

**TOWN BOARD WORKSHOP MEETING  
March 28, 2019**

A Special Town Board Workshop Meeting was held on Thursday, March 28, 2019 in the Town Hall, 284 Broadway, Ulster Park, NY with the following persons in attendance:

**Supervisor Shannon Harris  
Councilperson Gloria Van Vliet  
Councilperson Jared Geuss  
Councilperson Kathie Quick  
Councilperson Chris Farrell\*\***

\*\* Councilperson Farrell arrived at 5:10 pm however had joined the Executive Session by phone so he did not miss any portion of the session while traveling from his doctor appointment.

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

**Supervisor Shannon Harris called the meeting to order at 5:00 PM.**

**PUBLIC COMMENT – NONE**

**A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK AT 5:00 PM TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PERSONNEL ISSUE REGARDING THE EMPLOYMENT HISTORY OF A SPECIFIC EMPLOYEE. SOLE ASSESSOR JOANNA MIGNONE WAS INVITED INTO THE SESSION. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION TO COME OUT OF EXECUTIVE SESSION WAS MADE BY COUNCILPERSON KATHIE QUICK AT 5:35 PM AND WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**ACTION:**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO AUTHORIZE SHANNON HARRIS AND DEPUTY SUPERVISOR KATHIE QUICK TO ADDRESS THE PERSONNEL/HUMAN RESOURCE MATTER TOMORROW MORNING AT 9 AM. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**EXECUTIVE SESSION**

**A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK AT 5:35 PM TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF INTERVIEWING A POTENTIAL CANDIDATE FOR THE WATERFRONT ADVISORY BOARD VACANCIES AND PART TIME JANITOR POSITION. THE**

**MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION WAS MADE BY SUPERVISOR HARRIS TO COME OUT OF EXECUTIVE SESSION AT 6:23 PM AND WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**ACTION:**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO APPOINT ANTHONY ALECCA TO THE POSITION OF JANITOR CONTINGENT UPON A SUCCESSFUL BACKGROUND CHECK AT A RATE OF \$15.00. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION WAS MADE BY SUPERVISOR SHANNON HARRIS TO RECEIVE FEEDBACK OF A RECOMMENDATION FROM THE WATERFRONT ADVISORY BOARD FOR (2) TWO VACANCIES ON THE BOARD. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**MANDATORY TRAINING**

On April 26, 2019 there will be mandatory sexual harassment training and violence in the workplace training for all employees, Town Board members and volunteers. For those who are interested, an active shooter demonstration will also be given. There will be a morning session at 9am and an afternoon session at 1pm for those who are not able to make the morning meeting. The training is expected to take 2 hours.

**CONTRACTUAL – MATT RYAN OF ROEMER WALLENS GOLD & MINEAUX LLP**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO SIGN THE AGREEMENT WITH MATTHEW RYAN OF ROEMER WALLENS GOLD & MINEAUX, LLP FOR PERSONNEL ISSUES AND UNION LEGAL COUNSEL AT A RATE OF \$260/HOUR AND ASSOCIATE WORK AT A RATE OF \$190/ HOUR. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**Video Surveillance – Liberty Security**

Jared Keplinger attended the meeting to review the proposal previously submitted for new surveillance equipment at Town Hall, Ross Park, Sleightsburgh Park, Freer Park and the Transfer Station. Supervisor Harris said there was \$8,500 available in the Capital fund to use for the equipment. Several finance options were reviewed. The Board decided the equipment for Town Hall would come out of the capital account and the funds for the offsite locations will be financed for 3 years.

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO SIGN A CONTRACT WITH LIBERTY SECURITY BASED ON THE REVISION USING \$8,500 FROM THE CAPITAL FUNDS FOR THE TOWN HALL AND FINANCE \$9,900 FOR 3 YEARS FOR THE OFFSITE LOCATIONS. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**ESTUARY RIVER ACCESS STUDY – LABERGE GROUP**

The Riverfront Access Study costs are as follows:

Total Project \$74,750 - \$10,000 in-kind services from Scenic Hudson for engineering = \$64,750

\$50,000 Estuary Grant

Scenic Hudson \$5,000

Town's responsibility \$7,000 cash and \$2,750 in-kind services

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO APPROVE THE CONTRACT ADDENDUM FOR LABERGE GROUP FOR SERVICES DEFINED IN ATTACHMENT A – ESOPUS RIVERFRONT ACCESS AND CONNECTION STUDY SCOPE OF SERVICES IN THE AMOUNT OF \$64,750. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**CAL RIPKEN – ROSS PARK AGREEMENT**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO AUTHORIZE SUPERVISOR HARRIS TO SIGN THE CONTRACT WITH CAL RIPKEN TO UTILIZE ROSS PARK FOR THE MONTHS OF APRIL, MAY AND JUNE, MONDAY - FRIDAY 5:30 – 7:30 AND SATURDAY 8AM -1PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**TIGHE & BOND ENGINEERING**

Stormwater Infrastructure Assessment and Capital Improvement Plan cost \$46,500

Drinking Water Infrastructure Assessment project \$45,700

Total fee will be reduced by \$3,000 if both projects are awarded. (\$45,000 & \$44,200)

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO SIGN THE ENGINEERING CONTRACT WITH TIGHE & BOND FOR THE STORMWATER TASK FORCE AND DRINKING WATER INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE AMOUNT OF \$89,200. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**Technical Building Services, Inc - TBS**

The service agreement in the amount of \$7,500 with TBS is up for renewal. The Board has made a decision not to renew the contract. Dan Vedder, Supervisor of Building and Grounds, feels we will get better service from Dutchess Tekcon and the follow through on issues that we have presented to TBS has not been satisfactory.

**RESOLUTION TO HIRE KYLE BARNETT, ESQ  
AS SPECIAL COUNSEL FOR THE DYNO-NOBEL SITE**

**Whereas**, the Town wishes to appoint Kyle W. Barnett, Esq., as special counsel to represent the interests of the Town of Esopus pertaining to the proposed remedy of the State Superfund Site–Dyno -Nobel site located at 161 Ulster Avenue, Ulster Park, NY which was noticed by the DEC in February, 2019;

**Now, Therefore, Be it resolved** that the Town Board of the Town of Esopus appoints, Kyle W. Barnett, Esq., Van DeWater & Van DeWater, LLP, 85 Civic Center Plaza, Poughkeepsie, NY, as special counsel for the purpose of representing the interests of the Town of Esopus pertaining to the proposed remedy of the State Superfund Site–Dyno-Nobel site located at 161 Ulster Avenue, Ulster Park, NY, at a rate of \$195.00 per hour.

**Now, Therefore, Be It Further Resolved**, that the Town Board of the Town of Esopus authorizes Mr. Barnett to take such legal actions as may be necessary on behalf of the Town of Esopus:

**Resolution offered by :** Councilperson Chris Farrell  
**Seconded by:** Councilperson Jared Geuss

Councilperson Gloria Van Vliet	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

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

**DYNO NOBEL**

There is a meeting with the Head of State DEC on April 3<sup>rd</sup> to see if the Town can get the state to agree to the 90 day extension. Supervisor Harris, Dean Sommer Environmental Attorney representing the Community of Churches, and Dan Michaud who works for the DEP employees but is attending as a private consultant with pro bono service will attend the meeting. Attorney Sommer made the recommendation of the following resolution to give Supervisor Harris authority to negotiate since there is such a time crunch on the matter. The extension would give the Town time to review the foiled materials to ensure the cleanup is done in a satisfactory matter to protect the community. Supervisor Harris has a plan of action in place if they do not grant the 90 day request. She is preparing an Emergency Community meeting for April 9<sup>th</sup> if the DEC does not grant the extension. She plans on giving the DEC an invitation to come talk to the citizens who are calling with concerns on April 9th. Supervisor Harris has been keeping individuals such as Adele Rider, County Executive and Assemblyman Kevin Cahill in the loop and both are on board with our 90 day request. Dylan Miyoshi , Hudson Valley Regional Representative for Governor Cuomo’s office, is looking to see if there is a reason why they will not grant us the 90 day extension.

**EMERGENCY CORRESPONDENCE – DYNO- NOBEL CLEAN UP**

**RESOLUTION**

**WHEREAS**, the Town wishes to authorize Town Supervisor, Shannon Harris, working closely with legal counsel, to represent the interests of the Town of Esopus pertaining to the proposed remedy of the State Superfund Hercules / Dyno-Nobel site located at 161 Ulster Avenue, Ulster Park, New York, when the matter is urgent and there is insufficient time to discuss the issue with the full Town Board;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Esopus authorizes Town Supervisor, Shannon Harris, to address urgent matters when there is insufficient time to bring the matter before the Town Board for the purpose of representing the interests of the Town of Esopus pertaining to the proposed remedy of the State Superfund Hercules / Dyno-Nobel site located at 161 Ulster Avenue, Ulster Park, New York.

The foregoing resolution was voted upon with all Town Board Members voting as follows:

**RESOLUTION OFFERED BY: Councilperson Kathie Quick**

**RESOLUTION SECONDED BY: Councilperson Chris Farrell**

<b>Councilperson Gloria Van Vliet</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>AYE</b>

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

**WATER LANTERN FESTIVAL**

Drew Curth, Event Coordinator, contacted Town Clerk Holly Netter expressing an interest to rent Freer Park for a Water Lantern Festival September 14, 2019. The lanterns are eco-friendly and the group takes care of all aspects of the festival from set up to clean up.

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ALLOW TOWN CLERK HOLLY NETTER TO HOLD THE DATES OF SEPTEMBER 14 AND 15 FOR THE WATER LANTERN FESTIVAL AND ALLOW HER TO MAKE THE APPROPRIATE CONTACTS TO SEE IF THIS FESTIVAL IS FEASIBLE FOR ESOPUS. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS.**

<b>Councilperson Gloria Van Vliet</b>	<b>No **</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>AYE</b>

**\*\* felt the festival would be too large of a crowd for the area  
4 AYE, 1 – NO MOTION CARRIED.**

**ADJOURNMENT**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO ADJOURN THE MEETING AT 7:13 PM AND WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Respectively Submitted,

Holly A. Netter  
Town Clerk, RMC