



VILLAGE OF CATSKILL
BOARD OF TRUSTEES
MINUTES
February 28, 2024

PRESENT:

President Peter Grasse
Trustee Joe Kozloski
Trustee Natasha Law
Trustee Jeff Holliday
Trustee Jamie Mitchell

Also, present were Village Clerk Anna Signoretti, DPW Superintendent Patrick McCulloch and members of the public.

President Grasse called the meeting to order at 6:30 PM with the Pledge of Allegiance.

AGENDA

Motion to open Public Hearing on proposed amendments & corrections to Short Term Rental Ordinance

On a motion by Trustee Kozloski, seconded by President Grasse and passed unanimously to open the Public Hearing on proposed amendments and corrections to Short Term Rental Ordinance.

President Grasse asked the public if there were any questions regarding the amendments & corrections to the Short Term Rental Ordinance. Trustee Law commented that the changes are just administrative and will help enforce certain things and the changes will be beneficial to assist the Code Enforcement Office.

No further comments or questions.

Motion to close Public Hearing on proposed amendments and corrections to Short Term Rental Ordinance

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On a motion by Trustee Holliday, seconded by Trustee Kozloski and passed unanimously to close the Public Hearing on proposed amendments and corrections to Short Term Rental Ordinance.

**RESOLUTION TO AMEND & CORRECT SHORT TERM RENTAL
ORDINANCE
RESOLUTION 14 OF 2023
DATE: FEBRUARY 28, 2023**

Whereas the Village of Catskill Board of Trustees has determined that there are inconsistencies within the Village Zoning Law as it relates to Short Term Rentals; and

Whereas the Village of Catskill officials seek to resolve and cure those inconsistencies within the zoning and building code enacted by the Village by, now be it therefore

Resolved that the Zoning Code of the Village of Catskill be amended to include the following updates, amendments, corrections and deletions:

Article III Section 3.1 – Table of Uses

The Table of Uses shall be amended to included the additional category of SP-1. SP-1 shall be defined as a “Use allowed by Special Permit approved by the Code Enforcement Officer under Section 4.15 – Short Term Rental Regulations.”

Article 4 Section 4.15 b.

Currently reads - Short-Term Rental Permit Application Requirement. An application for (or renewal of) a short-term rental permit shall be submitted to the Village Code Enforcement Officer, signed by all persons and entities that have an ownership...

Shall be amended to read - Short-Term Rental Permit Application Requirement. An application for (or renewal of) a short-term rental permit shall be submitted to the Village Code Enforcement Officer **on a form prescribed by the Code Enforcement Office**, signed by all persons and entities that have an ownership...

Section 4.15 b. ii. f

Currently reads - Each sleeping room shall have an exterior exit that opens directly to the outside, or an emergency escape or rescue window.

This paragraph shall be deleted in its entirety.

Section 4.15 b. iii.

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Currently reads – A site plan...

Shall be amended to read “A **sketch** plan...”

Section 4.15 c. i. 1.

Currently reads - The number of people calculated on the basis of 2 persons per sleeping room (unless the room size is below 100 square feet) plus an additional 2 persons. For this purpose, a sleeping room is defined as fully enclosed habitable space of at least 70 square feet for one person and 100 square feet for two persons, *with an emergency escape or rescue opening.*

By deleting the italicized section above, it shall read - The number of people calculated on the basis of 2 persons per sleeping room (unless the room size is below 100 square feet) plus an additional 2 persons. For this purpose, a sleeping room is defined as fully enclosed habitable space of at least 70 square feet for one person and 100 square feet for two persons.

Section 4.15 d. ii. 3.

Currently reads - If the site plan required to be submitted...

Shall be amended to read - If the **sketch** plan required to be submitted...

Section 4.15 d. iii. 11.

Currently reads - That the permit shall expire on December 31 of the year for which it is effective.

Shall be amended to read - That the permit shall expire **one year after the date of issuance.**

Section 4.15 e. ii. 2.

Currently reads - A copy of the current short-term rental permit shall be provided to every adjacent property owner and to every property owner within 150 feet of the short-term rental property (whether on the same side of the road, across the street or behind the subject property). A statement of compliance with this provision, *stating the owners served, and their addresses, and the method of service (e.g., email, personal delivery)*, shall be provided to the Village Code Enforcement Officer.

By deleting the above italicized section, add the following bold, shall be amended to read - A copy of the current short-term rental permit shall be provided to every adjacent property owner and to every property owner within 150 feet of the short-term rental property (whether on the same side of the road, across the street or behind the subject property). A statement of compliance with this provision, shall be provided to the Village Code Enforcement Officer **on a form prescribed by the Code Enforcement Office.**

Section 4.15 e. iii.

Currently reads - The owners must ensure that current and accurate information is provided to the Village Code Enforcement Officer and that they notify the Village Code Enforcement Officer

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immediately upon any information contained on the permit changing. If, based on such changes, the Code Enforcement Officer issues an amended short-term rental permit, the owners must immediately replace the permit displayed inside and near the front entrance of the short-term rental with the amended permit *and must immediately provide a copy of the amended permit to every adjacent property owner and to every property owner within 150 feet of the short-term rental property (whether on the same side of the road, across the street or behind the subject property).*

By deleting the above italicized section shall read - The owners must ensure that current and accurate information is provided to the Village Code Enforcement Officer and that they notify the Village Code Enforcement Officer immediately upon any information contained on the permit changing. If, based on such changes, the Code Enforcement Officer issues an amended short-term rental permit, the owners must immediately replace the permit displayed inside and near the front entrance of the short-term rental with the amended permit.

Effective Date

This local law shall be effective immediately upon its adoption by the Board of Trustees of the Village of Catskill and upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law or upon personal service following adoption by the Board of Trustees.

	<u>AYES</u>	<u>NAYES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Peter Grasse, President	X			
Joseph Kozloski	X			
Natasha Law	X			
Jeff Holliday	X			
Jamie Mitchell	X			

The motion is carried.

The resolution is thereupon adopted on February 28, 2024

CERTIFICATION

I, Anna Signoretti, hereby certify that I am the Village Clerk for the Village of Catskill, in said County of Greene, and do hereby certify the above is a true copy of the Resolution to Amend & Correct Short Term Rental Ordinance. I further certify the record is located at the Village Hall at 422 Main Street, Catskill, NY 12414. I have hereunto set my hand and affixed the seal of said Village of Catskill the 28th day of February 2024.
Anna Signoretti, Clerk

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Approval of Minutes from February 14, 2024 Village Board Meeting

On a motion by Trustee Law, seconded by Trustee Kozloski and passed unanimously to approve minutes from February 14, 2024 Village Board Meeting.

Resolution to approve payment of audited bills for February 14, 2024

BE IT RESOLVED, that the Village Board approves payment of audited bills for February 28, 2024 as presented from:

General Fund A \$ 19,121.05

Water Fund F \$ 7,468.44

Sewer Fund G \$ 29,819.10

On a motion by Trustee Holliday, seconded by President Grasse and passed unanimously to approve the payment of audited bills for February 28, 2024.

Accept Auctions International auction total of \$36,465.00 for surplus equipment

On a motion by Trustee Holliday, seconded by Trustee Law and passed unanimously to accept Auction Internationals auction total of \$36,465.00 for surplus equipment.

Margaret Tomlinson to discuss Climate Smart/Energy Audit updates

In anticipation of receiving a \$5,000.00 decarbonisation grant, C&S Engineers has sent a revised bid that includes the cost of the building envelope assessment for DPW garages and firehouse which will be at no cost to the Village and will be funded by 2 grants. On track to receive a free energy audit for Village Hall and the Police Station from L&S Energy Solutions.

Motion to accept bid from C & S Engineers for an Energy Audit for DPW garages and the Firehouse

On a motion by President Grasse, seconded by Trustee Mitchell and passed unanimously to accept the bid from C & S Engineers for the energy audit for the DPW garages and the firehouse.

Dawn & Paul Moyer to discuss “unresponsiveness to complaints of zoning law violations”

Dawn Moyer hand out some packets with pictures of 22 Liberty Street. She then reads a statement following up on her complaint from 1/22/24 regarding violaions of zoning law 5.1.5 which hasn't been addressed or responded to. She also is following up on the Village's complaint handling process.

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President Grasse emphasizes that while the Code Enforcement Officer interpretation of the Zoning Code may not be the same as her opinion, the board feels that he has done his job and uphold whatever decision he has made.

President Grasse read into record a letter to the Moyers regarding complaint from 1/22/2024 in reference to 22 Liberty Street. (see attached)

Discuss letter from Catskill Ecunemical Council for use of sidewalks for Annual Walk of the Cross on 3/29/24 and National Day of Prayer on 5/2/24

On a motion by Trustee Kozloski, seconded by Trustee Holliday and passed unanimously to allow use of sidewalks for Annual Walk of the Cross and National Day of Prayer.

Public Comment

Nick Weist from North Street. Attending with some members of CASHE. Glad to see STR Ordinance in place and hoping it can be supplemented by the additional tax if it can be passed by the State. Talked about Restore NY Grant opportunity for the Village to utilize.

Patrick McCulloch talked about the Patriotic Committee and the banner program is still open and that they are also planning for the Memorial Day Parade.

Eileen Capone from Liberty Street wanted to thank Jamie Mitchell for visiting 22 Liberty Street in regards to the cat issue and to thank Natasha Law for responding to her email.

Executive Session to discuss personnel matters.

On a motion by Trustee Law, seconded by Trustee Mitchell and passed unanimously to enter into executive session at 7:06 pm.

On a motion by President Grasse, seconded by Trustee Kozloski and passed unanimously to exit executive session at 7:49 pm.

Adjournment:

On a motion by President Grasse, seconded by Trustee Kozloski and passed unanimously to adjourn the meeting at 7:49 pm.

Respectfully submitted,

Anna Signoretti

Village Clerk

APPROVED: March 13, 2024

TRUSTEES:
Peter J. Grasse, III
Joseph Kozloski
Jeffrey Holliday
Natasha Law
Jamie Mitchell

ATTORNEY FOR VILLAGE
Wayne Thompson
Esq.



President
Peter J. Grasse, III

Anna Signoretti
Clerk



VILLAGE OF CATSKILL

422 MAIN STREET
CATSKILL, NEW YORK 12414

February 13, 2024

Tel. (518) 943-3830
FAX (518) 943-7606
TTY 1-800-421-1220

Paul And Dawn Moyer
14 Liberty Street
Catskill, NY 12414

RE: Complaint against Code Enforcement Officer

Dear Mr. and Mrs. Moyer,

This letter is given to address your complaint dated January 22, 2024 regarding property at 22 Liberty Street. The allegations in your email complaint state that Code Enforcement Officer, Michael Ragaini, was not properly enforcing Village Code Section 5.1.4, titled "State of Disrepair." You further allege that he failed to do so based on empathy and favoritism toward the homeowner.

At the outset, it should be noted that this is the latest in a series of complaints, both written and verbal, lodged against the property owner at 22 Liberty Street. Village staff and personnel have expended an inordinate amount of time and taxpayer dollars addressing the numerous complaints filed by you against your neighbor, Stanley Raven.

Qualified Village personnel inspected the premises at 22 Liberty on several occasions based on your continued complaints. Your latest complaint alleges that the property is in a state of disrepair and asks the Village Board of Trustees to "...support the historic district and enforce the associated zoning regulations."¹ However, there is no legal basis for the Village Board to initiate or engage in any Code Enforcement action where such is the sole purview of the Code Enforcement Office as delegated under Village Law.

Subsequent to an inspection by the Code Enforcement Officer, a determination was made that your allegation of "disrepair" failed to meet the definition as stated in the code. Counsel was consulted to confirm his determination. For the reasons that follow, I concur with his conclusion.

The code section in 5.1.4 states:

¹ Email from pdmoyer1@gmail.com to Peter Grasse *et al* dated January 22, 2024

“No owner or person with an interest in real property herein identified shall permit the property to fall into a **serious state of disrepair** (*emphasis added*) so as to result in the deterioration of any exterior architectural feature or structural component, or deterioration of structural component or member, whether exterior or interior.

Examples of such deterioration include, but are not limited to:

- a. Deterioration of exterior walls, chimneys, roofs, porches, steps and trim;
- b. Deterioration of vertical or horizontal supports, including beams, joists, foundations, and footings; and
- c. Ineffective waterproofing, maintenance or repair of exterior walls, roofs, or foundations, including broken windows or doors.

A serious state of disrepair shall include deterioration of any structure or feature so as to create a public nuisance or to create a hazardous condition.²

The operative word in the code is “**serious.**” Here, a duly appointed and qualified Village Code Enforcement Officer, with decades of experience, expertise, and training, made a site inspection and determined that there was insufficient evidence to conclude that the premises were in a “**serious state of disrepair**” as required under the code to trigger enforcement action. No structural defects or hazardous conditions were noted. As such, his determination is rational and in accordance with the Village Code in section 5.1.4.

Based on the foregoing, the Code Enforcement Officer, Michael Ragaini, did **NOT** engage in favoritism or waive any portion of Village Zoning Code in favor of Stanley Raven at 22 Liberty Street.

No further action is required. This concludes the investigation of the complaint.

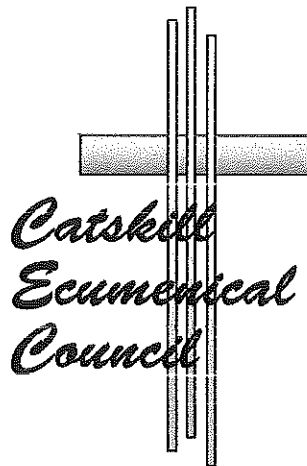
Sincerely,

Wayne Thompson, Esq.
Village Attorney

Cc: Village Trustees via Email

² Village Zoning Code Section 5.4.1

Catskill Ecumenical Council
8 Second Street
Catskill, N.Y. 12414
Cell # 518-947-9179



February 12, 2024

To: Catskill Village Board,

From: Albert Gasparini,

The Catskill Ecumenical Council will be holding its Annual "Walk of the Cross" event which will be held on March 29, 2024 Friday from Noon until 1:30 p.m. We make brief stops at each church in the Village of Catskill during our walk. Also, in years past we have made a brief stop at the Greene County Courthouse for reflections of Easter history. A letter of request to use the Greene County Courthouse sidewalk area at the base of the great steps has been submitted to the Greene County Administrator.

The Council would like to request use of the Village sidewalk area in front of the Greene County Courthouse for this year's public event.

Thank you for helping us each year with this event.

Sincerely,

A handwritten signature in black ink that reads "Albert Gasparini". The signature is written in a cursive style with a large, sweeping flourish at the end.

Albert Gasparini
Council, Walk of the Cross, Coordinator

February 23, 2024

To: The Catskill Village Board,

From: Albert Gasparini

The 73rd National Day of Prayer Observance will be held throughout the United States and an observance will be held at the Greene County Courthouse on Thursday, May 2, 2024 between the hours of 12:00 pm to 2:00 pm. This will be the 21th year at the Court House in participating in this observance.

Greene County Administrator Shaun Groden in his letter of approval states that a request needs to be submitted to the Village of Catskill to use the sidewalk area in front of the Greene County Courthouse. The request for use of the sidewalk area is for the hours between the hours of 11:00 am to 2:00 pm. for those attending this public observance on Thursday, May 2, 2024.

If a Village Representative would like to attend and help with the opening address to those attending, please contact me at 518-947-9179.

Thank you for your yearly support.

Sincerely,

A handwritten signature in black ink that reads "Albert Gasparini". The signature is written in a cursive style with a large, sweeping initial "A".

Albert Gasparini

Greene County National Day of Prayer Volunteer Coordinator
8 Second Street
Catskill, New York 12414-5800
Cell # 518-947-9179