

**TOWN BOARD MEETING**  
**September 17, 2015**

A regularly scheduled Town Board Meeting was held on Thursday September 17, 2015 in the Town Hall 284 Broadway Ulster Park, New York at 7:30 PM with the following persons in attendance:

**Councilperson Gloria Van Vliet**  
**Councilperson Wayne Freer**  
**Councilperson Diane McCord**  
**Supervisor Kyle Barnett – Absent**

**Administrative Recorder: Holly A. Netter, Town Clerk**

Deputy Supervisor Gloria Van Vliet called the meeting to order at 7:30 PM.

**PLEDGE TO THE FLAG**

**PUBLIC COMMENT**

Sean McCabe asked what the current Status of the Drug Rehabilitation Facility who is looking to purchase 141 Prospect Street to build a 16 bed facility. Deputy Supervisor Gloria Van Vliet said the Building Department received a letter from Paul Freeman the attorney for the proposed facility dated September 4, 2015 appealing the Building Inspectors determination that the proposed 16 Bed Facility is not allowed to be built at that location. The matter was referred to the Zoning Board of Appeals.

**HIDDEN HARBOR YACHT CLUB**

Fred Zimmer, town resident, had public comment relating to this agenda item. He paid compliment to Supervisor Barnett for responding to concerns that were brought to the Town Boards attention regarding the dredging at Hidden Harbor during the workshop meeting held on September 15<sup>th</sup>. Emails with clarification on those concerns were sent out on September 16<sup>th</sup> by Supervisor Barnett.

Deputy Supervisor Gloria Van Vliet read the email into the minutes as follows:

Periodically Hidden Harbor has to do some amount of dredging to remove the buildup of silt that accumulates in the Harbor. The prior administration agreed to allow Hidden Harbor to utilize Town property to assist in this process by legally and safely depositing the dredging spoils on the Town property followed by the inclusion of fill to level the property out. I have recently met with a representative of this operation. This operation has been approved by the New York State DEC and all the appropriate permits have been obtained. In addition, the soil has been tested and approved and it has been determined that no contaminants including

PCPs, will be deposited on Town property. Attached are the documents pertaining to the permit process. Forthcoming are the testing results that were provided to the DEC, which I expect to have next week. I have also asked Hidden Harbor to provide us with a summary of the entire project to disseminate to any resident interested. They are also committing to cleaning up any debris on the road that may result from the project. In short, it appears from what I have seen so far, that all regulations and guidelines, as required by the DEC, have been followed, including publishing notice of the project in the local newspaper.

Separately, I required Hidden Harbor to obtain sufficient insurance coverage, naming the Town as an additional insured, in the event of any claims. They have complied. The present operation was submitted and approved by the entire Town Board. If it comes to my attention that the property owner has not complied with a single statutory requirement, I am confident that I, and the Town Board, will take whatever action is necessary.

Finally, if there are any questions people have, I would be happy to invite a sponsor from the project to attend a Town Board workshop and personally address those concerns.

Thank you for your interest in this issue.

I remain at your service.

Kyle Barnett  
Town Supervisor

Fred said he found it troubling that there was no input obtained from the Environmental, Waterfront Advisory or the Superintendent of the Parks & Recreation when this agreement was made. He felt it would have been common courtesy for Hidden Harbor to leave a set of plans and specifications with the Town. Questions were asked relative to where drainage was placed and location of Central Hudson's easement.

Fred pointed out the DEC renewed the application and overlooked their own requirement of 30 days advance notice. He said that Hidden Harbor should dump on their own property because they have sufficient room. Fred sees no benefit to the residents of the Town of Esopus. If there was, he may be able to get behind it.

There is a 30' x 50' hole equivalent to 850 cu. Yards. Fred said the Yacht club was already in violation because there was no silt fence except where it was placed by the Town to install the drainage. He made the recommendation there should be 90% compaction and urged the Town Board to pass a resolution to halt the dumping.

Councilpersons Freer and McCord were asked their thoughts. Wayne had not seen the correspondence and said he would need to look at the documentation before he could comment. Councilperson McCord similarly stated they need more information before the

Board could pass a resolution to halt the dumping. They felt Fred had a valid concern and the Board agreed to do further investigation on the project.

**LOCAL LAW #1 – MOTION TO ACCEPT LOCAL LAW**

**A MOTION WAS MADE BY COUNCILPERSON WAYNE FREER TO ADOPT THE TEXT AMENDMENT TO AMEND CHAPTER 123, ARTICLE IV OF THE TOWN CODE OF THE TOWN OF ESOPUS REGULATIONS AND STANDARDS GOVERNING USE RELATING TO FARM BREWERIES, FARM DISTILLARIES AND FARM WINERIES. THE MOTION WAS SECONDED BY COUNCILPERSON MCCORD. ALL MEMBER’S PRESENT WERE IN FAVOR. MOTION CARRIED.**

Deputy Supervisor Gloria Van Vliet instructed Holly Netter, Town Clerk to forward the amendment to the State.

**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:

**BUDGET ADJUSTMENT FOR SEPTEMBER 2015**

<b>O-0599.000 Fund Balance</b>	<b>AO.1620.200</b>	<b>\$16,195.43</b>
	<b>Microphone system Building equipment monies moved from capital</b>	
	<b>AO.3650.400</b>	<b>\$17,012.00</b>
	<b>Demolition</b>	
	<b>AO.5132.401</b>	
	<b>HWY Garage Cont.      \$ 2,700.43</b>	
	<b>American Petroleum</b>	
	<b>AO.8020.200</b>	<b>\$583.48</b>
	<b>Planning Equipment – Computer</b>	

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

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

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

Supervisor Kyle Barnett	Absent
Councilperson Wayne Freer	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Diane McCord	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:

<b>General Fund</b>	<b>151435 - 151489</b>	<b>\$ 79,437.16</b>
<b>Highway Fund</b>	<b>152240 - 152268</b>	<b>\$ 18,923.84</b>
<b>Street Lights</b>	<b>156009</b>	<b>\$ 6,290.34</b>
<b>Port Ewen Sewer Fund</b>	<b>153104 -153113</b>	<b>\$ 4,890.66</b>
<b>Port Ewen Water Fund</b>	<b>154234-154244</b>	<b>\$3,236.76</b>
	<b>154255-154257</b>	
	<b>154238 - VOID</b>	
	<b>154245-154254 VOID</b>	
<b>Total.....</b>		<b>\$112,778.76</b>

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

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

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

<b>Supervisor Kyle Barnett</b>	<b>Absent</b>
<b>Councilperson Wayne Freer</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Diane McCord</b>	<b>AYE</b>

**APPROVAL OF MINUTES**

**A MOTION TO APPROVE THE MINUTES OF PREVIOUS MEETINGS WAS MADE BY COUNCILPERSON GLORIA VAN VLIET AND SECONDED BY COUNCILPERSON DIANE MCCORD ALL TOWN BOARD MEMBERS IN ATTENDANCE VOTED IN FAVOR. MOTION CARRIED.**

**COMMUNICATION & REPORTS ARE AVAILABLE IN THE TOWN CLERK'S OFFICE**

**ADJOURNMENT**

**A MOTION TO ADJOURN AT 8:07 PM WAS MADE BY COUNCILPERSON WAYNE FREER AND SECONDED BY COUNCILPERSON DIANE MCCORD. ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.**

**Respectively Submitted,**

**Holly A. Netter  
Town Clerk**