

MINUTES OF THE VILLAGE OF CATSKILL BOARD OF TRUSTEES  
February 26, 2020

PRESENT: President Vincent Seeley  
Vice-President Joe Kozloski  
Trustee Pete Grasse  
Trustee Greg Smith  
Trustee Natasha Law

**AGENDA:**

Motion made by Smith, seconded by Kozloski, to approve payment of audited bills. AYES: All Trustees present. Motion carried.

Motion made by Law, seconded by Kozloski, to approve submitted department reports. AYES: All Trustees present. Motion carried.

Comprehensive Plan approval Resolution was read by Trustee Smith. Deb Samuels asked if there were any additions, Rob Tomlinson stated that there would be supplementals to the Comp Plan by Earth Day. He said that it is a good plan, just needs to be updated environmentally. Samuels asked who would do the updating and Tomlinson said that he has 8, no 10, committees working on different areas, such as affordable housing, historic evaluations in the Village, smaller carbon footprints, etc. Hudson Talbott made mention that the Comp Plan did a pretty good job on the historic aspect but needs more adaptation. Bruce Rappleyea asked if all additions would be made public. Yes, will be done via Public Hearing. The Resolution was passed unanimously by the Village Board to accept the Comprehensive Plan dated February 10, 2020.

Letter was read from Albert Gasparini of the Catskill Ecumenical Council for the Board to approve use of the Village sidewalk in front of the County Courthouse on Friday, April 10, 2020 from noon till 1:30, for their annual Walk of the Cross. The Board unanimously approved said use of sidewalk. Letter was sent to Mr. Gasparini to inform him of Board approval

Letter from Ms. Diane Dunn was read, requesting the Village to allow a historical marker along with flower urns, to be placed at the Thomas Cole gravesite. She also asked for assistance in the placement of the marker from the DPW. The Board unanimously approved said placement of marker and urns. Letter was sent to Ms. Dunn advising her of the Board's approval in this matter and to contact Mike McGrath for installation of the marker.

Elliott Matos asked the Board for permission to hold their annual Diversity March on Saturday, March 7, 2020 at 3:00 PM. Lineup would be at the County parking lot and the march would be down to the Community Center and will take approximately a half hour. Chief Darling said that he would have an escort ready for them. Board approved said event.

The County Legislature asked the Village Board to approve "RESOLUTION EXEMPTION OF GREENE COUNTY FROM VILLAGE LAND USE LAWS FOR THE DEMOLITION OF THE

CATSKILL February 2020". Said Resolution was read by President Seeley (ATTACHED HERETO).

Discussion: Seeley said that the Carriage House on the Jail complex is staying. Hudson Talbott said that Ben Fain wanted to purchase the building, Seeley stated that the County is not selling, and that it is their property their decision. Tomlinson stated that the building could be used and that the County is running the Village. Building could be used for a combination Village Hall/Library/Community uses. Seeley said that the County took your proposal and did not approve it. Talbott stated that there is no pride in this regard. Seeley stated that we need to move forward. Peter Markou stated that the County Court is run by the State and that the State Court Administration wants more space. State wants to rehab the Court part of the building. Heart of Catskill is hoping to take over the carriage house. The building is redeemable, they redid the freight master building. Tomlinson said that the Board does not have to agree with the demolition. Board could stand up to them. Talbott asked what the Board what do they get out of this? Seeley stated that this ship has sailed. Samuels said that the building is evidence and once demolished the evidence is gone. Seeley said that we're not investigating. Tomlinson asked if the Board could write a letter asking the County to be aware of the historic qualities of the building and be aware of the surrounding neighborhood. Board asked him to compose what they would like to state in an amendment.

Motion made by Grasse, seconded by Law, to approve said Resolution with amendment. AYES: Seeley, Kozloski, Grasse, Law. Smith abstained. Motion carried.

Discussion continued as Talbott asked the Board why they're going along with the demolition and Seeley stated that it is still getting torn down; and Talbott asked to put on record that you oppose it. Seeley said to call your legislatures and OSC to do this. Samuels asked if we could delay the vote to see if there is any potential investor. Board stated that the approval of the Resolution must be done by the end of February. Tomlinson asked if they do not sign by then, what happens. Seeley: it will cost the taxpayers money to delay. Seeley asked for their amendment to the Resolution. Tomlinson said he would compose and get it written.

Seeley asked the Board if they had anything further. Smith thanked all for their work on the Comp Plan. Seeley stated that the Comp Plan is a good start, but we need to work on the Zoning Laws. Tomlinson stated that the Village needs to work on the carbon footprint of the Village.

Seeley asked the present Department Heads if they had anything to contribute, and all good was the response.

Peter Markou said that there is a good article in the Hudson Valley magazine covering the Village of Catskill and all that is coming here. He also mentioned that someone is trying to make part of the Freight Master building into an international museum for wrestling. The building belongs to the people and not the legislature. Markou hopes that the County preserves the Point and not move forward with this idea. Seeley asked him how far this proposal has gone and Markou said pretty far. Someone asked who is doing this and Seeley said Mike Lanuto, Jr. is.

Motion made by Grasse, seconded by Smith, to adjourn the meeting and go into Executive Session. AYES: All Trustees present. Motion carried.

Respectfully submitted,

BETSY COTHREN

**RESOLUTION  
EXEMPTION OF GREENE COUNTY  
FROM VILLAGE LAND USE LAWS  
FOR THE DEMOLITION OF THE GREENE COUNTY JAIL COMPLEX  
VILLAGE BOARD OF THE VILLAGE OF CATSKILL  
February 2020**

**WHEREAS**, Greene County has requested that the Village Board of the Village of Catskill make a determination with regard to whether the County shall be exempt from the applicability of the Village's land use laws in relation to its proposal to demolish the existing Greene County Jail Complex located at 80 Bridge Street in the Village; and

**WHEREAS**, the Village Board recognizes that there is significant case law on point, with regard to the exemption of such a project including In the Matter of the County of Monroe, 72 NY2d 338 (1988), which held that a balancing test must be performed to determine whether a project of a municipality or agency thereof, is exempt from the local land use regulation weighing the following factors: 1) legislative intent; 2) nature and scope of the instrumentality seeking immunity; 3) the kind of function or land use involved; 4) the extent of the public interest to be served; 5) the effect local land use regulation would have on the enterprise; 6) impact on legitimate local interests; 7) alternative locations for the facility in less restrictive zoning areas; 8) alternative methods of providing the needed improvement; 9) intergovernmental participation in the project development process; and 10) opportunity of the public and others to be heard; and

**WHEREAS**, the Village of Catskill has been an Involved Agency for the duration of the State Environmental Quality Review Act (SEQRA) process; for which the Greene County Legislature has served as Lead Agency, designated the Action as a Type 1 classification, conducted a Coordinated Review, issued a Negative Declaration, and submitted a Notice for publication in the Environmental Notices Bulletin; and

**WHEREAS**, Greene County is a municipal corporation duly organized under the laws of the State of New York and is the County within which the Village of Catskill is located; and

**WHEREAS**, the County intends to demolish and remove the Jail Complex structures, including the Jail and Sheriff's Office, and D-Block structures. The demolition activities are proposed to include the disconnection of utility services to the site, including electricity, natural gas, public water and sewer connections. The abatement of identified hazardous asbestos containing materials and lead paint will be completed as part of the demolition activities. Demolition will also include site stabilization improvements, including back-filling excavations for foundation removal, site grading, drainage controls, parking improvements and access. Public safety controls for the adjoining Courthouse facilities would be incorporated into the design plans, including security fencing. Moving the county-wide jail facility to a newly constructed site in the Town of Coxsackie has rendered the Jail Complex in the Village of Catskill un-utilized and unnecessary; and

**WHEREAS**, the Village of Catskill code incorporates a zoning law and site plan review regulations; and

**WHEREAS**, following a discussion and analysis of the proposed action, including weighing the balancing factors and local zoning and site plan review, Trustee X offered a motion which was seconded by Trustee X and duly carried:

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board finds that the nature and scope of Greene County, an instrumentality seeking immunity from the Village of Catskill Code with respect to Land Use, is a municipal corporation with geographic jurisdiction, powers and fiscal capacity to provide a wide range of services to the residents and property owners within the County; and

**IT IS FURTHER RESOLVED**, that the Village Board finds that Greene County, as a unit of government, has a compelling government interest to retain ownership of the noted property, including present and future expansion needs of the Greene County Courthouse, and is empowered to undertake the demolition of the jail complex and the stabilization and improvement of the disturbed property; and

**IT IS FURTHER RESOLVED**, that the Village Board finds that the stabilized property will be beneficial to the residents and property owners of Greene County and the Village of Catskill as an appurtenant use to the County Courthouse; and

**IT IS FURTHER RESOLVED**, that the Village Board finds that the Jail Complex demolition, and associated site improvements and public safety controls, potential adverse impact on historic resources were reviewed in detail as part of the SEQRA process completed for the project; and

**IT IS FURTHER RESOLVED**, that the Village Board continues to show no interest in obtaining ownership of the said property and buildings, and finds Greene County's SEQRA process to be sound, including the incorporation of appropriate elements and actions to mitigate the potential impact to historic resources within the Village, and concurs that the review does not identify any significant adverse environmental impacts; and

**IT IS FURTHER RESOLVED**, that the Village Board finds that alternative methods to building demolition (rehabilitation, re-purposing, and finding a new owner) have been reviewed by the County and are determined infeasible largely due to cost, building conditions, site limitations, project complexity, and lack of maintainable options that would meet future needs; and

**IT IS FURTHER RESOLVED**, that the Village Board finds that the public interest is served in the demolition of the existing structures and completion of site improvements and that public and interested stakeholder participation was afforded by the County during the SEQRA process and specially scheduled workshops to discuss the project, and by the Village of Catskill at a public meeting to review the nature and scope of the project; and

**IT IS FURTHER RESOLVED** that the Village Board of the Village of Catskill hereby finds that upon the balancing of all factors in relation to zoning and site plan review, the County is exempt from the applicability of the Village of Catskill Zoning Code and land use laws and thus approval by the Village Board, Village Planning Board, or Zoning Board of Appeals is not required; and

**BE IT FURTHER RESOLVED**, that the Village Clerk is directed to file this Resolution in the appropriate index within five (5) business days.

This resolution shall take effect immediately.

	<u>AYES:</u>	<u>NAYES:</u>	<u>ABSENT:</u>	<u>CARRIED:</u>
Vincent J. Seeley, President	X			
Joseph Kozloski, Trustee	X			
Peter Grasse, Trustee	X			
Greg Smith, Trustee			ABSTAINED	
Natasha Law, Trustee	X			



**AMENDMENT**  
**To**  
**RESOLUTION EXEMPTION OF GREENE COUNTY FROM**  
**VILLAGE LAND USE LAWS FOR THE DEMOLITION OF**  
**THE GREENE COUNTY JAIL COMPLEX VILLAGE BOARD**  
**OF THE VILLAGE OF CATSKILL February 2020**

In view of the concerns of many Village residents, we ask that the County be sensitive to the historic qualities of the neighborhood in which this property is located. The interest of the Village residents is maintaining the beauty and the historic character of our downtown area, and the wish of numerous Village residents is to have the historic Greene County Sheriff's Office saved with the carriage house and incorporated into the future use of the property.

Composed by Robert & Margarete Tomlinson, and Hudson Talbott