

**Town Board Meeting**

**January 21, 2020**

A regularly scheduled Town Board meeting was held on Tuesday, January 21, 2020 in the Town Hall, 284 Broadway, Ulster Park, New York at 7:00 PM with the following persons in attendance:

**Supervisor Shannon Harris - Absent**  
**Councilperson Kathie Quick**  
**Councilperson Jared Geuss**  
**Councilperson Chris Farrell**  
**Councilperson Evelyn Clarke**

**Recording Administrator Holly A. Netter, Town Clerk, RMC**

**A MOTION WAS MADE BY DEPUTY SUPERVISOR JARED GEUSS TO OPEN THE REGULAR MEETING AT 7:00 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**PLEDGE TO THE FLAG**

**Deputy Supervisor Jared Geuss welcomed New Councilperson Evelyn Clarke to the Board for her first Town Board meeting.**

**PUBLIC COMMENT - none**

**UPDATES**

**New decade, new best practice.** Town Board members will hold a discussion monthly with department heads sharing objectives. Each month the Supervisor or a Twn Board member will host the meeting with the intent of keeping the lines of communication open and to make sure everyone is being taken care of as well as performance. The schedule for 2020 was distributed and Board members are to confirm availability for select dates.

**Executed UC contract received-** The UC Department of Finance contract for Sharing of Information for Short Term Rentals was received; Note: per the contract, the County will not share data until we have a short-term rental law in place.

**UC Chamber of Commerce** - It is the Town of Esopus' 25<sup>th</sup> anniversary as a member.

**Results of audits.** The annual Audit was performed by Town CPA, Brian Pickard. Brian Pickard has sent a letter certifying completion and assurance that all audits of cash accounts, receipts and disbursements were handled satisfactorily and recorded properly for the Town Clerk, Town Tax Collector, and Town Justice Court.

**Town Board Liaisons reminder:**

**2020 Liaison Appointments**

Highway Department (day)	Councilperson Jared Geuss
Transfer Station (day)	Councilperson Jared Geuss
ZBA (3rd Tues) and Zoning Taskforce (2nd Tues)	Councilperson Jared Geuss
Waterfront Advisory Board (4th Wed)	Councilperson Kathie Quick
Environmental Board (3rd Wed)	Councilperson Kathie Quick
Town Clerk's/Dog Control (day)	Councilperson Kathie Quick
Port Ewen Water and Sewer (2nd Tues)	Councilperson Chris Farrell
Planning Board (2nd Wed)	Councilperson Chris Farrell
Assessor's Department (day)	Councilperson Chris Farrell
Economic Development Committee (4th or 5th Tues)	Councilperson Evelyn Clarke
Recreation Commission (3rd Mon)	Councilperson Evelyn Clarke
Tax Collector (day)	Councilperson Evelyn Clarke

**EVENTS & KEY DATES**

- Mon, 1/20: **Martin Luther King's birthday.** Town Hall closed.
- Mon, 1/27, 5:30-7:30 PM: Esopus Business Alliance – **EBA Mixer** at the Esopus Library.
- Thu, 1/30, 2 PM: **Esopus Community Emergency Response Team (CERT)** kick off meeting. Open to public.
- Tue, 2/4, 7 PM: **Dialog with fishermen and hunters** about off-hours access to Sleightsburgh Park.
- Mon, 2/17: **Presidents day.** Town Hall closed.
- Wed, 2/19, 7 PM: **Hamlet rezoning feedback meeting #1 – Esopus, Rifton, St. Remy, West Park** at Esopus Fire House. Zoning Task Force to host meeting with LaBerge planner.
- Tue, 2/25, 7 PM: **Hamlet rezoning feedback meeting #2 – Connelly, Port Ewen, Sleightsburgh, Ulster Park** at Town Hall. Zoning Task Force to host meeting with LaBerge planner.
- Sun, 3/1: **Taxable status and tax exemption filing deadline** with the Esopus Assessor's office.
- Mon, 3/2: **Park pavilion rentals** (residents)
- Wed, 4/1: **Park pavilion rentals** (non-residents)
- Sat, 4/11 **Esopus egg hunt**, Freer Beach Park, 12:30 PM

**EXECUTIVE SESSION**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ENTER INTO EXECUTIVE SESSION AT 7:15 PM FOR THE PURPOSE OF DISCUSSING A PARTICULAR INDIVIDUAL WORK HISTORY. THE MOTION WAS SECONDED BY DEPUTY SUPERVISOR JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**\*\*AT DIFFERENT TIMES KAREN WINKLE GORSLINE AND BOOKKEEPER DEBRA KAIN WERE INVITED INTO THE EXECUTIVE SESSION.**

**DEPUTY SUPERVISOR JARED GEUSS MADE A MOTION TO COME OUT OF THE EXECUTIVE SESSION AT 7:38 PM AND WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**\*\*NO ACTION TAKEN.**

## **CULVERT PROJECT**

Dan Valentine of Tighe & Bond gave a presentation on the results from the second phase of NEIWPC Joint Municipal Crossing Management Plan to the Town Board. A copy of the presentation is available at [esopus.com](http://esopus.com).

Deputy Geuss asked if there was any certain style of culvert more likely to get the grant. Dan Valentine said not a particular style but going through the prioritization process they tried to identify the most critical and which ones would provide the broadest community benefit. Cost effectiveness was also a factor.

Councilperson Farrell asked why these two were selected. Dan explained there were originally 16 identified and 6 were moved to concept level design. There were 3 county owned and 3 town culverts; Dashville Rd. Hardenburgh Road and Rose Lane. The culvert on Rose Lane was determined to be a private owned culvert, hence the Dashville and Hardenburgh locations were chosen. They were identified by Supervisor Harris and Highway Superintendent Mike Cafaldo.

Councilperson Chris Farrell asked what the particulars were and how they were chosen. Dan said they quantified numbers of the matrix and the culverts were in the top 16. Members of Ulster County, Esopus and NEIWPC met to discuss which to move to the concept level. Although all top 16 culverts were good candidates for replacement, they determined which would be the most beneficial to the Town. Dan said Mike Cafaldo has good knowledge about his need to replace structures. These culverts also have some condition issues. Although Dashville was called ok in the initial study, Mike Cafaldo knows the culvert has issues and needs to be replaced. Both of these structures are corrugated metal and would benefit from being replaced with a cement structure.

Dan gave an overview of what projects qualify for the grant. In kind services can be used for a portion of the funds.

The new culverts will assist aquatic life such as herring, eel and other habitat that moves up and down the stream removing barriers for those species that migrate. Councilperson Chris Farrell asked a question of what bodies of water do the culverts feed. Dan said Hardenburgh flows to black creek and Dashville is going to sturgeon pond. He offered to clarify that and get back to Councilperson Farrell. Below are a few key slides, however a full copy of the presentation is available online as well as in the Town Clerks office.

## RANK / PRIORITIZE

- **Priority Metrics**
  - Aquatic Passability
  - Structural Condition
  - Municipal Priority
- **Priority Scoring**

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	Priority Metric	Scoring
Aquatic Passability	Aquatic Barrier Rating	Aquatic Barrier Scoring (Severe barrier = 5, Significant barrier = 4, Moderate barrier = 3, Otherwise = 0)
	AOP Rating	AOP Scoring (No AOP = 5, Otherwise = 0)
	Habitat Connectivity	Connectivity Scoring (≥2 miles = 4, ≥1 mile = 3, >0.5 miles = 1, Otherwise = 0)
	Perennial Flow Condition	Flow Scoring (Typical Low Flow =5, No Flow=0)
Structural Condition	Hydraulic Capacity	Capacity Scoring (≤2yr = 5, ≤10yr = 4, ≤25yr = 3, ≤50yr = 2, ≤100yr = 0, N/A=5)
	Flow Alignment	Alignment Scoring (Flow Aligned = 0, Skewed = 1)
	Crossing Condition	Crossing Condition Scoring (Poor = 5, Ok = 3, New = 0)
	Municipal Priority	Town Priority Scoring (High =5, Low=0)



## PRIORITIZATION RANKING RESULTS

- **Top 16 Culverts**
  - Scores of 24-32 out of 35 possible
- **Six crossings selected by Town, County, and NEIWPC**

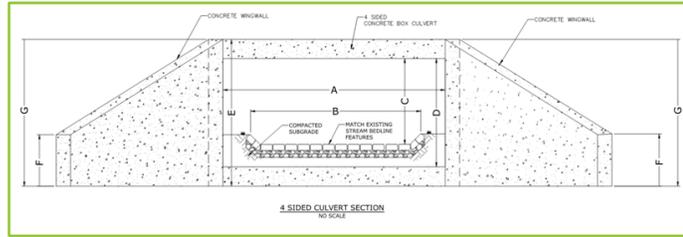
NAACC Survey ID #	Road	Road Owner	Total Score	Priority Rank
48953	Salem St	County	32	1
49119	Swartekill Rd	Esopus	31	2
48947	New Salem Rd	County	30	3
41505	New Salem Rd	County	30	4
49341	Floyd Ackert Rd	Esopus	30	5
49129	Dashville Rd	Esopus	29	6
49117	Loughran Rd	Esopus	28	7
49115	Poppletown Rd	Esopus	28	8
48926	Rose Lane	Private	27	9
48925	Hardenburg Rd	Esopus	25	10
52995	Winding Brook Rd	Esopus	25	11
48638	Rodmans Ln	Esopus	25	12
49327	Barry Dr	Esopus	25	13
53049	Carney Rd	Esopus	24	14
53048	Carney Rd	Esopus	24	15
48626	Union Center Rd	County	24	16



## CONCEPTUAL REPLACEMENT DESIGN

- **4 Sided Box Culverts**

- Most efficient for project goals
  - Passability
  - 100-Year Design Storm
  - Service Life
  - Speed of Construction



Rank	Crossing Survey ID	Roadway	Existing Structure	Structure Condition	Proposed Replacement	Proposed Structure Size	Estimated Cost
2	41505	New Salem Road	4.8' x 4.8' Corrugated Metal Pipe	Poor	4-Sided Box Culvert	16.5' x 5'	\$431,700
4	49129	Dashville Road	4.0' x 4.0' Corrugated Metal Pipe	OK	4-Sided Box Culvert	26' x 4'	\$435,300
6	48953	Salem Street	8.3' x 8.1' Corrugated Metal Pipe	OK	4-Sided Box Culvert	18.5' x 8'	\$658,200
9	48926	Rose Lane	3.6' x 2.8' Corrugated Metal Pipe	Poor	4-Sided Box Culvert	20' x 4'	\$330,800
10	48925	Hardenburg Road	3.0' x 3.1' Corrugated Metal Pipe	Poor	4-Sided Box Culvert	15' x 3'	\$301,700
16	48626	Union Center Road	2.7 x 2.8 Corrugated Metal Pipe	Poor	4-Sided Box Culvert	19' x 3'	\$251,400

**Tighe&Bond**

## HUDSON RIVER ESTUARY PROGRAM GRANT FOR TRIBUTARY RESILIENCY AND RESTORATION

- **Grant Goals:**
  - Restore free-flowing water in estuary
  - Conserve and restore habitat
  - Improve Water Quality
  - Mitigate Localized Flooding
- **Project Types:**
  - Dam Removal (Demo/Planning/Study)
  - Culvert Mitigation/Right-sizing (Construction/Demo)
- **Projects from \$10,500 - \$986,000**
- **10% Match, >15% Match Maximizes Points**
- **In-Kind Services Match Allowed**
- **Project Period 2020-2023**
- **Application Due Feb 5, 2020**

### Grant Funding Approach

- **Dashville Road:**
  - Total Project Cost = \$362,600
  - Total if Town Installs = \$315,100
  - In-kind Services = \$70,500
  - Match Provided = 22.4%
  - Grant Covered Costs = **\$244,600**
- **Hardenburg Road:**
  - Total Project Cost = \$284,100
  - Total if Town Installs = \$246,000
  - In-kind Services = \$60,400
  - Match Provided = 24.6%
  - Grant Covered Costs = **\$185,600**
- **Grant Coverage = \$430,200**

**Tighe&Bond**

**RESOLUTION IN SUPPORT OF A GRANT FOR TRIBUTARY  
RESTORATION AND RESILIENCY  
BY THE TOWN OF ESOPUS**

**WHEREAS**, the Town of Esopus has been a stakeholder and participant in development of a stream-road crossing, or culvert, inventory and joint municipal management plan, funded through a grant from the New England Interstate Water Pollution Control Commission (NEIWPCC) and the New York State Department of Environmental Conservation Hudson River Estuary Program; and

**WHEREAS**, the road-stream crossings at Dashville Road and Hardenburg Road, Culvert ID #49129 and #48925, respectively, have been identified with stakeholder and Town input as the top two priority culverts owned by the Town of Esopus for replacement; and

**WHEREAS**, replacement of the top two priority culverts owned by the Town of Esopus will provide aquatic connectivity benefits, mitigate future flooding risks, and address the condition of the current culverts; and

**WHEREAS**, the New York State Department of Environmental Conservation Hudson River Estuary Program is offering funding for culvert mitigation/right-sizing through its Grants for Tributary Restoration and Resiliency; and

**NOW, THEREFORE, BE IT RESOLVED, THE TOWN OF ESOPUS, COUNTY OF ULSTER, STATE OF NEW YORK IS IN SUPPORT OF A GRANT APPLICATION OF THE TOWN OF ESOPUS TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION HUDSON RIVER ESTUARY PROGRAM FOR A GRANT FOR TRIBUTARY RESTORATION AND RESILIENCY TO FUND THE EXPENSES ASSOCIATED WITH REPLACEMENT OF THE DASHVILLE ROAD AND HARDENBURG ROAD STREAM CROSSINGS.**

THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO SIGN A LETTER IN SUPPORT OF THIS GRANT APPLICATION.

**Resolution offered by                      Councilperson Kathie Quick**

**Seconded by :                                Councilperson Evelyn Clarke**

**The foregoing resolution was voted upon with all councilmen voting as follows:**

<b>Supervisor Harris</b>	<b>Absent</b>
<b>Councilperson Clarke</b>	<b>Aye</b>
<b>Councilperson Geuss</b>	<b>Aye</b>
<b>Councilperson Quick</b>	<b>Aye</b>
<b>Councilperson Farrell</b>	<b>No **</b>

**\*\* Councilperson Farrell said he was troubled by the answer he received to his question and was not convinced these were the best choices to service the Town the most.**

**TIGHE AND BOND PREPARATION OF GRANT**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO AUTHORIZE THE SUPERVISOR TO GO INTO AN AGREEMENT WITH TIGHE AND BOND AT THE COST OF \$2,000 TO PREPARE THE NECESSARY PAPERWORK TO APPLY FOR THE GRANT FOR TRIBUTARY RESTORATION AND RESILIENCY. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**\*Councilperson Farrell said he voted yes to show his support of the Board’s decision but still has the same objections.**

**INTRODUCTION OF PROPOSED LAW AMENDING THE ZONING MAP – LI to GC**

The law would amend the zoning map under Section 7 of Chapter 123 of the Town of Esopus Code to change the zoning district designation of the eastern portion of property in Ulster Park from LI to GC. (This portion of property was inadvertently left out of pervious code amendment.)

**RESOLUTION OF INTRODUCTION**

**COUNCILPERSON JARED GEUSS, SECONDED BY COUNCILPERSON KATHIE QUICK, introduced the following proposed local law, to be known as Local Law No.1 of 2020, entitled, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF THE EASTERLY PORTION OF 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE LOW INDUSTRIAL (LI) DISTRICT TO THE GENERAL COMMERCIAL (GC) DISTRICT.**

**WHEREAS,** the initial zoning map amendment to this parcel received a Negative Declaration under SEQRA on December 3, 2019; and

**WHEREAS,** this amendment is required to address an oversight in Local Law # 6 of 2019 that intended to rezone the entire parcel (Tax Parcel Number 63.2-2-1) to General Commercial (GC), but only specified the portion of the parcel in the Heavy Industrial (HI) district.

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended as follows:

**Section 1.** The Zoning Map established under Section 123-7 of Chapter 123 of the Esopus Town Code is amended to change the zoning district designation of the following:

The Portion of 161 Ulster Avenue (TAX PARCEL NUMBER 63.2-2-1) currently in the Low Industrial (LI) district to the General Commercial (GC) District.

Section 2. If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 3. This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

**WHEREAS,** the Town Board has determined that the proposed amendment must be referred to the Ulster County Planning Board and to the Town Planning Board for review and recommendation.

**WHEREAS,** the proposed amendment is consistent with section ED-6, ED-7, and NR-13 of the Comprehensive Plan of the Town of Esopus adopted on July 9, 2019, and **COUNCILPERSON JARED GEUSS** advised the Town Board that, pursuant to (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Sections 123-51(A) and (B), it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. He offered the following resolution which was seconded by **COUNCILPERSON KATHIE QUICK**, who moved its adoption:

**WHEREAS, COUNCILPERSON JARED GEUSS has introduced this local law for the Town of Esopus, to be known as Local Law No. 1 of 2020, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF THE EASTERLY PORTION OF 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE LOW INDUSTRIAL (LI) DISTRICT TO THE GENERAL COMMERCIAL (GC) DISTRICT.**

**RESOLVED,** that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall at 284 Broadway Ulster Park, NY 12487, New York on February 18, 2020, at 7pm, Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that such notice shall be in the same or similar following form:

**NOTICE OF PUBLIC HEARING**

**TAKE NOTICE,** that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on **February 18, 2020 at 7:00 pm**, on Local Law No. 1 of the Year 2020, **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF:**

**161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE LOW INDUSTRIAL (LI) DISTRICT TO THE GENERAL COMMERCIAL (GC) DISTRICT.**

**TAKE FURTHER NOTICE**, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

**TAKE FURTHER NOTICE**, that all persons interested, and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

**The foregoing resolution was voted upon with all councilmen voting as follows:**

Supervisor Harris	Absent
Councilperson Evelyn Clarke	Aye
Councilperson Geuss	Aye
Councilperson Quick	Aye
Councilperson Farrell	Aye

**DATED: Ulster Park, New York  
January 21, 2020**

**DISCUSS/REVIEW NEW DRAFT LAW PERTAINING TO ALLOWING ALTERNATE MEMBERS**

This law would affect the Planning Board and Zoning Board of Appeals and allow each Board to have up to two alternate members in the event such members are absent or unable to participate because of a conflict of interest.

**RESOLUTION**

**COUNCILPERSON JARED GEUSS**, seconded by **COUNCILPERSON CHRIS FARRELL** introduced the following proposed local law, to be known as **Local Law No. 2 of 2020, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 34 OF THE TOWN CODE TO ADD A NEW SECTION 34-10 TO ESTABLISH ALTERNATE PLANNING BOARD MEMBER POSITIONS.**

**WHEREAS**, the Town Board concludes that this local law is a Type 2 action under SEQRA.

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 34-10 is added to the Town Code as follows:  
34-10. Alternate Members.

The Town Board may appoint up to two (2) alternate members, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of planning boards, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted for to make determinations. The minutes of the Planning Board shall reflect the meeting at which the substitution is made.

Section 2. Pursuant to the Town's authority under the Municipal Home Rule Law, this local law amends and supersedes any inconsistent provisions of statute, including with specificity the provisions of Section 271(15) of this state's Town Law.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

**COUNCILPERSON JARED GEUSS** advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. He offered the following resolution which was seconded by **COUNCILMAN CHRIS FARRELL**, who moved its adoption:

**WHEREAS**, on January 21, 2020, **COUNCILPERSON JARED GEUSS** has introduced this local law for the Town of Esopus, to be known as entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 34 OF THE TOWN CODE TO ADD A NEW SECTION 34-10 TO ESTABLISH ALTERNATE PLANNING BOARD MEMBER POSITIONS.**

**RESOLVED**, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on February 18, 2020, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

**NOTICE OF PUBLIC HEARING**

**TAKE NOTICE**, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on February 18, 2020 at 7:00 o'clock, p.m., on Local Law No.2 of the Year 2020, to establish alternate Planning Board member positions.

**TAKE FURTHER NOTICE**, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

**TAKE FURTHER NOTICE**, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York  
January 21, 2020

**The foregoing resolution was voted upon with all councilmen voting as follows:**

<b>Supervisor Harris</b>	<b>Absent</b>
<b>Councilperson Evelyn Clarke</b>	<b>Aye</b>
<b>Councilperson Geuss</b>	<b>Aye</b>
<b>Councilperson Quick</b>	<b>Aye</b>
<b>Councilperson Farrell</b>	<b>Aye</b>

**RESOLUTION**

**COUNCILPERSON JARED GEUSS**, seconded by **COUNCILPERSON CHRIS FARRELL**, introduced the following proposed local law, to be known as **Local Law No. 3 of 2020**, entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 "ZONING" OF THE TOWN CODE BY AMENDING SECTION 123-39, ARTICLE VIII, BOARD OF APPEALS.**

**WHEREAS**, the Town Board concludes that this local law is a Type 2 action under SEQRA.

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 123-39 is amended to add a new subsection (D) to read as follows:

(D) Alternate Members. The Town Board may appoint up to two (2) alternate members, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest.

All provisions relating to members of Board of Appeals, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted for to make determinations. The minutes of the Board of Appeals shall reflect the meeting at which the substitution is made.

Section 2. Pursuant to the Town's authority under the Municipal Home Rule Law, this local law amends and supersedes any inconsistent provisions of statute, including with specificity the provisions of Section 267(11) of this state's Town Law.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

**COUNCILPERSON JARED GEUSS** advised the Town Board that, (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Section 123-51(A) and (B) , it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. He offered the following resolution which was seconded by **COUNCILPERSON CHRIS FARRELL**, who moved its adoption:

**WHEREAS**, on January 21, 2020, **COUNCILPERSON JARED GEUSS** has introduced this local law for the Town of Esopus, to be known as **entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 "ZONING" OF THE TOWN CODE BY AMENDING SECTION 123-39, ARTICLE VIII, BOARD OF APPEALS.**

**RESOLVED**, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on February 18, 2020, at 7 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

**NOTICE OF PUBLIC HEARING**

**TAKE NOTICE**, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on February 18, 2020, at 7 o'clock, p.m., on Local Law No. 3 of the Year 2020, to establish alternate Board of Appeals member positions.

**TAKE FURTHER NOTICE**, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

**TAKE FURTHER NOTICE**, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York  
January 21, 2020

**The foregoing resolution was voted upon with all councilmen voting as follows:**

<b>Supervisor Harris</b>	<b>Absent</b>
<b>Councilperson Evelyn Clarke</b>	<b>Aye</b>
<b>Councilperson Geuss</b>	<b>Aye</b>
<b>Councilperson Quick</b>	<b>Aye</b>
<b>Councilperson Farrell</b>	<b>Aye</b>

#### **RESOLUTION**

**COUNCILPERSON JARED GEUSS** seconded by **COUNCILPERSON CHRIS FARRELL** introduced the following proposed local law, to be known as **Local Law No. 4** of 2020, entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 25, MEETINGS' OF THE ESOPUS TOWN CODE BY AMENDING SECTION 25-11, ATTENDANCE AT MEETINGS.**

**WHEREAS**, the Town Board concludes that this local law is a Type 2 action under SEQRA.

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Subsection (B) of Section 25-11 of the Esopus Town Code is amended to read as follows:

(B) In the event that a member misses three consecutive meetings duly called by the Chairman or Secretary, without just cause (or 25% of the meetings in any given year), that member's term shall automatically expire, and the Town Board may remove said member and appoint another person to fill the vacancy created for the remainder of the deposed person's term.

Section 2. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

**COUNCILPERSON JARED GEUSS** advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. He offered the following resolution which was seconded by **COUNCILPERSON CHRIS FARRELL**, who moved its adoption:

**WHEREAS**, on January 21, 2020, **COUNCILPERSON JARED GEUSS** has introduced this local law for the Town of Esopus, to be known as entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 25, "MEETINGS" OF THE ESOPUS TOWN CODE BY AMENDING SECTION 25-11, ATTENDANCE AT MEETINGS.**

**RESOLVED**, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on **February 18, 2020, at 7 o'clock p.m.**, Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

#### **NOTICE OF PUBLIC HEARING**

**TAKE NOTICE**, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on **February 18, 2020 at 7 o'clock, p.m.**, on Local Law No. 4 of the Year 2020, **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 25, "MEETINGS" OF THE ESOPUS TOWN CODE BY AMENDING SECTION 25-11, ATTENDANCE AT MEETINGS.**

**TAKE FURTHER NOTICE**, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

**TAKE FURTHER NOTICE**, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York  
January 21, 2020

The foregoing resolution was voted upon with all councilperson voting as follows:

Supervisor Harris	Absent
Councilperson Evelyn Clarke	Aye
Councilperson Geuss	Aye
Councilperson Quick	Aye
Councilperson Farrell	Aye

**\*\*A total of 4 public hearings will be held on February 18, 2020 beginning at 7:00 pm and will be held consecutively immediately following the closing of the first public hearing.**

**NEW DECADE, NEW TOWN SEAL AND ADDRESS**

Following steps to incorporate the Town drive into the Highway TIPS, we have confirmed with 911 and the county our exact address – 1 Town Hall Way (“Drive” was already taken by town of Ulster). The updated Town seal, which has been developed and finalized over many months by the EDC was put forward for Board approval. The change of address and seal will be implemented in the first quarter of 2020.

**A MOTION MADE BY COUNCILPERSON JARED GEUSS TO APPROVE THE TOWN SEAL THAT WAS DEVELOPED AND THE NEW ADDRESS OF 1 TOWN HALL WAY. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**HUDSON RIVER ESTUARY GRANT PROGRAM –COST \$41,000 MATCH \$10,250**

**COUNCILPERSON JARED GEUSS MADE A MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN “ESOPUS PARKS SURVEYS AND ENGINEERING EVALUATIONS” PROJECT UNDER THE NYSDEC-2019 HREP (CONTRACT NO. T00876GG) CONTINGENT UPON ITEMS 1-17 OF THE ATTORNEY PAUL KELLAR COMMENTS BEING FULFILLED AND BASED ON THE BOARD BEING SATISFIED WITH THE CLEAR EXPLANATION OF NUMBER #14 OF WHERE THE MATCH OF \$10,250 IS COMING FROM. IF IN-KIND SERVICES ARE BEING USED FOR THE MATCH OF \$10,250, HOW ARE THE HOURS BEING TRACKED? THE MOTION WAS SECONDED BY COUNCILPERSON EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**JOHN VENTOSA ESQ. – zoning enforcement litigation services **TABLED for 2/4****

**ALAN SORENSON - CONTRACT PLANNING BOARD AND ZBA CONSULTANT FOR 2020**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO APPROVE THE 2020 ANNUAL CONTRACT WITH ALAN SORENSON FOR CONSULTING SERVICES TO THE PLANING AND ZONING BOARD; PAYABLE FROM THE PLANNING BOARD BUDGET IN THE AMOUNT OF \$1,900 PER MONTH AND \$800 PER MONTH FOR PRE SUBMISSION SERVICES. SIGNING IS CONTINGENT ON THE EDIT OF THE DATE 2020 ON PAGE 4 OF THE CONTRACT. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**TIGHE & BOND – REQUEST TO PLANNING BOARD**

**COUNCILPERSON JARED GEUSS MADE A MOTION TO REQUEST THAT THE PLANNING BOARD CONSIDER THE OPTION OF UTILIZING TIGHE & BOND FOR STORMWATER ISSUES THAT ARE BROUGHT BEFORE THE PLANNING BOARD DUE TO THEIR KNOWLEDGE, GIS TOOLS AND ACCESS TO SUPPORTING DOCUMENTATION FROM RECENT STUDIES IF IT WILL SAVE TIME AND MONEY. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Councilperson Geuss said this does not negate the contract with the Planning Board engineers Clough Harbour it is merely an option if it can save time and money to get projects through the planning process.

**TOWN DESIGNEE FOR ANNUAL ASSOCIATION OF TOWNS CONFERENCE**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO DELEGATE AUTHORITY TO KATHIE QUICK TO VOTE AT THE ANNUAL ASSOCIATION OF TOWNS MEETING FEBRUARY 16-19, 2020 IN NYC. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**SSI Contract**

**COUNCILPERSON JARED GEUSS MADE A MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE ANNUAL AGREEMENT WITH FIRE SUPPRESSION SYSTEMS SSI FOR REQUIRED INSPECTION AND MAINTENANCE ON COVERED EQUIPMENT AT A COST OF \$1,780. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**MARK JAFFE – BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO SET THE PAY RATE FOR NEW BUILDING INSPECTOR / CODE ENFORCER MARK JAFFEE AT \$56,500 PER YEAR WITH THE INCENTIVE TO INCREASE TO \$58,000 ON JANUARY 1, 2021 BASED ON GOOD PERFORMANCE AND PASSING THE CIVIL SERVICE EXAM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**MILEAGE RATE CORRECTION**

**COUNCILPERSON JARED GEUSS MADE A MOTION TO AMEND STATED AMOUNT FROM JANUARY 1, 2020 ORGANIZATIONAL MEETING FOR IRS MILEAGE REIMBURSEMENT FROM \$.58 TO \$ .575. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**BUDGET ADJUSTMENTS FINAL 2019**

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 FINAL 2019**

**AO. 0599.000 Fund Balance to**

**AO.1420.400           \$ 11,202.40**  
**Lawyer Contractual**

**A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.**

**OFFERED BY:           Councilperson Jared Geuss**  
**SECONDED BY:        Councilperson Chris Farrell**

<b>Councilperson Evelyn Clarke</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>
<b>Supervisor Shannon Harris</b>	<b>Absent</b>

**ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.**

**RESOLUTION AUTHORIZING PAYMENT OF BILLS FINAL 2019**

**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:

<b>GENERAL FUND</b>	<b>191734 - 191789</b>	<b>\$ 62,731.76</b>
<b>HIGHWAY FUND</b>	<b>192322A - 192434</b>	<b>\$ 27017.16</b>
<b>STREET LIGHTS</b>	<b>196091</b>	<b>\$ 5,708.98</b>
<b>PORT EWEN SEWER FUND</b>	<b>193144 - 193159</b>	<b>\$ 17,851.13</b>
<b>PORT EWEN WATER FUND</b>	<b>194281-194311</b>	<b>\$ 29,172.05</b>
<b>Capital (30)</b>		
<b>TOTAL</b>		<b>\$ 142,481.08</b>

**\*\* 192322 previously used and unavailable per Deb K.**

**A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.**

**OFFERED BY: Councilperson Jared Geuss**

**SECONDED BY: Councilperson Chris Farrell**

<b>Councilperson Evelyn Clarke</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>
<b>Supervisor Shannon Harris</b>	<b>Absent</b>

**ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.**

**RESOLUTION AUTHORIZING PAYMENT OF BILLS JANUARY 2020**

**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:

<b>GENERAL FUND</b>	<b>201000 - 201024</b>	<b>\$ 15,712.71</b>
<b>HIGHWAY FUND</b>	<b>202000 - 202007</b>	<b>\$ 17,763.77</b>
<b>STREET LIGHTS</b>		<b>\$</b>
<b>PORT EWEN SEWER FUND</b>	<b>203000 - 203002</b>	<b>\$ 10,916.75</b>
<b>PORT EWEN WATER FUND</b>	<b>204000 - 204009</b>	<b>\$ 29,771.81</b>
<b>Capital</b>		
<b>TOTAL</b>		<b>\$ 74,165.04</b>

**A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.**

**OFFERED BY:** Councilperson Jared Geuss  
**SECONDED BY:** Councilperson Chris Farrell

Councilperson Evelyn Clarke	<b>AYE</b>
Councilperson Jared Geuss	<b>AYE</b>
Councilperson Kathie Quick	<b>AYE</b>
Councilperson Chris Farrell	<b>AYE</b>
Supervisor Shannon Harris	<b>Absent</b>

**ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.**

**ULSTER COUNTY BOCES**

Town Clerk Holly Netter said she hosted a field trip for the Student Council of Ulster County BOCES Center for Innovative Teaching and Learning. Dean of Students Dave Goho, and 4 staff members accompanied 18 Students to the Town Hall to learn about local government. Town Clerk Netter took the students on a tour and talked about the duties and responsibilities of the various offices. Students were members of the BOCES Student Council and asked great questions. They ended their tour in the community room where they had pizza and held a short Student Council meeting before returning to school. It was a wonderful experience for all.

**ADJOURNMENT**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO ADJOURN THE MEETING AT 9:28 PM. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Respectively submitted,

Holly A. Netter  
 Town Clerk, RMC