

August 13, 2014

The regular meeting of the Jewett Town Board was held on Wednesday, August 13, 2014. Supervisor Carol Muth called the meeting to order at 7:05 P.M. Present were Board Members Michael McCrary, Nathan Miles, James Pellitteri attending via Skype, and William Trach. Also present was Robert Mallory, Highway Superintendent, Town Attorney Tal G Rappleyea, Donald Muth Interim Building Inspector, Newspaper Reporter Michael Ryan and the Town Clerk. Public present was Jeff Prince, John and Jennifer Sandleitner.

Notice of said meeting was duly sent to the Windham Journal on August 1, 2014 to inform the public that videoconferencing will be used for the Town of Jewett Board Meeting to be held on August 13, 2014 at 7pm at 3547 Route 23C Jewett, NY 12444 for the purpose of attendance of Councilman Pellitteri who was joining the meeting from the location of The Coral Seas Oceanfront Hotel located at 21 Coral St. Beach Haven, NJ 08008 and that the public has the right to attend said meeting at either location.

The Supervisor's financial report was given to the Board prior to the meeting and the bank statements were reviewed by Board Members after the signing of the bills.

Minutes of the July 9, 2014 regular meeting were accepted on a motion by Councilman Trach, 2nd by Councilman Miles and carried.

On a motion by Councilman McCrary, 2nd by Councilman Trach and carried, the Interim Building Inspectors report was accepted.

Superintendent of Highways' Report as Follows: The new snowplow is completed and will be ready for pick up by either the end of this week or early next week. The Carr Road bridge project is under construction and the temporary bridge is being constructed at this time. We are still waiting for final payment on four large FEMA projects. All projects have been completed, signed for and approved as complete, but final payment could still be several months down the road. On September 2,3 & 4, 2014 the town of Jewett Highway Department will hold its annual clean up. Clean up will be limited to six noncommercial tires per household, household appliances and metal. Appliances can be stoves dishwashers, refrigerators and freezers noting that refrigerators and freezers must have doors removed. The town will not pick up any household garbage. A welcome to Jewett sign located in East Jewett was believed to be stolen. However, a new one has been ordered.

There was no report submitted to the town from the Zoning Officer.

There was no report from the ZBA liaison as there hasn't been a zoning board meeting for four months.

A tentative date was set for August 21, 2014 at 7pm for the Town Board and the Chairman of the Planning Board to get together to continue code review.

On a motion by Councilman McCrary, 2nd by Councilman Pellitteri and carried the Town Board moved to reluctantly accept the letter of resignation of Donna Lukas as Assistant to the Supervisor, effective as of August 1, 2014.

On a motion by Councilman McCrary, 2nd by Councilman Trach and carried the Town Board moved to accept the letter of resignation of Ann Dwyer as the ZBA Secretary/ Member effective September 30, 2014.

On a motion by Councilman Pellitteri, 2nd by Councilman Miles and carried the Town Board moved to accept the letter of resignation of William Dwyer as the Zoning Enforcement Officer subject to an orderly handover of all the files he has, effective September 30, 2014.

On a motion by Councilman McCrary, 2nd by Councilman Trach and carried the Town Board moved to offer the position of ZBA Secretary/ Member to Susan Epstein.

Jeff Prince took the floor and gave an update for bringing the "Shabby Ranch" property into compliance with zoning and building regulations. He is currently in contract negotiations with Goldman Properties regarding purchasing their share of Shabby Ranch. In the last month, he has done a walk thru of the property with Donald Muth, Interim Building Inspector going over what he has done. The property is much cleaner, with more clean up continuing. There is a caretaker living on the property keeping an eye out for trespassers. Mr. Muth asked about electric usage and Mr. Prince stated that the electric is turned on in only one building where the caretaker is staying. The electric is in Mr. Prince's name as he has been paying the bill. The electric enables the well to work so that Mr. Prince's horses

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can be watered. He said he met with NYSEG and they have no issues with the electric. Supervisor Muth asked Mr. Prince what is the soonest that he foresees the closing taking place and when will he have a proposal before the town board that shows exactly what the plan is step by step, building by building. Mr. Prince stated that once the contract to purchase Goldman's shares goes thru most likely within 45-60 days, the title will change and at that point, he is hoping to obtain the necessary building and demolition permits to start bringing the buildings on the property up to compliance. The first step is to complete the clean up. Second, get the demolition permit to take down the one house that is currently boarded up. Third, get a building permit to begin repairs of the roofs. Finally, a possible subdivision. Mr. Prince requests a 60 day extension. Mr. Muth answered that it is not just a shot gun approach to get everything done. We really have to concentrate on specifics. It's not just roofs, we start with the roofs to save the buildings but it's going to entail much more. After roofs are done, then you will have to go specifically building by building seeing what needs to be brought into compliance. Councilman McCrary said he would like to see a formal proposal from Mr. Prince requesting an extension per building per project. Mr. Prince said he can give the board that proposal. Supervisor Muth had another question and that was what is happening with the swimming pool. Mr. Prince said Mr. Muth is aware that there is no water in the pool and that it just sits there. He will however have an excavator come in the next month and move the pool to the back of the property and out of view. Ultimately he would like to put it into the ground to be used. Tal Rappleyea Esq. asked Mr. Prince if someone fell into the empty pool would they be able to get out and Mr. Prince answered that it is only 4 ft. deep so there would not be an issue getting out. Councilman Miles asked Donald Muth if he had any immediate safety concerns. Mr. Muth answered that he was concerned with the septic system, but the water has been found to be good. Another concern was with the empty buildings and vandalism; but Mr. Prince has a caretaker living on the property now who watches out for trespassers along with a reliable watch dog. So any immediate safety concerns have been addressed.

On a motion by Councilman McCrary, 2nd by Councilman Trach and carried the Town Board moved to grant Mr. Prince an extension to the next board meeting provided there is a measurable list of projects to bring the property into compliance and there is progress.

Other Business: Supervisor Muth has been receiving many complaints from residents regarding DEC's newly established campsite at Colgate Lake. They are reporting that garbage is not being collected and that it ends of being thrown all over the road by animals, especially the bears. Mrs. Muth reminded the residents that the collection of garbage is not the Town of Jewett's responsibility. When residents encounter this, they should call DEC at (607) 652-7366. If DEC establishes a campsite, then it is their job to police it.

Councilman McCrary reported on an issue that has come to his attention regarding residents of the mountain top. He went on to explain that according to the memorandum of agreement (MOA) pumping out septic systems within the watershed area is suppose to either be free of charge or at least the disposal of the septage is supposed to be free of charge at a city run plant. However recently this has not been the case and in particular Jeff Fromer of Hunter Environmental has to take all his septage to Albany. With almost a thousand dollars a truck, the costs get passed on to the homeowner, which is unfortunate. Councilman McCrary does not understand why this is. Mr. McCrary has been informed that both Hunter and Windham can take septage but don't. Tannersville has, but for the past two years they have had a part missing and therefore don't. The two city plants, Margaretville and Grand Gorge each take one truck per company a week, which obviously doesn't scratch the surface. To add to the total illogic, yesterday Jeff Fromer informed Mr. McCrary that he has a contract with DEP to take the sludge from their own pumping plants such as in Haines Falls; which one would think would go to city plants but no, he carts it all the way to Albany and DEP pays for it, which makes no sense to Mr. McCrary. Pine Hill has a city plant and they have put down an edict, which no one knows why but they will only handle septage from Ulster County. "So, the MOA seems to be totally ignored as usual by DEP" said Mr. McCrary. Councilman McCrary feels something should be done about this. He will try to meet with a resident engineer from Delaware Engineering and find out what is possible for these plants. For example, the Hunter Village Plant has a septic contract with Platt cove Community to handle all their sludge. Mr. McCrary said, "Why? I can't tell you why. There seems to be no rhyme or reason for any of this. But the result of all this is that the rest of the residents up here are being penalized". Councilman McCrary will be bringing this issue up at the next CWT (Coalition of Watershed Towns) and urged Supervisor Muth to address this issue at the next Mountain Top Mayors/ Supervisors meeting. Mr. McCrary hopes to report some progress regarding this issue at the next Town of Jewett General Meeting.

Supervisor Muth related to the Board that the Jewett Fire Department has applied for a sign permit and has paid the \$50 fee. She would like to waive the \$50 fee since the Fire Department is funded by tax dollars and their purpose is to serve the town.

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On a motion by Councilman McCrary, 2nd by Councilman Pellitteri and carried the board moved to waive the \$50 fee for the Jewett Fire Department and return their payment.

Councilman Trach made a motion, 2nd by Councilman McCrary and carried to approve the bills. General Fund was \$10,173.43 on abstract #8, claim numbers 174-203. The Highway Fund was \$20,347.38 on abstract #8, claim numbers 126-144.

Councilman McCrary made a motion, 2nd by Councilman Trach and carried to accept the Supervisors financial report for July.

On a motion by Councilman McCrary, 2nd by Councilman Trach and carried the Board went into Executive Session at 8:30 P.M. to discuss contract negotiations and potential litigation.

A motion was made by Councilman McCrary, 2nd by Councilman Miles and carried to come out of Executive Session at 8:57 P.M. No decisions were made.

Councilman McCrary made a motion, 2nd by Councilman Miles and carried to adjourn the meeting at 9:12 P.M.

Maya Carl, Town Clerk