

**TOWN BOARD WORKSHOP MEETING
April 4, 2016**

A regularly scheduled Town Board Workshop Meeting was held on Monday, April 4, 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 7:32PM.

PUBLIC COMMENT – NONE

APRIL ONETO – PERSONNEL MATTER - EXECUTIVE SESSSION

A MOTION WAS MADE TO ENTER INTO EXECUTIVE SESSION AT 7:35 PM BY SUPERVISOR DIANE MCCORD FOR THE PURPOSE OF PERSONNEL EMPLOYEMENT HISTORY AND WAS SECONDED BY COUNCILPERSON WAYNE FREER. APRIL ONETO WAS INVITED INTO THE EXECUTIVE SESSION. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION AT 7:40 PM BY COUNCILPERSON WANYE FREER AND WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

****A MOTION WAS MADE BY COUNCILPERSON KYLE BARNETT TO PREPARE A RESOLUTION APPOINTING APRIL ONETO AS PLANNING BOARD/ZONING BOARD SECRETARY AS A PART TIME EMPLOYEE WITH THE APPROPRIATE BENEFITS OF SICK TIME, PERSONAL TIME, VACATION TIME AT A RATE OF \$17.66 PER HOUR, RESOLUTION WILL BE PRESENTED AT THE NEXT TOWN BOARD MEETING FOR A VOTE. COUNCILPERSON WAYNE FREER SECONDED THE MOTION. ALL MEMBERS PRESENT WERE IN FAVOR, MOTION CARRIED.**

POKONOIE ROAD DEDICATION

Pokonoie Road has been has been maintained by the Town for years. A letter from Mike Cafaldo was presented recommending the Town Board accept the dedication of 0.337 acres of land on Pokonoie Road owned by Henry Pitner and a copy of the deed description was attached. The County has made a recommendation for all new applicants as they come before

the Planning Board. They are being asked to dedicate 25 feet from the center line of the section of the road which their property is on. Mr. Pitners' Project has already been approved and has the appropriate frontage. The Planning Board approved the application and Maps had been signed when Secretary April Oneto realized their condition in the Resolution which said the maps cannot be given to Mr. Pitner until the conveyance of the .0337 acres was given to the Town.

The conveyance was dropped off earlier today. Town Board has to agree to accept it, run it by Paul Kellar and then it gets signed. Then Mr. Pitner will be able to have his signed maps.

**TOWN OF ESOPUS
RESOLUTION APPROVING THE POKONOIE ROAD
DEDICATION**

Be it Resolved, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York, as follows,

Whereas, the Town Board wishes to accept the Road Parcel known as Pokonoie Road = 0.337 Acres to be dedicated to the Town of Esopus,

Therefore, Be It Resolved, the Town of Esopus Town Board accepts the road dedication of Pokonoie Road.

Resolution offered by: Councilperson Gloria Van Vliet

Resolution seconded by: Councilperson Kyle Barnett

Councilperson Wayne Freer	AYE
Councilperson Gloria VanVliet	AYE
Councilperson Kyle W. Barnett	AYE
Councilperson Leslie Kalmus	ABSENT
Supervisor Diane L. McCord	AYE

APPLICATION FOR CREDIT CARD – BANK OF GREENE COUNTY

In prior meetings there were discussions regarding the Esopus Transfer Station being the only transfer station in the County still accepting cash. The Board in a previous meeting discussed the option of no longer accepting cash at the transfer station and only accepting credit cards or checks. Supervisor Diane McCord obtained information from the Bank of Greene County regarding their fees for offering this service. She has completed an application and is waiting for approval. Supervisor McCord said once this is approved the Town Clerks office, Transfer Station, water & sewer payment and the Tugboat Committee will all be able to accept the cards.

Clarification of questions such as the cost of the equipment rental, whether the equipment would require internet service or be processed via the telephone line is needed. Town Clerk Holly Netter has researched similar services from other companies and has offered to sit in on a conference call with Greene County to address these questions. The subject will be discussed at a future meeting.

The Board also had previously discussed the Town getting a credit card to be used when items or services need to be ordered from companies who do not accept a purchase order. Currently Town employees need to use their personal credit card and submit a voucher for reimbursement. Supervisor McCord will follow-up with Greene County on this matter.

ANNA DEVINE ASSESSMENT

Kerry Danenberg is interested in purchasing the property formerly known as Anna Devine School. He had met with the Town Assessor, JoAnna Mignone, and is currently in contract to buy the property for \$900,000.00. Currently the assessed value on the property is 4.5 million dollars, however no taxes are paid on the property since it was owned by the Kingston City School District. After meeting with JoAnna, she had said she would change the assessment to 1.5 million. Mr. Danenberg questioned the Board how the calculation was made. The Town Board did not have an answer because the Town Board does not set the assessments. Esopus has a Sole Assessor and an Assessment Board of Review for Grievance. Mr. Danenberg said they were looking at utilizing the property for a 50 unit, 100 bedroom complex. The units would be occupied by “an artist type of community and professional people”. The current zoning on the property is R-40. Upon Danenberg’s research he believes land per acre value should not exceed \$15,000 per acre which is equal to \$180,000 - \$200,000. He said they need to take down the school which will cost \$100,000 and \$250,000-\$300,000 worth of toxicity needs to be abated. He believes the value in the present zoning to be negative \$200,000 to negative \$250,000. Mr. Danenberg said the initial assessment on the day they buy the property needs to be set at a realistic number and they need to understand the formulas and how the ongoing tax for the property it will be assessed. Their consultants and attorneys would like a PILOT program of some sort even if it was modified; which would not necessarily be a tax abatement but be a structure to go forward that would not be whimsical. They need to understand the calculation before they can move forward.

Councilperson Barnett said, “Why would you buy a property for \$900,000 when you believe the value is negative \$200,000 to negative \$250,000”. Mr. Danenberg replied they are hoping to get the zoning changed and take the risk that developing the property over time would be worth the money invested. Danenberg said they are not saying that they won’t pay taxes, but he would like to enter into a PILOT that would be structured so they know if it will make sense long term. Kyle said perhaps a solution may be to estimate what the fair market value of the completed project would be and fix the assessment at that number. Freer said he was not sure why he was in front of this Board because they do not set assessments. The process is already in place with an Assessor and an Assessment Board of Review for Grievance. Mr. Danenberg said he was looking for a PILOT program. Councilperson Freer said they would have to come in

and tell them what they were looking for. Danenberg said the first two years until it becomes operational he feels the taxes should be zero. Councilperson Gloria Van Vliet said, "you have to be kidding. "Many people in Esopus struggle to pay tax how can they let a developer come in and pay nothing". Danenberg said right now the site is a negative value and it is a toxic building. If they take the building down it has to be abated or the building would have to be encapsulated and there is a large cost differential. The Board does not have a right to dictate to the Assessor what she should assess a property for. They only have a right to accept or decline a PILOT program. Councilperson Freer said to come up with a PILOT program and we can decide whether we like it or not. Councilperson Kyle Barnett said they need a proposal that utilizes the income capitalization approach. This is based upon what the expected income and expenses we would be for the property upon completion using an appropriate equalization rate. In full build out what the expected income and expenses would be and therefore what the value is. They can measure it against the reasonable test. Then the Board can consider whether it would be something they would entertain or not. Councilperson Barnett asked if that made sense and Danenberg replied I guess we will try that. Supervisor McCord wrote a letter to the residents in Rifton. She said before they develop this property they are going to need to have people who want them. The Rifton Fire House is going to have a meeting on April 18, 2016 for the community to listen to the developer's proposal. The PILOT will also impact the Fire District and the other special districts. Councilperson Barnett said taxes could never be zero besides the practical reason, the developer will still be in need to some degree of government services, such as a fire, and that cost money. There will also be a process because the zoning will need to be changed in order for the project to be built. Supervisor McCord said Danenberg has a dead line and she wrote a letter to the School Board to see if they could get the time extended since there are many issues that need to be researched to see if the project will be viable.

Danenberg said there is still the unknown. After they get their income approach how does the Town base the tax; on income approach of what it will generate or the amount of money that is put into the property? Councilperson Barnett suggested they may want to talk to an appraiser who would look at cost approach and income approach and possibly comps, which may be difficult to find. They would then make a reconciliation to make a determination of what the value would be to the best of their ability because no one can see into the future. Once Danenberg has the calculations, they can present their PILOT option to the Board. The Board would then review and discuss it but has made no promises to a PILOT.

BQ ENERGY, LLC - PAUL CURRAN

Paul Curran is the Managing Director of BQ Energy, LLC located in Poughkeepsie. The company specializes on Solar Development on Landfills and Brownfields. He presented his company profile and gave samples of their experiences in alternative energy. The company has been recommended by NYSERDA. We are under pressure to show progress to NYSERDA by May 4. Gloria Van Vliet asked, "You are so close why haven't we heard of you". Paul responded, how can I put it delicately, your consultant and I do not get along at times. BQ has worked with Central Hudson as well as the DEC in New Paltz. A copy of the draft layout of the solar field was

provided by Paul. The project can be done relatively easily and he does not recommend making any changes because of the time crunch. He reviewed the next steps which need to be followed in order for this project to move along and keep our place in line with our interconnection with Central Hudson. SunEdison is likely to go bankrupt. Getting them to sign quickly is in the best interest of the Town. BQ can do the project quickly and time is of the essence, especially the piece with SunEdison. BQ sold Sun Edison some projects in 2011 which meant Paul had to go work for them for a year to manage the projects that they sold them. He left on good terms and still knows people there to call and get this done expeditiously. Councilperson Barnett asked what size the project would be. Barnett asked if they did an analysis based on volumetric or monetary credits. Paul said the Town would qualify for monetary credits due to the fact that the Town is grandfathered because we have an old NYSERDA contract. The size of the project can be controlled and can max out the grant funds. Kyle said if we are going to move forward on the SunEdison piece he would fill Paul in on the history. SunEdison went from \$35 a share last summer to \$.23 per share as of today. Paul said they will save a little of development cost and risk, thus they would pass on the credit to the Town. Paul said it can be a good project and it's time to build it. BQ will mow the lawn and a fence would need to be installed with electrical code and security.

COUNCILPERSON KYLE BARNETT MADE A MOTION AUTHORIZING THE SUPERVISOR TO SIGN THE M.O.U. WITH BQ ENERGY, LLC SUBJECT TO A CONVERSATION WITH PAUL CURREN. THE MOTION WAS SECONDED BY COUNCILPERSON WAYNE FREER. ALL MEMBERS PRESENT WERE IN FAVOR, MOTION CARRIED.

LENA DUN, MORESCA CLOTHING SATISFACTION OF MORTGAGE – WATERFRONT DEV. LOAN

Supervisor McCord informed the Town Board the loan taken by Lena Dun of Moresca Clothing was paid off. All loans have been paid off and Supervisor McCord is waiting to hear from the County on who gets to keep the funds or whether it will be available once again to loan to others.

TRANSFER STATION FEE SCHEDULES

Supervisor McCord gave each of the Board members a copy of the Fee Schedules from Marbletown and Saugerties. Diane asked the Board to review the handout and it will be discussed at a later meeting. Councilperson Wayne Freer met with Liberta and they plan on meeting again. Wayne will also talk to Dankelmann; many questions regarding equipment at the transfer Station need to be answered relating to the scale display, program and track hoe.

TRANSFER STATION PERMITS – LAURA PETIT, RECYCLING COORDINATOR, T/O NEW PALTZ

Supervisor McCord provided the Board with a copy of an email from Laura Petit, Recycling Coordinator for the Town of New Paltz. Attached was a shared service document that was the result of an MRC Meeting at Marbletown last week. Also attached was a copy of Jason Zimmerman's original proposal that he had prepared for the Marbletown Town Board. The

email discussed proposed shared transfer station permits. The proposal would allow permitted residents from one Town to buy a discounted tag at another. The idea is to achieve more of their recycling goals with less effort. Each transfer station offers something different. If towns are forced to reduce their transfer station hours they can work with neighboring towns to choose the best days to stay open. The Board will look further into it. The Esopus transfer station is open 5 days a week and most others operate 2-3 days a week. Councilperson Gloria Van Vliet said she was concerned that individuals would use our transfer station because of it being open 5 days a week and we have to pay RRA to take it away. Garbage should not be a problem as long as the rate per pound is priced appropriately. However, many recycled materials are dropped off without a charge yet there is an expense to hauling them away.

ITHACA HIGHWAY SCHOOL – MIKE CAFALDO & STAFF PERSON

Highway Superintendent Mike Cafaldo and one highway employee have requested to attend the 2016 Highway School in Ithaca, NY from June 5th – June 8th. The Registration fee will be \$110.00 per person and the cost of lodging will be \$139.00 per night. A resolution will be presented at the April Town Board meeting.

EMPLOYEE WORKSHOPS

Supervisor McCord said on April 13 a mandatory class for Anger Management was held for all employees in the Highway Department and on April 27 a mandatory harassment class will be held for all Town Employees.

Mike Kutski said they will be implementing a **cell phone policy**. Mike said he would provide a copy of the Town of Rensselaer’s cell phone policy for the Board to review.

RESOLUTION TO PURCHASE 2 FREIGHTLINER TRUCKS FOR HIGHWAY DEPARTMENT

**TOWN OF ESOPUS
RESOLUTION TO PURCHASE (2) FREIGHTLIGHTLINER TRUCKS WITH DUMP
FOR HIGHWAY DEPARTMENT**

Be it Resolved, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York the following:

Whereas, our Highway Superintendent, Michael Cafaldo, has submitted a request to purchase the following equipment:

2016 Freightliner Truck Model CT108042SD with Dump Body, VIN 1FVAG5CY7GHHT5267 - \$155,577.00

2016 Freightliner Truck Model CT108042SD with Dump Body, VIN 1FVAG5CY9GHHT5268 - \$155,577.00

Total Purchase Price: \$311,154.00

PAYMENT TERMS – 60 months OR 5 YEAR TERM

LEASE.....\$65,840.30 Per Year

THEREFORE, BE IT RESOLVED, that the Town of Esopus Town Board authorizes the purchase of the (2) 2016 Freightliner Trucks Models CT108042SD with Dump Body requested for the Town of Esopus Highway Department.

Resolution offered by: Councilperson Wayne Freer

Resolution seconded by: Supervisor Diane McCord

Councilperson Wayne Freer AYE

Councilperson Gloria VanVliet AYE

Councilperson Kyle W. Barnett AYE

Councilperson Leslie Kalmus ABSENT

Supervisor Diane L. McCord AYE

MISCELLANEOUS

Solar panels need to be fixed at town hall. The cost is estimated to be \$773.00. Councilperson Wayne Freer made the suggestion that the photovoltaic class from BOCES be asked to come over once a month to look at the system. The class visits several times a year as a field trip and this could be an educational experience and beneficial to both parties.

UNION CONTRACT – Executive Session

COUNCILPERSON KYLE BARNETT MADE A MOTION AT 9:00 PM TO ENTER INTO EXECUTIVE SESSION TO DISCUSS EMPLOYMENT RELATED MATTERS INVOLVING UNION EMPLOYEES. MOTION WAS SECONDED BY SUPERVISOR MCCORD. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE BY SUPERVISOR MCCORD TO COME OUT OF EXECUTIVE SESSION AT 9:09 PM; MOTION WAS SECONDED BY COUNCILPERSON WAYNE FREER. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

NO ACTION TAKEN

PENDING LAWSUIT – RSS EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILPERSON KYLE BARNETT TO ENTER INTO EXECUTIVE SESSION AT 9:10 PM TO DISCUSS THE LITIGATION INVOLVING RSS. THE MOTION WAS SECONDED BY COUNCILPERSON WAYNE FREER. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION BY COUNCILPERSON WAYNE FREER AT 9:12 PM AND WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

NO ACTION TAKEN.

EXECUTIVE SESSION – FORMER EMPLOYEE/CONTRACTOR

A MOTION WAS MADE AT 9:13 PM BY COUNCILPERSON GLORIA VAN VLIET TO ENTER INTO EXECUTIVE SESSION TO DISCUSS AN EMPLOYMENT MATTER. MOTION WAS SECONDED BY COUNCILPERSON WAYNE FREER. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSSIONS AT 9:29 PM BY SUPERVISOR MCCORD AND WAS SECONDED BY COUNCILPERSON FREER. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

****A MOTION WAS MADE BY COUNCILPERSON BARNETT TO ASK FOR AUTHORITY TO BE GIVEN TO HIMSELF AND SUPERVISOR MCCORD TO RESOLVE AN EMPLOYEMENT ISSUE WITH A FORMER EMPLOYEE/CONTRACTOR OF THE TOWN. THE MOTION WAS SECONDED BY COUNCILPERSON WAYNE FREER. ALL MEMEBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

ADJOURNMENT

A MOTION TO ADJOURN WAS MADE BY COUNCILPERSON WAYNE FREER AT 9:30 PM AND SECONDED BY SUPERVISOR MCCORD. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively submitted,

Holly A. Netter
Town Clerk