



## **Minutes**

**Town of Cairo**

**Monday August 12<sup>th</sup>, 2019**

**Town Board Meeting @ 7:00 pm**

**Location: Town Hall Meeting Room**

The Town Board of the Town of Cairo met for a Town Board Meeting on Monday August 12<sup>th</sup>, 2019, at the Town Hall, Main Street, Cairo, New York.

Supervisor Benoit called the meeting to order @ 7:04 and asked the attendees to Pledge Allegiance to the Flag.

Attendance: Supervisor Benoit, Council Member Cords, Council Member Joyce, Council Member Watts  
Absent: Council Member Warner

### **Review and Approval of Minutes:**

**June 3<sup>rd</sup>, 2019:** Tabled till September's Meeting.

**July 1<sup>st</sup>, 2019:** Tabled till September's Meeting.

### **Existing Business:**

- A. Water Infrastructure Project – In Progress
  - a. Meters are almost all in. Left over properties that have not had their meters installed yet due to not being able to contact may have their water turned off. Also, waiting on software updates to read the new meters. Fixed a lot of meter leaks while replacing the main, this should fix a lot of issues with water pressure.
- B. ELAN – Grant Application Completed
  - a. The 821,000.00 grant application is finished for park improvements is complete. We will not know the outcome of the application for a little while.
- C. Civil Service – Approval of Deputy Highway Supt. – Exempt Class
  - a. Greene County Civil Service approves Debra Sommers as part of the exempt class. Which mean it does not require her to take a civil service test for the position of Deputy Highway Superintendent.
- D. Clean Energy – PILOT for Solar Project
  - a. Solar Field up in Acra, NY. Would like to move forward with the process with setting up a meeting with the board.

### **New Business:**

- A. Lucille Bertone – Request to Rename Street Signs

- a. She would like to rename 2 private roads. Would like to change Bertone Drive to Lucille Bertone Drive and Pinto Lane to Terrace Manor.
- B. Arlene Maben – Friends of the Cairo Dog Park – Upgrades
  - a. Would like to purchase long handles scoop for owners to clean up after their pets. To also raising money for other renovations and improvements. Spots for larger and small dogs. CDF is allowing them to work side by side as a non-for-profit organization. Would like 2 shelters for the dog park, also volunteers for the park. Would also like signs near the 2 entrances of the park for other residents in and outside of the town to know where the dog park is located. Also talked about a possibility of moving the recycling center.
- C. Ambulance Purchase & Rent or Purchase O2 Cylinders
  - a. Ray Mahler states that it would more beneficial to purchase O2 cylinders instead of renting them. They are aluminum and last about forever, they get checked every 5 years.
- D. Code Enforcement – Dilapidated Building Report
  - a. The board was given a report from the Building Dept. and they would like to clean up the property and put the cleanup cost on the taxes of the building, the town attorney said this was possible. Located on Silver Spur Road by the corner of Route 32. ‘Unfit for residential occupancy, structure is dilapidated, possibly be a risk for collapse. The vacant building is not properly secured with open windows and doors, with decks with a risk of collapsing. Entrapment nuisance for children and creatures, appears to have mold throughout the building, along with the grass exceeding 10 inches long, which is also a fire hazard. Abandoned for over 10 years.’ Have an engineer’s recommendation of the building or the land owner cooperates.  
**(Resolution No. 2019-108)**
- E. Vietnam Traveling Wall – Attend Organizational Meeting, Wednesday, August 14<sup>th</sup>, 2019
  - a. Will be coming through Main St., Cairo before going down to Catskill at Dutchmen’s Landing
- F. Subdivision Law Amendments
  - a. 1<sup>st</sup>: Large Parcels and if you would like to subdivide the parcel. Possibility that the planning board would require you to survey the whole parcel beforehand. Some towns don’t require this. If the owner and the surveyor can certify that the parcel meets all standard requirements without any problems, this may allow the property to be exempt of surveying in order to subdivide.
  - b. 2<sup>nd</sup>: Lot line adjustments between neighbors who would like to adjust property lines between them due to encroachments or a neighbor needs a little more property than the other. They would be able to do this without going through the subdivision review process, as long as that the parcels are not non-conforming. If they are not comply with all requirements, they may have to get a variance or to go through a review process.
- G. Proposed Local Law – Tax Exemptions under RPTL 421-F
  - a. If you update your residential property, you will then fill out an exemption application and give it to the tax assessor. Tax exemption will only be allowed on \$80,000 or less spent on improvements. First year, your improvement will be exempt from taxes. Every year for the next 8 years your taxes will increase by 12.5% until it reaches the full tax assessed value. This exemption would not carry over if the property is sold, or changed to commercial use. But it will carry over if the house is given down to other family member, or stated in a will. This does not affect school taxes, only town and county taxes.
- H. Discussion Regarding Exemption under RPTL 485-B

- a. Same idea and similar to 421-F but this has to do businesses and not residential. It is limited to 50% of the increased assessment, 5% every year over a 10 year span.

**Correspondence:**

- A. Hemp Industry/IDA Meeting – Tuesday, August 27<sup>th</sup>, 2019 @11:30AM @ Town Hall
- B. Eagle Scout – Court of Honor – Saturday, August 17<sup>th</sup>, 2019 @ Noon – Gallagher’s

**Resolution No. 2019-104 “Grant Permission to the Justice to Apply for the 2019-2020 JCAP Grant”**

Offered by Council Member Cords and seconded by Council Member Watts.

**Whereas**, The Town Board of the Town of Cairo, The Town of Cairo Justice Court needs (1) Security Door, (1) Scanner, (1) Utility Cart, (3) Widescreen Monitor Privacy Filters, (2) Humidifiers, and (2) Shelving Racks,

**Whereas**, there is a 2019-202 Justice Court Assistance Program (JCAP) available,

**Whereas**, Town of Cairo authorizes the Cairo Town Court to apply for a JCAP Grant in the 2019-2020 Grant Cycle up to \$30,000.00.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-105 “Approve Release of HUD Funds to the Cairo Development Foundation for their HUD Grant Application”**

Offered by Council Member Watts and seconded by Council Member Joyce.

**Whereas**, the Town of Cairo currently has \$50,000.00 in its possession from a HUD Residential Rehabilitation Grant it was awarded in 1998, and

**Whereas**, the Town of Cairo, by resolution dated June 3, 2019, authorizes Kaaterskill Engineering to act as the “Residential Specialist” in determining the Cairo Development Foundation’s need for increased funding under the terms of the 1998 HUD Residential Rehabilitation Grant, and

**Whereas**, Kaaterskill Engineering has completed their review and assessment of the project including a feasibility study that determined the cost of necessary renovations to the two residential apartments on 467 Main Street exceed the entire grant amount available,

**Be It Resolved**, the Town Board does hereby accept Kaaterskill Engineering’s findings and does authorize the Cairo Development Fund to use the full amount of the 1998 HUD Residential Rehabilitation Funds for the rehabilitation of two residential apartments at 467 Main Street, according to the terms and conditions set forth in the grant document.

*Supervisor Benoit – Abstain, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-106 “EDU Billing Adjustments”**

Offered by Council Member Watts and seconded by Council Member Cords.

**Whereas**, it is necessary for the EDU billing adjustment to be authorized by the Town Board and documented in the minutes; therefore, be it

**Resolved**, that the Town Board accepts the adjustment to the EDU billing dated June 4, 2019. A credit of \$172.50 to be applied to account number 5530, to correct an error on this account.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-107 “Sewer Billing Adjustment”**

Offered by Council Member Watts and seconded by Council Member Cords.

**Whereas**, it is necessary for the EDU billing adjustments to be authorized by the Town Board and documented in the minutes; therefore be it

**Resolved**, that the Town Board accepts the adjustments to the EDU billing dated June 4, 2019. A credit of \$172.50 to be applied to account number 5530, to correct an error on this account.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-108 “Establishing Additional Enforcement Procedure for Removal of Trash, Etc. Pursuant to the International and NYS Fire and Building Code and the NYS Executive Law.”**

Offered by Council Member Watts and seconded by Council Member Joyce.

**Whereas**, the Town Board of the Town Cairo adopted Local Law #3 of 2008, entitled “PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE” which included the provision for enforcement thereof and any subsequently enacted NYS Code, and

**Whereas**, NYS has recently adopted the International Fire and Building Code and NY Supplement, which is to be enforced in accordance with NYS Executive Law §382. In particular Executive Law §382 (1), in relevant part states “...every local government and its authorized agents shall have the power to order in writing the remedying of any condition found to exist in, on or about any building in violation of the uniform fire prevention and building code.”, and

**Whereas**, the Town Board acknowledges that property maintenance conditions and trash/rubbish and other unsightly accumulations which are in violation of the above-mentioned International Fire and Building Code and NY Supplement, have become an increasingly difficult issue to address within the town; and

**Whereas**, the Town Board of the Town of Cairo hereby determines that it is in the best interest of the Town to establish an enforcement procedure of the issuance of an Order and subsequent enforcement in accordance with the attached Schedule “A” relating to property maintenance conditions and trash/rubbish and other unsightly accumulations which are in violation of the above-mentioned International Fire and Building Code and NY Supplement.

**Now Therefore**, Be it resolved, that the Town Board of the Town of Cairo hereby adopts the attached Schedule “A” as and for its written order and enforcement procedure.

**SCHEDULE “A”**

**PROCEDURE RELATING TO PROPERTY MAINTENANCE CONDITIONS AND TRASH/RUBBISH AND OTHER UNSIGHTLY ACCUMULATIONS WHICH ARE IN VIOLATION OF THE ABOVE-MENTIONED INTERNATIONAL FIRE AND BUILDING CODE AND NY SUPPLEMENT**

**Enforcement**

The Code Enforcement Officer of the Town of Cairo is charged with the responsibility of carrying out the obligations and duties set forth herein.

**Inspection; Notice**

- A. No person, firm corporation or association, who or which is the owner of a parcel(s) of real property in the Town of Cairo, shall cause suffer, allow or permit said property to become in violation of the NYS Property Maintenance Code (as part of the International Fire and Building Code and NYS Supplement, hereinafter referred to as the “Code”). In the event that any parcel in the Town now is or hereafter is deemed by the CEO to be in violation the Code, from any cause whatsoever, the owner or occupant shall repair or remove same, The CEO shall make a complete inspection and report the condition of said building to the Town Board of Cairo. Notice shall thereafter be served on the owner or someone (1) of the owners, executors, legal representatives, agents, lessees or any other person having a vested

or contingent interest in the said building either personally or by registered mail, addressed to the last known address, if any of the owner or someone (1) of the owners, executors, legal representatives, agents, lessees or other persons having a vested or contingent interest in same, as shown by the tax collector and/or in the office of the County Clerk of the County Register, containing a description of the premises, a statement of the particulars in which the building or structure is unsafe or dangerous and an order requiring same to be made safe and secure or removed: if such service is made by registered mail, a copy of such service shall be posted on the premises by the Code Enforcement Office.

- B. Such notice shall provide for time, (thirty (30) days from receipt of notice), within which such person served with notice may commence the securing or removal of buildings or structures. A copy of such notice shall be filed in the office of the clerk of Greene County, which notice shall be filed by the clerk in the same manner as a notice of pendency pursuant to Article 65 of the Civil Practice Law and Rules and shall have the same effect as otherwise provided therein. The notice shall provide for a hearing before the Town Board, and the time and place thereof shall be specified in the notice to repair or demolish.

#### **Removal of the Building by the Town**

In the event that the owner fails or refused to repair or remove the building within the time provided above-mentioned notice. The Town Board may cause the removal of such building or structure without further notice to the owner.

#### **Assessment of Costs**

All costs and expenses incurred by the Town in connection with any and all of the above proceedings to remove or secure, including the cost of actually removing said building or structure or securing the same, shall be assessed against the land on which the building or structure is located.

#### **Enforcement and Collection upon Nonpayment**

If the owner or person served as hereinabove provided shall fail to pay the costs and expense by the Town within ten (10) days after being notified of the costs thereof by registered mail, the Town Clerk shall file, immediately preceding the time for making the annual assessment roll, a certificate of such actual cost and expense with a statement as to the property upon which such cost and expense were incurred, the building or other obstructions removed, as the case may be, with the assessor of the Town, who shall in the preparation of the next assessment roll of Town taxes, assess such amount upon such property, and the same shall be levied, collected and enforced in the same manner, by the same proceedings, at the same time, under the same penalties and having the same lien upon the property assessed as the general Town tax and as a part thereof.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

#### **Resolution No. 2019-109 “Authorize Purchase of Pipe Locator”**

**WHEREAS**, Water Administrator, Joe Castle, would like to purchase the Schonstedt MPC-800 pipe locator borrowed from Core & Main; and

**WHEREAS**, the cost of a new Schonstedt MPC-800 would be \$3200.00; and

**WHEREAS**, Core & Main has offered the used loaner for a purchase price of \$2437.33; therefore be it

**RESOLVED**, the Town Board does hereby authorize Water Administrator, Joe Castle, to purchase the pipe locator from Core & Main in the amount of \$2437.33.

**TABLED TILL SEPTEMBER’S MEETING**

#### **Resolution No. 2019-110 “Budget Amendments and Payment of Bills on Abstract #308”**

Offered by Council Member Cords and seconded by Council Member Watts'

**Whereas**, payment of bills should be properly authorized and documented in the minutes; therefore be it

**Resolved**, the Town Board does hereby authorize that Abstract #308, consisting of 2019 Vouchers #104603 through #104712 in the amount of \$257,680.65 is approved for payment:

The total amount to be paid from the:

General Fund -	\$121,752.82	Hydrant -	\$7,500.00
Highway Fund -	\$70,838.01	Capital Water -	
Street Lighting -		Sidewalk -	
Sewer Fund -	\$7,182.05	Trust & Agency -	\$120.85
Water Fund -	\$50,286.92	Special Fire -	

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-110 “Receipt of Monthly Supervisor’s Report”**

Offered by Council Member Joyce and seconded by Council Member Cords.

**Whereas**, is has been recommended by the NYS Comptroller’s Office in the Town of Cairo Report of Examination 2008M-175, that the Supervisor should present a Monthly Report to the Town Board members consisting of cash receipts, cash disbursements, and a budget versus actual report for expenses and revenues, and it be documented in the minutes; therefore;

**Be It Resolved**, that the Town Board Members accept the monthly Supervisor’s Report for June 2019.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-111 “Round Top Volunteer Fire Company Purchasing a New Fire Truck.”**

Offered by Council Member Watts and seconded by Council Member Joyce.

**Be It Resolved**, the Board of Trustees of Round Top Volunteer Fire Company, Inc. has approved the purchase of a new pumper/tanker in the amount of \$369,895 and to become indebted for said purchases for up to \$260,000 and

**Whereas**, a duly advertised public hearing on said proposed indebtedness was held at the fire house at 1513 Hearts Content Road on August 6, 2019 at 7PM and the public was hear, and

**Whereas**, said purchase of said equipment will enhance fire protection in the Town of Cairo,

**Be It Resolved** that the Cairo Town Board approve the Round Top Volunteer Fire Company, Inc. purchase of said equipment and indebtedness related to said purchase for up to \$260,000.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-112 “Confirm Appointment of Debi Somers to Deputy Town Highway Superintendent – Civil Service Exempt Classification”**

Offered by Council Member Cords and seconded by Council Member Joyce.

**Whereas**, the Town of Cairo, by resolution number 9-12 dated 1/4/2012, Pursuant to Section 32.2 of the New York State Town Law, created the position of “Deputy Town Highway Superintendent, and

**Whereas**, Robert Hempstead, the Town of Cairo Highway Superintendent did thereafter appoint Debi Somers to fill the position of Deputy Town Highway Superintendent, and

**Whereas**, Greene County Civil Service has recently classified the position as Deputy Town Highway Superintendent as “exempt” and now requests the town board confirm the appointment of Debi Somers to the “exempt” position of Deputy Town Highway Superintendent, now therefore,

**Be It Resolved**, the Town Board does hereby confirm to Greene County Civil Service that Debi Somers was appointed by Robert Hempstead to the position of Deputy Town Highway Superintendent and remains in that position now classified as ‘exempt’ by Greene County Civil Service.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Resolution No. 2019-113 “Authorize Private Road Name Changes”**

Offered by Council Member Watts and seconded by Supervisor Benoit.

**Whereas**, Lucille Bertone, owner of Terrace Manor Mobile Home Park desires to rename two private roads in the mobile home park as follows:

Bertone Drive to Lucille Bertone Drive

Pinto Road to Terrace Manor Road,

Now therefore,

**Be It Resolved**, the Town Board does hereby authorize the re-naming of the two, existing private roads as set forth above.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried.*

**Adjourn Town Board Meeting @ 8:47PM**

Offered by Supervisor Benoit and seconded by Council Person Cords.

*Supervisor Benoit – Aye, Council Member Cords – Aye, Council Member Joyce – Aye, Council Member Watts – Aye. Council Member Warner – Absent. Motion Carried. Meeting Adjourned.*

Respectfully Submitted

Kayla L. Warner  
Town Clerk