

**TOWN BOARD MEETING
June 22, 2016**

A regularly scheduled Town Board Meeting was held on Wednesday, June 22, 2016 in the Town Hall 284 Broadway Ulster Park, New York at 7:30 PM with the following persons in attendance:

**Supervisor Diane McCord
Councilperson Gloria Van Vliet
Councilperson Wayne Freer
Councilperson Kyle Barnett
Councilperson Leslie Kalmus - Absent**

Administrative Recorder: Holly A. Netter, Town Clerk

Supervisor Diane McCord called the meeting to order at 7:30 PM.

PLEDGE

PUBLIC COMMENT

Howard Slotnick read a letter of Intent from the ad hoc Esopus Economic Development Committee to the Esopus Town Board.

We are an ad hoc committee created to make recommendations about the formation and function of a permanent Economic Development Committee. We have prepared this document to illustrate the importance of having an EDC and define the areas of interest that such a committee may impact. Our committee is willing to work, at no cost to the Town, to tackle this project and even remain on as a permanent entity if so empowered.

As business owners and residents of Esopus, we believe in smart economic growth to enhance our community and add to our tax base. A directed effort to attract new business and home owners is imperative to the growth of this great Town. To that end, we will identify positive attributes, projects in need of development, and stumbling blocks that may hinder growth. An EDC can help unify Town resources in a directed effort.

Here is a list of several items that an EDC would either coordinate or make recommendations on:

- Web promotion - An online presence of the EDC on the Town's website. Refer to Kingston's as an example. It is full of info and links to resources.

- Create a "Welcome" brochure for businesses – listing Town attributes (eg. rail, river) and containing all pertinent info that someone looking to open a business needs to know, including departments and contact info. This will be an aid to streamline the application and inspection processes.

- List of "Help" services that are available - Grants, low interest loans and other incentives. This could go into a brochure and on the website. The Ulster County EDC has pledged their support and is a valuable ally.
- EDC as having a definitive and necessary role in the application review process for HUD section 108 program as per lending guidelines for Town loan funds.
- Updated Tourism brochure
- Review of infrastructure, eg. Utility upgrades for desirable locations
- Assist with County Brownfield Remediation Study and keep abreast of any new services.
- Have a constantly updated inventory of existing and available facilities.
- Possible zoning changes to encourage new, smart growth and update existing sites to conform.

At this point in time, we need to know if the Esopus Town Board will recognize our Ad Hoc Committee and our interest in further developing and working on, but not limited to, the items listed herein. As we are eager to start our work ASAP, we are requesting a timely decision by the Board.

Thank you,

*John D. Cutrone
Charles Ferri
Catherine Quick
Jessica Winchell*

*Howard Slotnick
Michael Jubie
Charles Wesley
Michael Withall*

DOUG NAVARRA – Resident of St. Remy Park came to follow up on a meeting which was held on June 8th with Supervisor McCord, Fred Zimmer, Tom Cummings, an engineer Doug Navarra brought as well as his wife. Mr. Navarra stated his road floods from the east side to the west side of the street. He said during the June 8th meeting with Supervisor McCord said she has no intentions to remediate the problem . He feels it is not acceptable to him and involves others on the street. Flooding happens during heavy rains and there is a drainage issue. Councilperson Van Vliet asked if he had contacted the Highway Superintendant regarding this. Mr. Navarra stated he moved to St. Remy in 2010 and noticed the problem in 2012. He said he has called the Highway Superintendent and said he has been out many times but nothing has changed. Mr. Navarra said he does not know what the process is to get this corrected. He feels the Town should have money in the budget to fix the situation.

Councilperson Barnett said he understood the culvert pipe was filled in by Mr. Navarra. Mr. Navarra said he had to take extreme action in order to get someone to take notice. Mr. Navarra said in February or March the Town "took the filling away (from the culvert) without notification" and he put himself in front of the bucket truck to stop the digging to ask for a right of way to be able to do this. The Sheriff's Department was called and Mr. Navarra was written up. Councilperson Gloria Van Vliet asked the Supervisor to comment

on this situation since she had been dealing with this. Supervisor Diane McCord said she has had several meetings dealing with this matter and was on site several times with the Highway Superintendent and Fred Zimmer. For many years the water from the road came onto the

200 ft portion of the land that belongs to Mr. Navarra and would drain down into the ground. Now that Mr. Navarra has filled in the swale, there is nowhere for the water to go. The Town has a 35 foot right away from the center of the road. This property was an abandoned NYS road which was originally a private road. Supervisor McCord said the water has gone on this property for the past 200 years and drained down. Navarra said he has not seen diagrams to determine when they were initially installed. He said there are drainage ditches that no longer exist; lawns, trees bushes and streets came in without any drainage ditches. Supervisor McCord said there was not a problem until Mr. Navarra filled in the 200 ft. area on his property and it has caused flooding to other neighbors on the street. Mr. Navarra said, "I can do whatever I want to my property; I'm landscaping my property to make it look nice, that's aesthetics not filling anything in." Supervisor McCord said there are draining issues all over Town but the Town cannot go on the people's property to correct them. Navarra made a suggestion the Town remediate the problem by going down the side streets not on people's property. Supervisor McCord said as far as she was concerned the Town was not going to deal with this problem. Mr. Navarra wants to take this further and speak to the Board Members privately.

Charlie Wesley submitted a presentation of a proposal of the new Recreation Building on the southwest side of the Town Hall Property. The Town Board will review the documentation and discuss it at the July 5th workshop. Charlie will attend and offered to answer any questions prior to the meeting.

TRANSFER STATION

Lenny Liberta, Owner and New Management of the Transfer Station, said he had a productive first month at the Transfer Station. He reviewed all the improvements that had been made and invited everyone to stop in to see the progress. We have never promoted Recycling but it is the law. Lenny explained that a Local Law was passed in Ulster County in 2007 which made it mandatory to separate regulated recyclable materials from the solid waste stream. Glass, metal cans, plastics, newspaper, corrugated cardboard, paperboard and mixed paper. All person shall separate regulated recyclable materials before setting out their trash for collection or prior to taking to a waste management facility (Transfer Station). Lenny shared staggering statistics of the tons of recyclables that are contributed to the landfills per year. Lenny said together **WE CAN MAKE A DIFFERENCE AND IT IS THE RIGHT THING TO DO FOR THE ENVIRONMENT AND THE TOWN.** He invited the residents to come to the transfer station to look around. He and his staff are there to help people with their recycling efforts. Lenny suggested we have 3 recyclable barrels and signage at Freer and Ross Park.

A MOTION WAS MADE BY COUNCILPERSON WAYNE FREER TO AUTHORIZE THE PURCHASE OF SIGNS AND BARRELS FOR ROSS AND FREER PARK. THE MOTION WAS

SECONDED BY SUPERVISOR DIANE MCCORD. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Lenny was looking for volunteers to help on Saturdays to promote recycling. Select bags will be opened and people will help educate sticker holders on the proper way to recycle and save money while helping the environment.

UNION CONTRACT

Councilperson Kyle Barnett and Supervisor Diane McCord have signed the Union contract and negotiations have been completed.

TOWN OF ESOPUS TOWN BOARD
RESOLUTION TO PURCHASE
EQUIPMENT FOR HIGHWAY DEPARTMENT

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

WHEREAS, Town Highway Superintendent, Mike Cafaldo, has submitted a request to purchase the following equipment:

Terex 5TC-55MH 2004 International 4300 Bucket Truck @ \$46,500.00

THEREFORE BE IT RESOLVED, that the Town of Esopus Town Board authorizes the purchase of the equipment requested for the Town of Esopus Highway Department.

Resolution offered by: Councilperson Wayne Freer
Resolution seconded by: Councilperson Gloria Van Vliet

Councilperson Wayne Freer	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Leslie Kalmus	ABSENT
Supervisor Diane McCord	AYE

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

**RESOLUTION TO ADD
FACILITIES USE AGREEMENT FOR
RENTERS OF ROSS PARK PAVILLION
PROVIDING ACCESS TO OUTSIDE VENDORS**

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

WHEREAS, the Town of Esopus Town Board agrees that as a condition of renting the pavilion and facilities at the Town of Esopus Ross Park, and as additional consideration for the privilege of said use must:

- A. Advise all caterers, musicians, DJs, other vendors and all guests that if they access the pavilion, they must do so by using the roadway that passes near the children’s playground and shall instruct all of said persons to exercise the utmost caution as said roadway is adjacent to an area where many children (as well as adults) are present and playing.
- B. Defend, indemnify and hold harmless the Town of Esopus, its Officers, elected and appointed officials and all employees of the Town of Esopus from any and all claims, lawsuits, damages, associated with the use of Ross Park and its facilities by the renter, renter’s guests, vendors and invitees except to the extent that said claims, damages, etc. are a result of the negligence of the Town of Esopus.

THEREFORE, BE IT RESOLVED, that the Town of Esopus, Town Board approves the addition of the above agreement for all parties renting Ross Park who will request vendors to have access to the pavilion and facilities.

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

Councilperson Wayne Freer	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Leslie Kalmus	ABSENT
Supervisor Diane McCord	AYE

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

RESOLUTION REMOVAL OF UNSAFE DWELLING -124 CANAL ST PORT EWEN

Esopus Building Inspector and Code Enforcement Officer Tim Keefe served Karen Tulchinsky with the following letter:

June 1, 2016

*To: Karen Tulchinsky
PO Box 207
Port Ewen, NY 12466*

*Re: Unsafe Structure pursuant to Chapter 59 of the Town of Esopus Code and Section 107 of
the Property Maintenance Code of NY State.*

Pursuant to Chapter 59 Unsafe Buildings of the Town of Esopus Code, you are hereby notified that the dwelling located at 124 Canal St., Port Ewen is hereby declared unsafe and dangerous to the public.

As a result of a visual inspection on May 25, 2016 it has been determined by this department that the structure located at 124 Canal St. is unsafe and dangerous to the public. There is only a partial floor in the structure and exterior walls are missing allowing animals and vermin inside. For lack of maintenance the structure is beyond repair and must be removed.

Pursuant to Chapter 59 of the Town of Esopus Code and the Property Maintenance Code section 107 of the State of NY, you are hereby notified to remove the structure by June 22, 2016. If you fail to respond by the aforesaid date, the Town will move forward pursuant to Chapter 59 and commence action for removal of the structure.

Pursuant to Sec. 59-4 a hearing will be held before the Town Board on June 22, 2016 at 7:30pm at the Town of Esopus Town Hall located at 284 Broadway, Port Ewen, NY 12466 to determine whether you have completed with the order to remedy to remove the structure.

Pursuant to Sec. 59-5 if, in the determination of the Town Board, you have failed or refused to remediate the premises as required by this notice and the order to remedy, the Town may take action to remove the structure on the premises immediately following the notice without further notice.

Pursuant to Sec. 59-6 any costs incurred by the Town of Esopus to remove the structure, including any costs in connection with the proceedings before the Town Board, will be assessed against the premises.

You have the right to hire counsel and have counsel present on the date and time of the hearing. You should be prepared to present whatever evidence you believe is relevant regarding the condition of the premises.

Timothy Keefe

Building Inspector

****No one was present at the hearing on the behalf of Karen Tulchinsky.**

TOWN OF ESOPUS RESOLUTION
APPROVING REMOVAL
OF UNSAFE DWELLING
124 CANAL STREET, TOWN OF ESOPUS

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

WHEREAS, the Town of Esopus has received two estimates for the demolition of a dwelling located at 124 Canal Street, Town of Esopus

THEREFORE, BE IT RESOLVED, that the Town of Esopus, Town Board approves the removal of an unsafe dwelling at 124 Canal Street.

Resolution offered by: Councilperson Kyle Barnett

Resolution seconded by: Supervisor Diane McCord

Councilperson Wayne Freer	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Leslie Kalmus	ABSENT
Supervisor Diane McCord	AYE

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

**Councilperson Barnett stated a reminder the C & D also has to go on the taxes as well as labor.

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEY

The Town Board members present signed the agreement for the expenditures of the Highway money. Highway Superintendent Mike Cafaldo will now be able to receive his CHIPS funding.

HONOR FLIGHT

Supervisor McCord announced the National Honor Flight Network serving the Hudson Valley is looking for World War II Veterans. If you know a World War II Veteran who has not been honored call 845 391 0076. Flights will take place September 10th from Stewart

International Airport and October 29th from Westchester County Airport; for more information www.hvhonorflight.com .

APPROVAL OF THE MINUTES

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

COMMUNICATION & REPORTS ARE AVAILABLE IN THE TOWN CLERK’S OFFICE

NO BUDGET ADJUSTMENTS FOR JUNE

RESOLUTION AUTHORIZING PAYMENT OF BILLS - JUNE 2016

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:

General Fund	161244 - 161295	\$ 49,899.14
Highway Fund	162127 - 162148	\$ 98,468.03
Street Lights	166005	\$ 5,962.00
Port Ewen Sewer Fund	163084 - 163096	\$ 8,005.62
Port Ewen Water Fund	164117 - 164136	\$28,473.48
Total.....		\$ 190,808.27

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilperson Gloria Van Vliet
SECONDED BY: Councilperson Kyle Barnett

Councilperson Wayne Freer AYE
Councilperson Gloria Van Vliet AYE
Councilperson Kyle Barnett AYE
Councilperson Leslie Kalmus ABSENT

Supervisor Diane McCord AYE

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

The announcement was made earlier this week legislation, A.10280 was passed by both houses which would designate the Rondout Creek as an “inland waterway” for the purpose of grant eligibility. The measure which was sponsored by Assemblyman Cahill and Senator George Amedore, will afford communities along the Rondout Creek access to state funding through the Department of Environmental Conservation for Waterfront Revitalization Projects. Our assessment is at 100%. Supervisor McCord commended the Assessor for a job well done.

The water quality tests are complete and the water in the Port Ewen district is fine. The Report can be found on the website at www.esopus.com.

The Coast Guard is considering establishing **new anchorage grounds** in the Hudson River from Yonkers, NY to Kingston, NY. They are considering this action after receiving requests suggesting that anchorage grounds may improve navigation safety along an extended portion of the Hudson River, which currently has no anchorage grounds, allowing for a safer and more efficient flow of vessel traffic. The Coast Guard is seeking comments and information about the operational need for new anchorage grounds and what form of regulations should be created. The Town Board will need to do research and gain more information as to the number and location of the anchorage grounds.

ADJOURNMENT

A MOTION WAS MADE AT 8:50PM BY SUPERVISOR MCCORD TO ADJOURN THE MEETING. COUNCILPERSON KYLE BARNETT SECONDED THE MOTION. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectfully submitted,

Holly A. Netter
Town Clerk, RMC