

**TOWN BOARD WORKSHOP MEETING
APRIL 1, 2013**

A regularly scheduled meeting of the Town of Esopus Town Board was held on April 1, 2013 at 7:30 PM in the Town Hall 284 Broadway in Port Ewen, New York with the following persons in attendance:

**Supervisor John Coutant
Councilperson Gloria VanVliet
Councilperson Wayne Freer
Councilperson Donna McAuley
Councilperson Kyle Barnett**

Administrative Recorder: Diane L. McCord, Town Clerk

Building Inspector: Timothy Keefe

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

Public Comment:

Logging in New Salem Area

Several people from the New Salem area attended to discuss the logging on Patricia Lynch Agius property on 163 New Salem Road by logger Mike Arnold of MJM Forest Products in Lake Katrine. Those signed in included:

Judy Haber	Michelle Higgins	William Murphy
Catherine Haber	Anne Rossini	Monica Maurceri
Bob Dudek	Carmine Cozza	Alice Ellenbogen
Silvana Dudek	Mary Murphy	Henry Ellenbogen

Supervisor Coutant said he looked at the situation and has asked our Zoning and Building Officer Tim Keefe to address the issue and between all of us we may be able to answer all your questions.

Michelle Higgins – 138 New Salem Road

Ms. Higgins looked at the logging application filed with the Building Department and was trying to get an idea of what was going on? She questioned the time-frame of the permit, the noise, and the nine hour days. There was concern which included the air quality, the water quality, how many trees the logger would take off the hill because of the erosion? She asked what would happen with all the water coming down the hill for there could be sewage and water problems? We do not know what they are going to do? The result of the run-off is a concern. There are tons of dead wood and trees. They have done “sloppy surveying” and the Freer stone house is in terrible condition. We need a permit to protect our quality of life.

Building Inspector Tim Keefe addressed the audience saying there would be 250 trees taken. The logger will not cut the smaller trees. He will not go overboard for it would not pay him to cut the smaller trees. The logger Mike Arnold has done several operations in this town and we have had no problems. The erosion concern is mitigated by mounds of dirt preventing the erosion from occurring. There is no erosion just from the cutting of the trees. The logger is not going down Lake View Terrace, however, the trees on the hill will be logged. Mr. Dudek was very concerned about the trees being taken off the hill resulting in the neighbors on Lake View Terrace having a problem. The Supervisor and Building Inspector said there would be a 100 foot buffer around the property where nothing will be touched.

Mary Murphy -553 Lake View Terrace

Can the logger log this year and again next year? The Building Inspector said that will not happen. There will be a long time before the property is logged again. Only eight trees per acre can be taken and that is not a lot. The Supervisor spoke about the logging done on the Koskie property off Schultz Lane where they took only twelve inch trees and did a good job.

Mary Murphy's main concern is the hill on Lake View Terrace. When they have heavy rain her front yard is flooded. Bill Murphy spoke about the drainage being plugged up and the water floods the road instead of it going over the back. The Supervisor said the drains need to be unplugged every few years. Mrs. Murphy hoped the town would not regret issuing the permit. The Building Inspector will be watching out. The logger has not been issued the permit as yet. We do not know how long the permit will be issued? The Town Code allows them to take 10,000 feet of lumber without a permit. The Town Clerk asked about a logging fee and the Building Inspector said there was not need because the logger will not be coming out on a town road.

Michelle Higgins

We do not want the permit to be given for six months. The Building Inspector said the permits are issued for a year. Ms. Higgins referred to the logging application where it states *"The time schedule for the project will be April and May of 2013, weather permitting. The hours of operation are 7am to 4pm Monday thru Friday."* Ms. Higgins said their greatest concern is having this permit for so long. This is a residential area. We do not want to lose our summer.

Councilperson Freer had logging done on his property fifteen or twenty years ago. You are given a invoice and it states how many trees they take out. The smaller trees cost them more money. Ms. Higgins stated this is an "absentee landlord". What does the Town Law say? The law cannot be changed. Even if it were changed.....they would be "grandfathered in".

Judy Haber

Ms. Haber could not see why the logger could not take out 250 trees in two months? Councilperson Freer said the trees would be sorted according to size and it could take longer because they are taken all at once.

The Building Inspector stated the logging permit could be issued for three months and in accordance with the application it could specify 7 AM to 4 PM Monday through Friday.

Mary Murphy asked Councilperson Wayne Freer about the logging he had done on his property? Councilperson Freer explained it helped him because he couldn't afford to put in a driveway and the logger built the driveway and even paid to have it topped and prepared the drainage.

Michelle Higgins mentioned there was already a lot of chainsaws going on back there. If they continue working outside the permit, what do we do? The Supervisor answered saying contact John Coutant or the Town Hall.

Councilperson Gloria VanVliet had questions. Other required submittals require proof of a wetland. Are there any requirements? Inspector Tim Keefe said the logger is not going into the wetlands. Dept. of Environmental Conservation does not allow you to go into the wetlands during the summer months.

Carmine Cozza - 540 Lakeview Terrace

Is this a designated wetland? No. The contractor would have to protect the wetlands. The Supervisor stated when Steve Cross built his house, there was an area with a brook and at that point the DEC looked at the area and they did not declare that to be a wetland.

Mr. Cozza had questions for the Building Inspector. Are you the Code Enforcement Officer? Yes. When the logger is in there and he is leaking hydraulic fluid who will police this? Councilperson Freer said the spilling of hydraulic fluid leak must be at least five gallons and that law changed several months ago. The question of erosion was brought up. Councilperson Freer said the stumps are not being taken out. What about the run-off? The Skid Road will be the only place where there may be run-off. What if there is mud on the road? The logger will be forced to clean it up.

The Building Inspector/Code Enforcement officer is the only person who can give out permits. The Town Board can only recommend what Tim Keefe should do. Our Town Code allows the logger to work seven days a week. Mr. Cozza asked if the logger could ask for an extension? The Supervisor said let's see where the logger goes with this and how he deals with it. We have to be understanding with one another. We cannot sit here and restrict you and what you want to do. We will monitor the logging. Councilperson Freer stated if there is bad weather or a breakdown occurs he needs to be able to do the job.

Anne Rossini – 136 New Salem Road

Monday through Friday from 7 AM to 4 PM you need to change the Town Code from 7 AM to 7 PM. Councilperson Freer said we cannot write laws to specifics. We are limiting this permit to three months from 7 AM to 4 PM.

Monica Mauceri – 127 New Salem Road

How many skid roads is the logger permitted to have? The Building Inspector answered one main road and two side roads and he will not limit the skid roads on the permit.

The question was asked if the Building Inspector would be there at the sight eight to ten hours a day? No, answered the Supervisor, you people are the watchdogs. We have to be understanding and we have to work together. We can issue Stop Work Orders if there is a problem. When Birchez was being constructed we issued four Stop Work Orders. We do not have a problem enforcing the law.

Councilperson VanVliet asked if the trees are marked beforehand? Tim Keefe answered yes. The logger will be asked to place a mark on the trees as well as the stumps.

Catherine Haber: The larger trees are taken out and it makes it better for the smaller trees to expand? Yes.

Mary Murphy was mostly concerned with the water coming off the hill. Councilperson Freer said the logger is coming out the other side, not the Lakeview Terrace side.

Continuation of Meeting following twenty minute pause.....

1. Michael Cafaldo, Highway Superintendent

The Highway Supt. would like authorization to attend 2013 Highway School in Ithaca? Visit from Supt. Cafaldo was delayed until the next meeting.

2. Applicant for Zoning Board of Review

The Town Board has received an application for a vacancy on the Zoning Board of Appeals to fill the vacancy left by Linda Smythe. An interview will be conducted at our next Workshop Meeting on April 16th. The Town Clerk was asked to put a News Brief in the Daily Freeman asking for volunteers for our Boards.

3. Proposal – Fortis Acquisition of Central Hudson

Fortis, a Canadian Firm, would like to purchase Central Hudson. There is a ninety day extension for comments on this acquisition. Randolph Horner wanted to speak with the Town Board this evening to discuss this merger but because of the public attendance, the Supervisor postponed the visit.

Councilperson VanVliet has a problem with Fortis because it is a Canadian Firm and workers would be brought in from Canada and our local workers may lose their jobs. It is the local people and the taxpayers who have made Central Hudson the company that it is today.

Randolph Horner is against Fortis taking over Central Hudson because they have a problem with solar energy. They would not have to allow solar energy to increase. Our plans have already been “grandfathered” in. Councilperson Barnett did not believe it was necessary to hear from Randolph Horner because we already have our opinions. Carl Belfiglio could be asked to our next meeting to discuss our opinions and Supervisor Coutant will call Carl.

4. Problems at the Sleightsburgh Spit

Supervisor Coutant explained a person from LaGrange-Ville put his four wheel drive vehicle across the chain at the Sleightsburgh Spit and pulled out the pole so he could gain access to the park. A neighbor, Jay VanVliet, reported it to the Ulster County Sheriff. The Sheriff and the Supervisor went to check the situation but there was no sign of the vehicle. The next morning a gentleman visited the Town Clerk giving her the license number and description of the vehicle. Another person cut the lock on the gate. There are twenty-five residents who have keys to the lock. We will need to have a new core made for the lock. For now we are keeping the park open until next Fall. People are even cutting down fire wood.

The Supervisor spoke with Dan Vedder and this summer we are pouring concrete and placing a gate at the Sleightsburgh Spit. The cost of the gate is \$124. A sign will be placed on the gate stating No Admittance and all violators will be prosecuted. Councilperson Freer said an estimate on the repair of the damage should be given to the U. C. Sheriff.

5. Scenic Hudson – 5 K Spring Sprint at Shaupeneake Ridge

We received a letter from Scenic Hudson regarding a 5K Spring Sprint at Shaupeneak Ridge being held April 28. The Town Board was invited to attend and to say a few words at 10 AM and to sound the horn to begin the race.

6. Miscellaneous Items

1. Easter Egg Hunt – March 30th – George Freer Memorial Park
2. Park Program Signups – May 7th and May 8th Community Room Town Hall
3. House to be demolished 208 New Salem Road – Roof caving in

Motion to Adjourn was made by Councilperson Wayne Freer and seconded by Councilperson Kyle Barnett at 9:10 PM. All Town Board Members voted in favor. Motion Carried.

Respectfully submitted,

**Diane L. McCord
Town Clerk, CMC, RMC**