

May 14, 2014

The regular meeting of the Jewett Town Board was held on Wednesday, May 14, 2014. Supervisor Carol Muth called the meeting to order at 6:52 P.M. Present were Board Members Michael McCrary, Nathan Miles, James Pellitteri, and William Trach. Also present was Robert Mallory, Highway Superintendent, Town Attorney Tal G Rappleyea, Newspaper Reporter Michael Ryan and the Town Clerk. Public present was Shaun Groden Greene County Administrator, Interim Building Inspector Donald Muth, Town Assessor Nancy Bower, Town Historian Janet Nicholls, Werner Pscherer, James Harder, Zack Tagani and Jeff Prince.

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.

On a motion by Councilman Pellitteri, 2nd by Councilman McCrary and carried the Public Hearings were opened at 6:52 P.M. regarding amending resolution granting immunity to Greene County emergency communications tower from subdivision applications. Sean Groden, Greene County Administrator took the floor and explained that the county will no longer be leasing the property on Windham Mountain where the cell tower will be built but now be the actual owners. Windham Mountain does not want the responsibility of the land and has agreed to give it over to the county. Mr. Groden requested the board to pass a second resolution to include immunity from the towns land use laws in regards to their subdivision application. With the hopes of this resolution passing the project will commence Memorial Day Weekend.

Councilman McCrary made a motion, 2nd by Councilman Pellitteri and carried to close the Public Hearing at 7:01 P.M.

On a motion by Councilman Trach, 2nd by Councilman Miles and carried the regular meeting was opened at 7:01 P.M.

On a motion by Councilman McCrary, 2nd by Councilman Trach and carried The Board adopted Resolution #12 of 2014. Subject: Amended resolution granting immunity to Greene County Emergency communications tower from subdivision applications.
ROLL CALL VOTE: AYE Muth, McCrary, Miles, Pellitteri and Trach.

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

Highway of Superintendents Report as Follows: We had some damage at the Salt Barn last fall while loading. A claim was submitted to the insurance company and we have received repair money. Once again, FEMA has requested more documentation in regards to the Griffin Road Project. Delaware engineering, who designed the project, has offered to submit whatever is requested by FEMA. They are looking for an Army Corps of engineer's certificate of completion. We have scraped and painted all of our plows and wings with our spreaders coming next week. We will begin our yearly road patching as early as tomorrow morning. Mr. Mallory is also in the process of bidding for our capital projects which would be the paving of 2+ miles of road, predicting July as the paving month. Clean up day was discussed with a possible date of after Labor Day weekend. A sign at Wright Road indicating that the road is closed will be placed tomorrow.

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

Representatives for Shabby Ranch Zack Tagoni and Jim Harder were here to give an update on the property. Zack Tagoni took the floor and started off by saying that Goldman Properties will no longer be connected with Jeff Prince regarding the property. They have engaged a new person, Jim Harder who will be taking over Jeff's position. Dumpsters were brought in to begin the clean up three months ago. We then had multiple snowfalls which stopped the process. Jim Harder then took the floor and stated that they have been in communications with NYCDEP regarding the sewage being pumped out. The last time it was pumped out was in December of 2013 by Hunter Mountain Environmental. As of today, May 14, 2014 an environmental company is doing a survey prior to any demolition or removal of buildings that have been condemned or caved in already; the debris has to be surveyed before the demolition crews take it away to make sure it is disposed of properly. This company has been engaged and now they can begin lining up each company from the survey crew to the mitigation crew and then to the demolition crew. The first course of action will be to pump out the cesspool and/or take down the first building that is attached to that cesspool. Tal G Rappleyea, town attorney then asked if anything has been

May 14, 2014

done for May according to the first agreement that was reached with the town and Goldman Properties last November. Mr. Tagoni stated that in May they had engaged their inspection consulting company. Mr. Rappleyea asked if they had removed the toilets from one of the buildings and as of yet they have not, stating that they are now in the position to do so. A question arose whether they have turned off the electric. When they first contacted NYSEG to turn off the electric NYSEG stated that they do not have any records of a meter being on that property. Goldman properties stated to NYSEG that there are clearly meters that are there and it seems that electric has been jumped from the pole and that NYSEG needs to investigate. They have not received a response so they have sent a certified letter to NYSEG two days ago saying that the electric needs to be turned off. Mr. Rappleyea stated again that nothing had been done by May according to the first agreement that was reached. They claimed that the snowfall slowed their process down. Mr. Rappleyea reminded them that we haven't had snow on the ground for the last three months. Supervisor Muth also stated that there has been no communication with her office telling us what progress was made or why there wasn't progress. She asked when they were planning to apply for a demolition permit. Mr. Harder answered as soon as the survey is completed. They don't know what the survey will show so they can't get demolition pricing. They did however get 3 estimates of contractors. The town would like a list of contractors by Monday June 9, 2014. Mrs. Muth then asked what the town should expect to see by the end of June regarding the property. Mr. Harder answered and said there are many variables that could affect the timeline such as variances needed etc. But, the buildings should all be down by the end of June according to his guesstimate. Mr. Rappleyea said the big thing is communication. The Board is very flexible and easy going but basically having been ignored for the last 6 months isn't sitting well. The agreement was that Goldman Properties would be here every month with a report, and there was never a report or a face shown until we had to threaten with compliance. Mr. Harder assured that with him on board now, there will be regular communications. Supervisor Muth asked upon completion, is it correct that we should expect to see a leveling of all buildings; and all remediation and mitigation will all be complete. Both Mr. Tagoni and Mr. Harder said yes that is correct.

Jeff Prince then took the floor. He stated that the reason he is here is not to stop this process but to make it known that today he received a call from Goldman Properties telling him that he was an obstacle to their plans. He said that it is his intent to make an offer to Goldman Properties to buy their share with the intent not to demolish Shabby Ranch but to renovate it and bring it back to the historic property it was once. Mr. Rappleyea answered and said it is very interesting what you have to say but this has no relevance. Goldman properties are the owners and this is what their plan is and this is what is before the board. We also have a determination from the building department about the status of the property and what needs to be done and it needs to be done quickly. What happens with owners and non owners is a private matter and it has no impact on our determination and we cannot get involved in that discussion. Our main concern is compliance.

Councilman McCrary made a motion, 2nd by Councilman Pellitteri and carried to make an extension to June 30, 2014, provided that the Supervisor receive an acceptable report by June 9, 2014 subject also to weekly e-mails with updates and reports as to progress made, with no further extension granted in June unless the criteria has been met.

There is a vacancy on the town's planning board and the Supervisor would like board members to think of possible candidates.

Zoning Law Review will be scheduled for June 19, 2014, time to be announced.

The village of Hunter holds a day camp every summer for the youth in our area. Normally, the Town of Jewett pays \$95 towards each child in the town. The village has requested the town to pay more. After board members discussed the issue, they agreed to stay at the \$95.00 fee.

Discussion was made regarding renewing the town's health insurance plan with CDPHP. The matter was tabled to June's meeting where it would be voted on then.

On a motion by Councilman McCrary, 2nd by Councilman Pellitteri and carried The Board adopted Resolution #11 of 2014. Subject: Policy for Accounting on Federal Awards.

"WHEREAS The Town of Jewett expends funds for emergency repairs and receives FEMA funds covering such payments; **AND,**

WHEREAS DHSES requires an accounting policy to record the receipt and disbursement of FEMA funds; **BE IT HEREBY RESOLVED**, in the future, all funds received or anticipated will be accounted for in the following manner: Revenues and Accounts Receivable will have an additional entry or sub-account with a Disaster Number, Contract Number and/or Project Worksheet Number to identify the specific source of funds. Likewise, the Expenditure of said funds will carry the same identifiers as the revenues."

ROLL CALL VOTE: AYE Muth, McCrary, Miles, Pellitteri and Trach.

May 14, 2014

Other Business: There will be a vacancy on July 31, 2014 in the supervisors office, as the Assistant to the Supervisor is retiring. Mrs. Muth has been working on a job description and looking to place advertisements in the local paper and on our website. She is hoping to do interviews in June, with July as a training month. The Supervisor has been working with her Assistant on correcting old (before 2000) retirement reports to insure that our workers receive the correct credit for their time. \$33,000 has been received from FEMA for Whaley Road. Nancy Bower, Town Assessor has been awarded \$4188.80 from NYS Real Property Tax Service for her maintenance of real property tax administration that meets the highest standards set by the state.

Councilman Pellitteri made a motion, 2nd by Councilman Trach and carried to approve the bills. General Fund was \$13,969.45 on abstract #5, claim numbers 96-128. The Highway Fund was \$7,826.86 on abstract #5, claim numbers 76-94.

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

On a motion by Councilman McCrary, 2nd by Councilman Miles and carried the Board went into Executive Session at 8:58 P.M. to discuss personnel matters, "The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation."

A motion was made by Councilman McCrary, 2nd by Councilman Pellitteri and carried to come out of Executive Session at 9:40 P.M. No decision was made.

Councilman McCrary made a motion, 2nd by Councilman Pellitteri and carried to adjourn the meeting at 9:40 P.M.

Maya Carl, Town Clerk