

TOWN BOARD MEETING
January 16, 2014

A regularly scheduled Town Board Meeting was held on Tuesday, January 16, 2014 in the Town Hall 284 Broadway Port Ewen, New York at 7:30 PM with the following persons in attendance:

Supervisor John Coutant
Councilperson Gloria Van Vliet
Councilperson Wayne Freer
Councilperson Kyle Barnett
Councilperson Diane McCord - EXCUSED

Administrative Recorder: Holly A. Netter, Town Clerk

Supervisor John Coutant called the meeting to order at 7:40 PM.

PUBLIC COMMENT - NONE

Ken Wishnick, Ulster County Legislator – Re: Pilot Program – Park Point, New Paltz

County Legislator Ken Wishnick attended the Town Board meeting to convey awareness of a multimillion dollar project that is being proposed in New Paltz that could have an effect on a portion of Esopus residents who reside in the New Paltz Central School District. The Wilmorite Project known as *Park Point* is located off of Rt. 32 in New Paltz. This For Profit Company is seeking to build and operate a \$56 million housing development for students, faculty and staff, adjacent to, but independent from, SUNY New Paltz. This project includes a clubhouse, an indoor pool and will house 730 students in 13 three story buildings. This is a multibillion dollar corporation that will operate under a long term land lease with the SUNY New Paltz Foundation which obtained this parcel from a private company to enable this intended use. The company is requesting tax waivers through a PILOT (Payment In Lieu Of Taxes) agreement with Ulster County Industrial Development Agency (UCIDA). This PILOT program would save the company approximately \$32 million that would otherwise be utilized by the New Paltz School District, Town of New Paltz and Ulster County. They only want to pay \$100,000 in taxes when typically they would be assessed \$1,000,000 per year. The project proposes to create only 8 new long term jobs. There will be construction employment, however, they did not feel companies, with the skills required to build the project, would be found in the taxing jurisdiction. SUNY has also stated they will not be increasing enrollment.

Legislator Ken Wishnick is very concerned over the Home Rule. He feels it would be logical to assume if the local taxing authorities do not feel that the project provides enough economic benefits to warrant the PILOT, the UCIDA would not approve the project. However, there have been situations in the past where projects get approval regardless of the objections from the local Town Boards. To make the strongest case possible he is asking all of the Towns affected by this PILOT to go on record against it for the Home Rule and economic impact reasons. Shortly after their 25 year pilot expires the land lease will also expire. The foundation will then take over and the housing will be tax exempt because the foundation is tax exempt. Where is the long term economic benefit? It lowers the risk for the company and transfers the risk to the taxpayers.

Josh Honig of New Paltz , is one of the citizen leaders in opposition. He gave an example of how the tax payers end up getting stuck if the project is not successful. Corporations form a dummy corporation, if the project fails; their company is shielded from being sued. They stop paying their PILOT and taxpayers get stuck paying for their failure. Often the town or city is unable to take back a building because the value would be less than the outstanding taxes that are owed.

Most of the people in the affected area feel that the project is OK if the Wilmorite Company pays their fare share of taxes. It will benefit the college but should not come at the taxpayers' expense. The people feel the PILOT would be an unfair additional tax burden on the taxpayers in the New Paltz Central School District which includes part of Esopus. There is a Public Meeting on JANUARY 28, 2014 at 7pm at the New Paltz High School. Taxpayers are encouraged to attend and tell the UCIDA that they want Wilmorite/Park Point to pay their fair share. Speak now or pay later. New Paltz Planning Board has not given their final report on this project, however, the UCIDA has gone ahead and set this public meeting in an attempt to fast track this project.

The New Paltz Town Board, New Paltz Village Board, Gardiner Town Board and the New Paltz School Board have already taken a stand against the tax break for this project. On January 30, 2014 County Legislator has on their agenda a similar resolution opposing the PILOT. Legislator Wishnik and Mr. Honig also encouraged the Esopus Town Board to pass a resolution. The Town Board will analyze this matter and put together a resolution at the workshop meeting on February 3rd. The Town Board does not want to see the Esopus residents burdened with the additional taxes.

Ulster County Legislator appoints the Board Members to the UCIDA; however the Legislature has no authority over the agency. It is expected that the resolution will have strong support from our Legislators. This is a non partisan issue and Legislator Wishnick feels his fellow legislators agree the Home Rule should apply especially when all of the local government taxing entities oppose it. The UCIDA, which consists of six non elected people who do not geographically represent the area in question, should not have the ability to override and waive the taxes.

The original intent of creating the UCIDA was to have an entity that provides certain tools to help incentivize the expansion of business and industry and create more jobs. Cutting of property taxes to developers, waiving sales tax on construction materials, and waiving of other fees are being used to entice business to our area. Some feel the system is getting abused.

RESOLUTION TOWN OF ESOPUS ADV. HARINAM (MOBIL STATION)

**TOWN OF ESOPUS
RESOLUTION TO AUTHORIZE SETTLEMENT
TOWN OF ESOPUS adv. HARINAM**

BE IT RESOLVED, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York the following:

WHEREAS, we have received and reviewed information from our Attorney regarding the above reference matter,

THEREFORE, BE IT RESOLVED, that the Town of Esopus Town Board authorizes our Attorney to go forward with filing the necessary papers to settle this case for the agreed upon amount of \$725,000.

Resolution offered by: Supervisor John Coutant
Resolution seconded by: Councilperson Kyle Barnett

Councilperson Wayne Freer AYE
Councilperson Gloria Van Vliet AYE
Councilperson Kyle Barnett AYE
Supervisor John Coutant AYE

Resolution duly adopted.

VOLUNTEER ADVERTISEMENT

The Town of Esopus is seeking volunteers for the following Boards: Environmental, Planning and Zoning Board of Appeals. Anyone interested should contact Holly Netter, Town Clerk 331-3709. Supervisor Coutant stressed how important our Volunteers are and everyone is proud of the job they do.

BUDGET ADJUSTMENTS

**RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS
DECEMBER 2013**

BE IT RESOLVED, by the Town Board of the Town of Esopus, County of Ulster as follows:

WHEREAS, the Town of Esopus has been presented with budget adjustments and the adjustments have been examined and approved by the Town Board,

THEREFORE, BE IT RESOLVED, that the following budget adjustments be approved for payment:

BUDGET ADJUSTMENT FOR December 2013

AO 0599.000	Fund Balance	AO 3510.100	Dogs Personnel	\$ 879.52
AO 0599.000	Fund Balance	AO 1680.400	CNTR Data Processing Harris Support increase for Microfund, Payforce, Flexibill	\$1,644.87
AO 0599.000	Fund Balance	AO5132.401	Highway Garage Contractual	\$102.97
AO 0599.000	Fund Balance	AO 7110.400	Parks Maintenance cont	\$2,037.14

A MOTION TO APPROVE THE BUDGET ADJUSTMENTS WAS OFFERED BY Councilperson Kyle Barnett AND SECONDED BY Councilperson Gloria Van Vliet. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Wayne Freer	AYE
Councilperson Kyle Barnett	AYE

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED, by the Town Board of the Town of Esopus, County of Ulster as follows:

WHEREAS, the Town of Esopus has been presented with vouchers for payment and these vouchers have been examined and approved by the Town Board,

THEREFORE, BE IT RESOLVED, that the following vouchers be approved for payment:

DECEMBER 2013 FINAL VOUCHERS

General Fund	131636 - 131676	\$ 36,418.76
Highway Fund	132292 - 132311	\$ 40,109.44
Port Ewen Sewer Fund	133183 - 133190	\$ 6,163.12
Port Ewen Water Fund	134323-134349	\$ 25,007.39
Total.....		\$107,696.71

A MOTION TO APPROVE THE BUDGET ADJUSTMENTS WAS OFFERED BY Supervisor John Coutant AND SECONDED BY Councilperson Wayne Freer. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Wayne Freer	AYE
Councilperson Kyle Barnett	AYE

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED, by the Town Board of the Town of Esopus, County of Ulster as follows:

WHEREAS, the Town of Esopus has been presented with vouchers for payment and these vouchers have been examined and approved by the Town Board,

THEREFORE, BE IT RESOLVED, that the following vouchers be approved for payment:

JANUARY 2014 VOUCHERS

General Fund	141001-141015	\$ 13,081.52
Highway Fund	142001-142002	\$ 242.90
Street Lights	146001	\$ 6,525.85
Port Ewen Sewer Fund	143001	\$ 12,724.21
Port Ewen Water Fund	144001	\$ 12,724.21
Total.....		\$ 45,298.69

A MOTION TO APPROVE PAYMENT OF JANUARY’S VOUCHERS WAS OFFERED BY COUNCILPERSON Wayne Freer AND SECONDED by Councilperson Gloria Van Vliet . ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Wayne Freer	AYE
Councilperson Kyle Barnett	AYE

APPROVAL OF MINUTES

A Motion to approve the minutes of previous meetings was made by Supervisor John Coutant and seconded Councilperson Kyle Barnett. All Town Board Members voted in favor. Motion Carried.

Communication & Reports are available in the Town Clerk’s Office.

ADJOURNMENT

Supervisor John Coutant closed the meeting in honor of Don Cole. Don Cole was Chairperson of the Zoning Board of Appeals for years and dedicated to the Town of Esopus. He will be missed.

A Motion to adjourn at 8:38 PM was made by Councilperson Wayne Freer and seconded by Councilperson Gloria Van Vliet. All Town Board Members voted in favor. Motion Carried.

Respectively Submitted,

**Holly A. Netter
Town Clerk**