked.

Supervisor DePew- No, I did not contact the insurance company. You are already on the Town Park calendar. Originally you talked about a Friday-Sunday event. This was the original paperwork. When the original people requested this, we did get them in the books, we did agree to allow the 100th year celebration, there was talk at that time about a beer tent. Two weeks ago, when you came to the meeting, you had said it was not a 3-day event, that you were doing the parade and fireworks. The parade was roughly 4 pm and afterwards, the fireworks and the beer tent were requested. At the February 5th meeting to call me the following Monday for a follow-up regarding the insurance. I did ask you to get me something more specific in writing since the original document was no longer accurate. As far as the beer tent, we have to see what the boards feelings are regarding this.

Bobby Jackson (polls the board) Do you support us having the parade in this Town?

Supervisor Depew- 1,000% Yes

Councilman O’Flaherty- Yes

Councilman Castillo- Yes sir

Councilman Fazio- Yes of course

Councilman Hoppenstedt- 100% Yes

Bobby Jackson- You did not contact the insurance company like you said you would.

Supervisor DePew- The parade is August 29, 2025. You want use of the park and the parking area. Friday before is set up. Clean up is Sunday. Mardi Gras is probably not going to happen.

Supervisor DePew- Makes a motion to absolutely allow the Plattekill Fire Department and we all look forward to this celebration for the use of the park, Friday 8/28. Saturday 8/29 and clean up, Sunday 8/30. This would be for their 100th anniversary celebration. I will also add that we allow them to have the fireworks. Plattekill Fire District is in charge of all the paperwork, their responsibility as far as insurance, permits, etc.

Memorabilia sales, T-shirts, sweatshirts, etc. DJ/Band is good with us.

When you envision the 100th anniversary celebration, would it be similar to the fireworks that we have, how we set it up?

Bobby Jackson- Yes, that is what we are looking at.

Supervisor DePew- The only thing I have to do Is I want to make sure we work this out with the soccer league. I believe in our contact, we can give them notice.

Supervisor DePew (continues his motion) The Town Board will allow this to happen. The secured area for the beer tent, it should be in writing that you are hiring an organization and having them monitor it and serve the beer.

Bobby Jackson- The Red Knights

Supervisor DePew- They are a fire Matic and EMS group, law enforcement group. They know what they are doing.

Supervisor DePew- The motion is going to allow all of this. The only exception I will add, is if for some reason we can’t have that. The beer area, we have had it for other departments in the area.

Our motion will allow this.

Seconded by Councilman Castillo

On the Vote: All Ayes

Bobby Jackson- You will all be invited to march in the parade.

Supervisor DePew- We are all looking forward to this. I am sure it will be fantastic. We talk more about logistics as it gets closer. More than likely, you will have to get an insurance certificate as it plays out. You are in the books for all 3 days.

Councilman Castillo- I hope you have a bright, sunny day.

Supervisor DePew- Clintondale 100th anniversary is the month afterwards and then Modena is 2 years after that.

Supervisor DePew- The Town Clerk has put together a Blood Drive March 15th. People are signing up. Rain or Shine Event from 9AM-1PM. Our goal is 1,000 pints.

* Supervisor Depew made a motion close public input at 8:35PM

Seconded by Councilman Fazio

On the vote: All Ayes

OLD BUSINESS: NONE

NEW BUSINESS

* Walden MX- Mike Bealiu

15 dates requested- they are allowed 16 dates

3 Fridays, 8 Saturdays, 4 Sundays

Supervisor Depew requests insurance certificate, potable water permit and they must remain in compliance with our Town before any events take place.

Councilman Castillo makes a motion to accept their proposal for schedule.

Seconded by Councilman Hoppenstedt

On the Vote: All Ayes

* Mowing Bids

Mowing of Town facilities and Hay Field.

Open Bids March 31, 2025 at 11:00 am.

Bids will be awarded on April 2, 2025

Supervisor DePew made a motion to advertise the bids as recommended.

Seconded by Councilman Hoppenstedt

On the Vote: All Ayes

* Summer Hours

Summer Hours will begin March 31, 2025

Hours will be as stated 6:30AM-5:00PM.

* Electronic Fund Transfer Policy

Supervisor DePew made a motion to adopt this policy (will be on file in the Town Clerks Office)

Seconded by Councilman Castillo

On the Vote: All Ayes

Councilman Hoppenstedt makes a motion to allow Supervisor DePew to authorize and sign the Electronic Fund Transfer Policy

Seconded by Councilman Fazio

On the Vote: All Ayes

* Introduction of Local Law #2 of 2025- Fire Exemption

This local law will amend Local Law #1 of 2023. We originally passed a law in 2023 that gave an exemption to Fire and EMS personnel in the Town. In December 2024, a law was passed to include an amendment that live in our Town but volunteer in other neighboring towns. This will give them an opportunity for the same exemption.

Once passed, this local law will take effect immediately on filing with the Secretary of State.

Supervisor DePew made a motion to accept this as the introductory of Local Law #2 or 2025.

Seconded by Councilman Castillo

On the Vote: All Ayes

Public Hearing Date:

Supervisor DePew would like to make a motion to set the public hearing date on Local Law #2 of 2025 for March 19th, 2025. 7:00PM

Seconded by Councilman Fazio

On the Vote: All Ayes

Councilman Castillo asked if the Town Car has come in yet?

Supervisor DePew- No

TRANSFERS: NONE

EXECUTIVE SESSION: None

VOUCHERS:

* Supervisor Depew reviewed the Voucher Detail report Dated March 5, 2025 which includes:

The A-General Fund amount of 144,437.91

The DA-Highway Fund amount of $31,012.98

The H1-Ban Bridge NY in the amount of …………………………………..$34,309.27

For a grand total in the amount of **$209,760.16**

Supervisor Depew made a motion to accept the vouchers, recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Seconded by Councilman Fazio

On the vote: All Ayes

Supervisor DePew said that the Bridge Ban is part of the construction of the bridge on Old Mill Road. That is in the process of being replaced. It is progressing and we appreciate it.

In Clintondale, the Town Board was able to get the funding together for the engineering and feasibility study, the write up on the engineering for the side walk on Maple Avenue in Clintondale. They are out there surveying this week. We did have a kick off meeting via zoom and it is full steam ahead. We want all the engerring done and hopefully will be able to get a grant for the replacement of the sidewalk.

ADJOURNMENT:

Supervisor DePew made a motion to adjourn the meeting at 8:45PM

Seconded by Supervisor O’Flaherty On the Vote: All Ayes