

TOWN BOARD WORKSHOP MEETING

August 3, 2015

A regularly scheduled Town Board Workshop Meeting was held on Monday August 3, 2015 in the Town Hall 284 Broadway Ulster Park, New York at 7:30 PM with the following people in attendance:

Supervisor Kyle Barnett
Councilperson Gloria Van Vliet
Councilperson Wayne Freer
Councilperson Diane L. McCord

Recording Administrator Holly A. Netter, Town Clerk
Fred Zimmer
Carmine Cozza
Steve Shapiro

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

PUBLIC COMMENT:

Fred Zimmer, resident of Minturn Street said in years past the Town used to maintain the southern end of Freer Park. Fred shared pictures of the overgrown vegetation. He said it is blocking his view of the River and devaluing his property. The Town Board will look at what may be able to be done. However, the area is very steep and dangerous to clear.

SLAVE CEMETARY

The topic of the slave cemetery has been a subject of several previous workshop meetings. Supervisor Barnett had invited Mr. Rosenkranse, who has been performing work at the area located on 213, under the premise that there was a 100 year lease agreement signed between the Town of Esopus and the American Legion. Although a resolution was passed to enter into such an agreement the actual agreement was never drawn up by American Legion's Attorney Daniel Hepner.

Mr. Rosenkranse and Attorney Hepner were sent a letter making them aware there was no agreement and were asked that all work cease and desist. Steve Shapiro, resident of the Lakeview Terrance, and Mr. Rosenkranse were invited to attend the August 3rd Town Workshop meeting to have a discussion and come to an agreement which would be satisfactory for neighbors, American Legion and the Town. Unfortunately Mr. Rosenkranse was unable to attend the meeting.

The current issue is with the barrier wall which has been painted white in anticipation of the painting of a mural. NYS DOT has confirmed it is clearly State property. The Town will make the recommendation to the DOT that the wall be returned to the original gray color.

Mr. Shapiro asked how the Board feels about entering into an agreement with the American Legion considering how the situation has been handled and the temperament that Mr. Rosenkrance has displayed. Supervisor Kyle Barnett said there will need to be levels of assurances that this would not happen again. If there was a breach to the contract then there would have to be a remedy.

Councilperson Gloria Van Vliet asked who will be responsible for the paint. Supervisor Barnett said he will talk to the DOT. Mr. Shapiro offered to paint it gray if the DOT chooses because he has been taking care of touching up the wall when graffiti has occurred for years.

Mr. Shapiro thanked the Board for following up with this matter.

PAPER STREET (GROVE)- CYNTHIA & BILL HABER

Bill Haber wants to purchase a paper street adjacent to his property. The paper street cuts off $\frac{3}{4}$ of his driveway. He is looking to purchase the portion that is adjacent to his property line. There are two other property owners, Matthews and McCabe, who also have property that is adjacent to Haber's property. Councilperson Gloria Van Vliet visited the property. As long as the neighbors agreed, the Board said they did not have a problem with selling it to Mr. Haber. Mr. Haber will obtain letters from the neighbors, have the road surveyed for the area he is interested in purchasing and obtain the metes and bounds or an appraisal will be needed to determine the cost.

MELAMUD – Request for Refund

Eli Melamud submitted a letter on July 8, 2015 requesting a refund of his \$375 Planning Board fee. The letter stated that since he did not follow through with the Planning Board and decided to go to the ZBA, the fee should be refunded. A review was given of the services that Mr. Melemud received. Mr. Melamud attended a pre-submission conference, submitted an application to the Planning Board with the fee of \$375 and attended a meeting on July 9, 2014. After some discussion, a motion was made by the Planning Board to establish an escrow account for the amount of \$7,500. Instead of setting up the escrow account, Mr. Melamud decided to submit an application to the ZBA which incurred \$5,600 in legal fees. Many man hours where spent reviewing the Melamud case by Town personnel. Board made a unanimous decision to deny the request of the \$375 refund. Supervisor Barnett will write a letter to Mr. Melamud notifying him that his request has been denied.

RRA Contract

The authorization to sign the RRA contract was given at the July Town Board meeting. When the RRA drew up the contract it never occurred to them the pull charge of \$62 was based on all of the Towns participating. Since only 11 out of 19 towns agreed to sign the contract it is being revised indicating a pull charge of \$77. The RRA has agreed to hold that charge steady until 2017, after which the cost may rise significantly. If a Town chooses to pull out prior to 5 years there will be a penalty. The Board has until August 26 to decide if they want to sign the revised

contract. Supervisor Barnett asked all of the Board members to think about how they would like to proceed with the transfer station and the use of the RRA. A special meeting for the RRA is being held with the Supervisors on August 4th Councilpersons Van Vliet and McCord will attend the meeting. This topic will be put on the next workshop agenda.

DANKELMAN

Supervisor Barnett met with Curt Dankelman to continue the negotiation of his contract. Supervisor Barnett explained to him where the sticking points were; sharing metal and lack of insurance coverage. Supervisor Barnett said he was very specific on the type of insurance Dankelman needed to have driving to other locals on transfer station business, collecting oil on site and workers compensation. Curt is willing to have the Town keep the metal but then he needs the higher price of \$6,450 per month or he will keep the metal and receive \$6,325 per month. Dankelman told Supervisor Barnett we do not receive that much metal. Supervisor asked Dankelman to provide proof of the metal that was sold this year. The Board reviewed a list of the transfer station revenues over the past few years. The Board will need to determine whether they would like to continue dealing with having a transfer station, Dankelman, the RRA or possibly join with another town and consolidate.

East Main Street (asbestos)

The East Main Street property was put out for bid June of 2014. The low bid was \$21,000. However, the Board did not award the Bid to anyone at that time since the Town did not have sufficient funds in the budget to take down the house. The bank responsible for the property was contacted and sent a check for the amount of the low bid \$21,000 in January 2015.

A MOTION WAS MADE BY SUPERVISOR KYLE BARNETT TO UPDATE THE PROCURMENT POLICY TO REFLECT THE GENERAL MUNICIPAL LAW, AND SECONDED BY COUNCILPERSON WAYNE FREER. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Tim Keefe received a quote of \$31,000 on July 27, 2015 from Washington Estates Transport Inc. to remove the property located at 113 East Main Street. Since the amount falls below the Public works limit of \$35,000, Supervisor Barnett said it does not have to be rebid. The additional \$10,000 will be re-levied to the property taxes. Supervisor Barnett said if the Board was in agreement the house could possibly come down within a few weeks. There is an additional charge for hiring the air monitor which will be the Town's responsibility to hire and can also be re-levied onto the taxes. The Board agreed to have the house removed.

BUDGET STATUS

Supervisor Barnett mentioned that all departments have supplied their 2016 budget to the Bookkeeper. Supervisor Barnett and the bookkeeper will be working on a draft budget and meetings will be scheduled to review the information.

TOWN OF ESOPUS FLAG

The new Town of Esopus flag has been received.

TOWN HALL SOUND SYSTEM

Hudson Valley Audio and Visual submitted their estimate for the sound system for the courtroom/meeting area of Town Hall. The total of the project is \$15,730 with a \$1,480.00 option for a Williams assisted listening system. The funds will come from the capital account.

A MOTION WAS MADE BY GLORIA VAN VLIET TO REPLACE THE EXISTING SOUND SYSTEM AND SECONDED BY COUNCILPERSON DIANE MCCORD. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

BID OPENING – DIESEL FUEL TANK REPLACEMENT

The low bidder was American Petroleum with a bid of \$15,865.00.

A MOTION WAS MADE BY COUNCILPERSON WAYNE FREER TO GO WITH THE LOW BIDDER, AMERICAN PETROLEUM FOR THE TANK REPLACEMENT AND WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS WERE IN FAVOR.

PARKS – “NO DOGS”

Currently dogs are not allowed in Ross Park. There have been several incidents in Freer Park where dogs are running without leashes, knocking children over, including running over a 6 month old on a blanket. Thankfully no one was injured.

A MOTION WAS MADE BY COUNCILPERSON DIANE MCCORD AND SECONDED BY COUNCILPERSON GLORIA VAN VLIET TO REPLACE THE CLEANING UP AFTER THE DOGS SIGNAGE WITH NO DOGS ALLOWED WITH EXCEPTION OF SERVICE DOGS. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Highway superintendant Mike Cafaldo agreed to make the signs and Dan Vedder will install them at all the parks.

EXECUTIVE SESSION (CONTRACT NEGOTIATIONS SUN EDISON)

COUNCILPERSON DIANE MCCORD MADE A MOTION TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF CONTRACT NEGOTIATIONS WITH SUN EDISON AT 8:33PM AND SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

COUNCILPERSON FREER MADE A MOTION TO EXIT THE EXECUTIVE SESSSION AT 9:03 PM AND WAS SECONDED BY COUNCILPERSON DIANE MCCORD. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

NO DECISIONS WERE MADE.

MISCELANOUS

The fence at Ross Park is in bad shape and needs to be replaced. Dan Vedder has made the suggestion to replace it and will be asked to provide estimates of the cost. The work will be spread out in several phases.

ADJOURNMENT

A MOTION TO ADJOURN AT 9:06 PM WAS MADE BY COUNCILPERSON WAYNE FREER AND SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Respectfully submitted,

**Holly A. Netter
Town Clerk**