

TOWN BOARD MEETING
April 26, 2017

A regularly scheduled Town Board Meeting was held on Wednesday, April 26, 2017 in the Town Hall, 284 Broadway, Ulster Park, N.Y. with the following persons in attendance:

Supervisor Diane McCord
Councilperson Gloria Van Vliet
Councilperson Wayne Freer
Councilperson Jared Geuss
Councilperson Kathie Quick

Administrative Recorder: Erin McNierney, Deputy Town Clerk

Supervisor Diane McCord called the regularly scheduled Town Board Meeting to order at 7:30 PM.

PLEDGE

PUBLIC COMMENT – NONE

John Burroughs Black Creek Trail – Peter Bernard & Joan Burroughs

Peter Bernard, Scenic Hudson Urban Designer, discussed the plan that is in place to create a multi use trail along the Hudson Valley Corridor in the Town of Esopus and Town of Lloyd. The plan had been presented to the Board at the November Town Board Meeting. Peter and Joan Burroughs are presenting two resolutions they would like the Board to support in favor of the plan. Scenic Hudson is applying for financing through a grant to do an Environmental Study of the key parts of the Corridor Plan that run through The Town of Esopus. The Study will assist in understanding where parking lots, signage and key infrastructure should go without disturbing the species and impacting the whirlpools. Scenic Hudson will assist the Town in managing the grant application but the Town will be the lead applicant. Scenic Hudson will provide the cash match of the grant and there will be no out of pocket cost to the Town except for administrative costs. The second resolution is authorizing town staff to work with Peter Bernard with administrative assistance associated with the Greenway Grant.

Resolution – Black Creek Trail Plan

**TOWN OF ESOPUS
RESOLUTION OF SUPPORT
FOR THE JOHN BURROUGHS BLACK CREEK TRAIL PLAN**

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

WHEREAS, the John Burroughs Black Creek Trail Steering Committee (“Steering Committee”) has been developing a plan for a multimodal trail from Illinois Mountain to the Hudson River through the Black Creek Corridor; and

WHEREAS, the Town of Esopus is home to the northern half of the proposed trail, running from the Town boundary with the Town of Esopus to the Hudson River; and

WHEREAS, after conducting a planning process with public input for the past year, the Steering Committee has completed a “John Burroughs Black Creek Trail Plan,” (the “Plan”) which makes nine recommendations and proposes a multi-phase implementation plan for the trail; and

WHEREAS, the Town of Esopus was represented on the Steering Committee throughout the planning process by the Town Supervisor and Chairperson, or their designee, of the Esopus Economic Development; and

WHEREAS, the John Burroughs Association and Scenic Hudson presented the recommendations and vision for the trail as set forth in the Plan to the Town Board for its consideration; and

WHEREAS, the Plan will enable the Steering Committee, the Town of Esopus, John Burroughs Association, Scenic Hudson, and/or other major project partners to strengthen requests for funding to conduct further study and implement the vision set forth in the plan; and

WHEREAS, the Plan represents a preliminary step in the planning and funding processes necessary to develop a detailed implementation plan for the trail, and future review and approval of detailed plans is required of the Town of Esopus.

NOW, THEREFORE, BE IT RESOLVED, that this resolution to support the John Burroughs Black Creek Trail Plan constitutes a Type II action under the State Environmental Quality Review Act regulations at 6 NYCRR §§ 617.5 (c) (18), (21), (27), and (28); and

BE IT FURTHER RESOLVED, that the Town of Esopus Town Board hereby expresses its support for the John Burroughs Black Creek Trail Plan and takes no exception to the Steering Committee or project partners taking the next steps necessary for preparation of detailed implementation plans, including preparation of funding applications and further studies.

Resolution offered by: Councilperson Gloria VanVliet
Resolution seconded by: Councilperson Kathie Quick

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Kathie Quick	Aye
Councilperson Jared Geuss	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

Resolution – Greenway Grant

**TOWN OF ESOPUS RESOLUTION
FOR THE JOHN BURROUGHS BLACK CREEK TRAIL
ENVIRONMENTAL SURVEY GRANT APPLICATION**

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

WHEREAS, the Town of Esopus is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled John Burroughs Black Creek Trail Environmental Survey to be located in Town of Esopus; and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, BE IT RESOLVED, that the governing board of the Town of Esopus hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program, for a project known as John Burroughs Black Creek Trail Environmental Survey and located within this community.

Resolution offered by: Supervisor Diane McCord
Resolution seconded by: Councilperson Wayne Freer

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Kathie Quick	Aye
Councilperson Jared Geuss	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

Municipal Purchase of LED Street Lights – Pat Courtney

Pat Courtney, from Courtney-Strong contracting services, discussed The Mid-Hudson Street Light Consortium which is a project supported by NYSERDA to create a more affordable pathway to LED street light conversion throughout municipalities. NYSERDA has funded Pat Courtney-Strong to help municipalities get started in the LED Street light conversion. Research has shown a savings of 65 percent in lighting and energy costs associated with LED lights. Pat presented the options for converting to LED street lighting. The most cost effective and economical way to convert is to buy the LED street lights instead of continuing to rent from Central Hudson.

Diane McCord explained the Town is paying over \$6,000 a month for renting our street lights. To be able to save 65% by owning the lights would be wonderful. Almost every community is getting a refund from their utility company. NYSERDA has funded Pat Courtney – Strong to help municipalities get started in the LED Street light conversion. The Town Board thanked Pat for her presentation.

William B. McKnight, Energy Conservation Specialist – LED Light products

William McKnight sells street light products and provides street light inventory audits. Bill can get the Town rebates on LED street lights as well as low prices from Sylvania for lighting products. He can also provide a LED Street Light audit. The Town has had an audit completed already. Diane thanked Bill for the presentation.

RESIGNATION ENVIRONMENTAL BOARD – SHERI ABER

Sheri Aber resigned from the Environmental Board. Supervisor McCord accepted the letter with regrets. A replacement volunteer is needed for the Board.

MOTION WAS MADE BY COUNCILPERSON WAYNE FREER TO ACCEPT THE RESIGNATION OF SHARI ABER FROM THE ENVIRONMENTAL BOARD. COUNCILPERSON DIANE MCCORD SECONDED THE MOTION. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

RESIGNATION ZONING BOARD – MELANIE MARINO

Supervisor McCord accepted the resignation of Melanie Marino from the Zoning Board and Comprehensive Review Committee-ZBA Representative with regrets. However, Melanie will be transferring to the Planning Board.

MOTION WAS MADE BY COUNCILPERSON WAYNE FREER TO ACCEPT THE RESIGNATION OF MELANIE MARINO FROM THE ZONING BOARD. COUNCILPERSON JARED GEUSS SECONDED THE MOTION. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ENVIRONMENTAL BOARD – DISMISSAL OF DAVID WEISNER

A MOTION WAS MADE BY COUNCILPERSON DIANE MCCORD TO DISMISS DAVID WEISNER FROM THE ENVIRONMENTAL BOARD DUE TO NON ATTENDANCE AT THE ENVIRONMENTAL BOARD MEETINGS. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. MOTION CARRIED 4-1.

Councilperson Wayne Freer	Abstained
Councilperson Gloria VanVliet	Aye
Councilperson Kathie Quick	Aye
Councilperson Jared Geuss	Aye
Supervisor Diane L. McCord	Aye

*There have been attempts to communicate with David with no response.

****David's term expired December 31, 2016 and he was not reappointed – motion was not necessary.**

ENVIRONMENTAL BOARD – APPOINTED ALICIA BARNES

A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET TO APPOINT ALICIA BARNES AS A MEMBER OF THE ENVIRONMENTAL BOARD WITH A TERM TO EXPIRE 12/31/17. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

RESOLUTION – APPOINTMENT MELANIE MARINO TO PLANNING BOARD

**TOWN OF ESOPUS
PLANNING BOARD
APPOINTMENT RESOLUTION**

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

WHEREAS, there is a vacancy on the Planning Board,

THEREFORE, BE IT RESOLVED that the Town of Esopus Town Board appoints Melanie Marino to fulfill a vacancy on the Planning Board with a term expiring 12/31/23.

Resolution offered by: Councilperson Wayne Freer
Seconded by: Councilperson Diane McCord

The Board was polled:

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Jared Geuss	Aye
Councilperson Kathie Quick	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

**Resolution – Appointment Comprehensive Plan Board Frank Skerritt
(replace Melanie Merino as the Zoning Board Representative)**

**TOWN OF ESOPUS
COMPREHENSIVE PLAN BOARD
APPOINTMENT RESOLUTION**

Be it Resolved by the Town Board of the Town of Esopus, in the County of Ulster, State of New York, as follows; and

Whereas the Comprehensive Plan Board shall consist of one representative from each of the current town boards and the Planning Board Consultant;

Whereas an opening exists for a Zoning Board representative due to Melanie Marino’s resignation from the Zoning Board;

Therefore, be it resolved that the Town of Esopus Town Board appoints Frank Skerritt as the Zoning Board representative: Term to expire at the completion of the Project. Town Board, at their discretion, may add or replace members without cause and as necessary. The Members of the Comprehensive Board serve at will.

Resolution offered by: Councilperson Wayne Freer

Resolution seconded by: Councilperson Jared Geuss

Councilperson Wayne Freer Aye

Councilperson Gloria VanVliet Aye

Councilperson Jared Geuss Aye

Councilperson Kathie Quick Aye

Supervisor Diane L. McCord Aye

Resolution duly adopted.

Resolution - To re-appoint Melanie Marino as Town Resident Representative

**TOWN OF ESOPUS
COMPREHENSIVE PLAN BOARD
APPOINTMENT RESOLUTION**

Be it Resolved by the Town Board of the Town of Esopus, in the County of Ulster, State of New York, as follows;

Whereas the Comprehensive Plan Board shall consist of one representative from each of the current town boards, the Planning Board Consultant and an additional town resident member;

Therefore, be it resolved that the Town of Esopus Town Board re-appoints Melanie Marino as the Town resident representative: Term to expire at the completion of the project.

Town Board, at their discretion, may add or replace members without cause and as necessary. The Members of the Comprehensive Board serve at will.

Resolution offered by: Councilperson Wayne Freer

Resolution seconded by: Councilperson Diane McCord

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Jared Geuss	Aye
Councilperson Kathie Quick	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

Resolution – UPSEU AGREEMENT

**TOWN OF ESOPUS
RESOLUTION AUTHORIZING THE TOWN SUPERVISOR AND
TOWN BOARD MEMBER TO SIGN
UNITED PUBLIC SERVICE EMPLOYEES UNION
MEMORANDUM OF AGREEMENT**

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

WHEREAS, the Town Supervisor received a Memorandum of Agreement from the United Public Service Employees Union requiring the signature of the Supervisor and Councilman,

THEREFORE, BE IT RESOLVED, that the Town of Esopus Town Board authorizes the Town Supervisor, Diane L. McCord and Town Councilman, Wayne Freer to execute the Agreement listed above on behalf of the Town of Esopus.

Resolution offered by: **Gloria Van Vliet**
Resolution seconded by: **Kathie Quick**

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Jared Geuss	Aye
Councilperson Kathie Quick	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

Port Ewen Water Tank – D’Anna Property – located at 625 Broadway

The Town of Esopus would like to acquire .562 acre portion of the property at 625 Broadway in order to move ahead with the purchase of a new water tank for the Water/Sewer department. Supervisor McCord has written multiple letters and talked to the D’Anna family to discuss this issue but she has been put off. The Town is now trying to acquire the property through Eminent Domain Procedure Law.

Resolution – D’Anna Family Property

**TOWN OF ESOPUS
RESOLUTION AUTHORIZING THE TENDER
OF AN ADVANCE PAYMENT OFFER**

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

WHEREAS, the Town of Esopus, County of Ulster, State of New York pursuant to the New York Eminent Domain Procedure Law (the “EDPL”), desires to acquire a certain approximately .562 acre portion of the property known as 625 Broadway in the Town which is reflected on the Town’s 2016 assessment roll as SBL No.: 64.1-1-20 (hereinafter, such portion is called the “Property”) for the purpose of installing a new water storage tank that will be owned by the Town and which will provide a benefit to the Town and those residents and owners that utilize the provided potable drinking water provided by the Town;

WHEREAS, the acquisition of the Property the construction and installation of the new water storage tank is a public use within the meaning of the EDPL.

WHEREAS, the Town’s efforts to purchase the Property through a negotiated agreement have not resulted in a definitive purchase contract with the property owner so that the acquisition of the Property has to be completed through eminent domain.

WHEREAS, in order to estimate the amount of “just compensation” due to the property owner of the Property, the Town has obtained an appraisal report of the partial taking of the Property from Hudson Valley Appraisal Corporation (the “Appraisal”);

WHEREAS, as required in EDPL Section 303, the Town is required to extend an offer to purchase the Property pursuant to the estimate of just compensation set forth in the Appraisal Report;

WHEREAS, the Town Board has reviewed the Appraisal Report and approves the tender of the purchase offer attached hereto as Exhibit “A” (the “Offer”);

WHEREAS, the Town Board approves the terms, covenants and conditions of the Offer;

THEREFORE, BE IT RESOLVED, that the Town of Esopus Town Board approves the Offer and that the attorney for the Town, Paul J. Goldman is authorized to execute and deliver the Offer for and on behalf of the Town.

Resolution offered by: Councilperson Gloria Van Vliet
Resolution seconded by: Councilperson Jared Geuss

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Jared Geuss	Aye
Councilperson Kathie Quick	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

Resolution – Shared Services Agreement Town of Lloyd, Marlborough, New Paltz, Ulster, and the City of Kingston

A Shared Service Agreement along with a certificate of insurance is needed for each of the Towns in the Supervisor’s Association that we will be sharing services with the Town of Esopus.

**TOWN OF ESOPUS
RESOLUTION AUTHORIZING THE TOWN SUPERVISOR
TO SIGN A SHARED SERVICES AGREEMENT
WITH THE TOWNS OF KINGSTON, LLOYD, MARLBOROUGH,
NEW PALTZ, ULSTER, AND THE CITY OF KINGSTON**

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

WHEREAS, the Town of Esopus has determined that it is in the best interests of its citizens to enter into a shared services agreement with adjacent Towns in Ulster County for certain highway, non-highway, specialty equipment and/or skilled personnel for highway and other town functions,

WHEREAS, Article 5-G of the New York General Municipal Law and Sections 102, 133-a and 135 allow such Agreements,

WHEREAS, Senate Bill S.2009-C and Assembly Bill A.3009-C, Section BBB, signed by the Governor on or about April 5, 2017 and enacted into law, titled County-wide shared services property taxing savings plan encourages shared services between municipalities;

THEREFORE, BE IT RESOLVED, that the Town of Esopus Town Board authorizes the Town Supervisor, Diane L. McCord is hereby authorized to sign on behalf of the Town of Esopus a Shared Services Agreement, a copy of which is attached hereto, with the adjacent Towns in Ulster County.

Resolution offered by: Councilperson Wayne Freer
Resolution seconded by: Councilperson Jared Geuss

Councilperson Wayne Freer	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Kathie Quick	Aye
Councilperson Jared Geuss	Aye
Supervisor Diane L. McCord	Aye

Resolution duly adopted.

NYS DEC INSPECTION OF THE CLOSED LANDFILL

Diane has sent a copy of the DEC report to all councilpersons regarding the Transfer Station. There is a meeting on Thursday, April 27 at 9:00 am at the Transfer Station with Leslie Salis, Assistant Engineer for DEC. There is a possibility that the Town will need to replace the vents at the landfill. Diane will discuss the cost of replacing the vents at the next meeting.

Diane will ask Sal Morello, Building Inspector, to attend the meeting at the Transfer Station.

BUDGET ADJUSTMENTS

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:

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilperson Diane McCord
SECONDED BY: Councilperson Wayne Freer

Councilperson Wayne Freer	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Supervisor Diane McCord	AYE

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

APPROVAL OF THE MINUTES

A MOTION WAS MADE BY COUNCILPERSON WAYNE FREER TO APPROVE THE TOWN CLERK'S MINUTES. MOTION WAS SECONDED BY SUPERVISOR MCCORD. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

COMMUNICATION & REPORTS ARE AVAILBLE IN THE TOWN CLERK'S OFFICE

ADJOURNMENT

A MOTION TO ADJOURN WAS MADE BY COUNCILPERSON WAYNE FREER AT 8:50 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Respectfully submitted,

Erin McNierney
Deputy Town Clerk