

**TOWN BOARD WORKSHOP MEETING
FEBRUARY 1, 2016**

A regularly scheduled Town Board Workshop Meeting was held on Monday, February 1, 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 7:35PM.

PUBLIC COMMENT

UNION NEGOTIATIONS – EXECUTIVE SESSION

A MOTION WAS MADE TO ENTER INTO EXECUTIVE SESSION AT 7:36 PM FOR THE PURPOSE OF UNION NEGOTIATIONS BY SUPERVISOR DIANE MCCORD. THE MOTION WAS SECONDED BY COUNCILPERSON KYLE BARNETT. MIKE KUTSKI, TIM BYRON, DERIK BROWN AND MIKE DAUNER WERE INVITED INTO THE EXECUTIVE SESSION. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

A MOTION TO COME OUT OF EXECUTIVE SESSION WAS MADE BY SUPERVISOR DIANE MCCORD AND SECONDED BY COUNCILPERSON WAYNE FREER AT 8:06 PM. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

NO ACTION WAS TAKEN

DICK WILLIAMS LANE – STEVE AARON

Steve Aaron from Birchez attended the meeting along with Nicky Woerner, his Chief Operating Officer, and his engineer Scott Davis from Peak Engineering. They attended the meeting to discuss multiple issues. There is a concern about the amount of grease in the trap. This problem has been ongoing since 2008. The engineer, Scott Davis, was reviewing correspondence preparing for this meeting and recalled a meeting in 2008 being held with the County, Birchez and members of the Health Department. In 2008 they discussed the best way to move forward with the grease trap and how it was treated. Davis recalled a test being conducted to see if the amount of grease in the trap could be brought to a reasonable amount comparable to other pump stations located in the town. Birchez asked for the name of the

products the Port Ewen Water/Sewer Department (PEWD) was using to treat the other pump stations and Birchez used the same testing company as the PEWD used. Birchez treated the pump for 6 weeks and when the levels were tested they were within the acceptable limits. Birchez was to continue the maintenance to the pump station. Scott said he **thinks** the outcome of the meeting was **if** Birchez was able to get the grease level to the acceptable limit that would be ok and no trap would be needed. Don Kiernan provided a picture dated 10/30/2015 of the pump station in question which had significant amounts of grease present. He said it was undetermined whether the necessary maintenance has been performed by Birchez on this pump station. Steve Aaron said once the pump station is turned over to the Town he was confident that it would be properly maintained by Don Kiernan. There is a punch list of items that need to be completed regarding the pump station and roads. Supervisor McCord said a grease trap is required according to Shelly Mertens from the Ulster County Health Department. A letter was issued back in 2012 advising the same. Since this is one of the items on the punch list, the Health Department would have to rescind the letter. Health Department is no longer monitoring the sewer plant the DEC has been involved. Water Superintendent Kiernan said he is not sure who will have final say over the grease trap, DEC or the Ulster County Department of Health. Steve Aaron asked if other multifamily locations, such as Rondout Harbor, have a grease trap. Kiernan said, no they are maintained on a regular basis and twice a year a company is hired to come extract the grease. Councilperson Van Vliet asked if Birchez' pump had more or less than the other pump stations in town. Kiernan said he would have to compare it. Councilperson Van Vliet said she was very concerned if the Health Department says a grease trap is needed. The letter would have to be repealed. Aaron said he felt the meetings were subsequent to the Health Department's letter. Scott Davis said the intent was to try to do what the Town did to see if the levels could be in control with proper maintenance for the 6 week period. He said he could not say whether it was getting proper maintenance currently, but for the six week period of testing it was. Councilperson Freer said he could see the time line but he did not see where the documents went to the health department for a decision of whether the trap was necessary. Kiernan said he wants assurances that the pump station is 100% operational so the district tax payers do not have to dump a lot of money to repair it. Councilpersons asked what evidence is there that it is not running fully now. Kiernan replied he would like proof that 3 pumps are working properly and have been satisfactorily maintained. The report was done several years ago and the current results may not be the same. Steve Aaron said the company who installed the pumps recently came down and complete service was done. The company replaced all of the switches and replaced components within the panel box. Councilperson Freer said he would like to see the report go to the Board of Health and see what they have to say. Water and Sewer lines are under the road. Steve said the road conveyances are in the work. He brought the Water & Sewer Line Easement, Sewer Pump Station Easement and Proposed Roadway which he has signed and gave to Supervisor McCord. Steve Aaron said Terri Carle from the title company has the title updates and insurance and he is ready to execute it once the deeds are signed. Councilperson Barnett asked if a copy of the title was submitted with the deeds tonight for review. Steve Aaron said he would get a copy over to the Town. Steve said the alarm system is in place it is just a matter of turning over the service. They are moving from Safeco to Rest Assure. Councilperson Van Vliet said there is an item on the punch list that she was very

concerned with the \$10,000 outstanding bill from Central Hudson that Birchez has not paid. Steve said they will have to sort that out once we have the deeds signed. At the time the Town takes over the pump station the Town would be liable for the usage from that point forward. Steve said, "I'm trying to convince Central Hudson to just go away". Steve also told him that they were going to make progress tonight; we are getting closer to turning it over. He said if they have to go back to the Health Department, he needs to get back to Central Hudson with a timeframe of when the Town is going to take the station over. Supervisor McCord said when we have everything we need on the list. Aaron asked if it will require a vote. McCord replied, everyone is going to want to see that everything is in place before taking a vote. A resolution will need to be made authorizing the Supervisor to sign when the time comes. Councilperson Van Vliet said the Board has to be satisfied with the items Don has provided on the punch list and the Health department will need to retract their request of a grease trap before they can vote. Councilperson Barnett said the Board could prepare a resolution contingent upon remedying and dealing with remaining punch list items that are open, including the Central Hudson issue. Steve said he would check the condition of the pump station on Tuesday afternoon (2-2-16) and report back to the Board. Scott Davis from Peak Engineering will follow-up with the Health Department.

Steve Aaron said he is motivated to get the road turned over because they are still paying for the plowing of the street. The lighting was proposed 3-5 years ago regarding putting in street lights. The Fire Department Chief suggested additional lighting. Central Hudson was asked to update their proposal. Steve asked if the Board would entertain installing lighting. Supervisor McCord asked, "Would this be a special lighting district"? People in the lighting districts are taxed. There are many lighting districts and the Board will have to look to see if it would have to establish a new lighting district or if it would be added onto a contiguous lighting district.

Supervisor McCord said although the ad Birchez submitted was very nice we are not able to advertise it on TV 23.

Steve will return to the workshop on February 16th with maintenance records and an update on the Health Department and other punch list items.

The punch list that was provided by Don Kiernan and referred to throughout this section was as follows:

1. Easement where water line crosses onto building lots
2. Roads turned over to the Town of Eospus prior to owning water and sewer line within
3. Generator 100% operational. Will have to be serviced and inspected before Sewer District takes over ownership
4. Pump station 100% operational including turning over third pump to sewer District
5. Maintenance records for pump station
6. Alarm system installed – Safeco/ Rest Asure
7. Ulster County Health Department letter regarding grease trap issues still pending

8. Once all finalized – notification to Central Hudson to read meter and issue final bill to Birchez

MURAL REQUEST AT ROSS PARK

Supervisor McCord said she had been informed that Brian Lamb had passed away. Friends of the family asked if they could put a mural of his face and a basketball on the wall of Ross Park or possibly have a fundraiser to purchase a backstop for the field in his memory.

Board members had concerns about placing murals on public buildings. However, the fundraiser seemed to be a good idea for either a back stop or new backboards for the basketball court with a memorial plaque.

KATHY ROBINSON – HARVEST MOON DANCE

Kathy is proposing having a harvest moon dance on September 16, 2016, 6pm – 10 pm. Kathy needs to obtain a barn. The event will be for the entire family. She hopes they will have a band. Kathy would like to invite local restaurants to come sell their goods. A deposit would be required and would be refunded to them if they show up for the event. If they did not show up the money could be used to provide snacks. Kathy would like the ability to have people sign up on the web or Facebook. Town Clerk Holly Netter said she was working with Mike Rice to update the Town website. One of the goals is to allow access to the different Boards to promote their events. If this event is successful, Kathy would like to make it an annual event with a different theme. 2017 would be a Strawberry Moon Dance on June 9, 2017. Kathy would like to see the neighboring towns get together to plan their calendar so events would not overlap. Kyle liked the idea of a Harvest Moon Dance and asked wouldn't it be better if it was the same time every year so people knew it was coming. Kathy said you can't because the moon does not always fall on a Friday night. There is a different story behind every moon which would change the theme and time of year the dance would be offered. Kathy said she knows when the event would be over the next 5 years. She liked the event being rotated to different times of the year. Supervisor McCord asked how the reservations would be made. Instead of selling tickets maybe sponsors can be obtained and donations made to offset the costs. Kathy would like a private line in the Town Hall that could have a recording about the event and voice messages could be checked remotely. Councilperson Freer said one of the unused extension lines could be set up. Kathy will return to a future meeting with more information regarding possible locations with adequate parking and liability insurance will need to be obtained.

Tyler – Storm water drainage on Pine Street, Rifton

Mr. & Mrs. Tyler wrote a letter to Supervisor McCord on January 25, 2016 regarding an issue pertaining to the flooding on Pine Street in Rifton as a result of super storm Irene. Included in the letter were documents outlining the responsibilities and proposed actions that were to be

taken. Supervisor McCord said she did not understand why the man was able to build the structure on his property and cause flooding on our road. Councilperson Barnett asked if he required a permit. Councilperson Van Vliet read a portion of a certified letter, dated December 2, 2014 addressed to Michael Labarbera from former Supervisor Coutant. The letter states, "All parties agree that corrective measures regarding this issue lie with you (Labarbera) as the property owner who originally installed the respective pipe and bridge on your property." In the letter he was also told to contact Mike Cafaldo. Supervisor McCord said Labarbera never answered this letter. Councilperson Van Vliet said it sounded like a civil matter nothing the Town has to do with. Councilperson Freer said it looks like he wants the Town to take the legal action, Councilperson Barnett agreed. Supervisor McCord asked the Board what they wanted her to do. The response was to advise Mr. & Mrs. Tyler that is not the Town's responsibility and to pursue the matter civilly.

DECICCO - DEEDS CORRECTION OFF RT 213, RIFTON LAKE PARK

This is a planning issue and has been turned over to Myles Putman.

SCHOOL TAX REFORM

This item had been tabled from the past two meetings. Supervisor McCord asked what the opinion of the Board was regarding this Memorializing Resolution Requesting the Reform of NYS Public Education Funding. Councilperson Freer said he tried to do some research but did not come up with any information on what it intended to do. Councilperson Van Vliet also tried to obtain information regarding the resolution to no avail. The Board decided to drop it since they do not have enough information about it to make a decision.

CABLEVISION – TAKE OVER

After a brief discussion of the memorializing resolution; this subject was dropped.

BIDS FOR THE TRANSFER STATION

TRANSFER STATION BIDS

The Transfer Station Bids were opened and the results were as follows:

		<u>Monthly</u>	<u>Annual</u>
Dankelman & Associates	3 day	\$5,806.66	\$69,680.00
Liberta Bros, Inc.	3 day		\$62,000.00**
Dankelman & Associates	5 day	\$6,223.33	\$74,680.00
Liberta Bros, Inc.	5 day		\$72,000.00**

Curt Dankelman was present for the Bid Opening. Mr. Liberta stopped in to introduce himself to Supervisor McCord earlier that morning when he dropped off his bid. Mr. Liberta had made a comment that he felt a 3 day operation would be sufficient for the Town and would save money. Councilperson Van Vliet and Freer questioned there were no comments or references included in his bid. Supervisor McCord said his company currently runs the Marbletown Transfer Station as well as hauling for Saugerties. The Town Clerk said he had called on Friday and she told him we needed to know the Bid Amount of what he felt was needed to accomplish the expectations listed in the RFP. When he talked to Supervisor McCord he said whatever we needed him to do. He said he would also clean it up. He felt it was disgusting. Freer said between the two days difference he would rather go for the 5 day paying the \$2,680 extra and know what we are getting for the money. Councilperson Barnett made the suggestion to Supervisor McCord to contact Marbletown and Saugerties to see what they thought of the job Liberta Bros, Inc. was doing for their Town and get their referrals. Councilperson Barnett said he was not ready to dismiss him out of hand before it is determined what they will provide. It will be revisited at the next workshop.

EMERGENCY SUPERVISOR MEETING

Supervisor McCord said there was a Supervisor Emergency meeting scheduled for February 2nd to discuss the change in the tax base with the County. Supervisor McCord received a call from County Executive Mike Hein who told her our amount of funding should not change at all or may decrease by \$2, 000 – \$3,000 at the most. He said he has worked really hard to get the Towns to have more money to work with, so why would he take \$57,000 away. Supervisor McCord said she will follow up with the results of the Supervisor’s meeting.

VACANCIES ON THE ENVIRONMENTAL , PORT EWEN WATER SEWER & ASSESSMENT BOARDS

Interviews will be held for openings on the Environmental Board, Port Ewen Water Sewer & Assessment Board of Review as well as for the Special Prosecutor at the February 16th Town Board Workshop Meeting. Councilperson Gloria Van Vliet said James Banks has showed interest in sitting on the Assessment Board of review. Copies of the resumes that are submitted will be forwarded to the Board members for review as they are received. Stacia Hudler and Jack Spinneweber had been in and showed interest in serving on a board, however to date no resume was received.

SOLAR LETTER

Today was the deadline day for NYSERDA. According to Randolph Horner he has sent letters to the Governor and he feels we will be granted an extension. A copy of a letter from Supervisor McCord to Mr. Sandbank was distributed to the Board members.

ADJOURNMENT

A MOTION TO ADJOURN AT 9:30 PM WAS MADE BY COUNCILPERSON KYLE BARNETT AND SECONDED BY COUNCILPERSON WAYNE FREER. ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.

Respectfully submitted,

**Holly A. Netter
Town Clerk**