

**TOWN BOARD WORKSHOP MEETING**

**October 6, 2014**

A regularly scheduled Town Board Workshop Meeting was held on Monday October 6, 2014 in the Town Hall 284 Broadway Port Ewen, New York at 7:00 PM with the following persons in attendance:

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

**Recording Administrator Holly A. Netter, Town Clerk**

Debbie Kain, Bookkeeper  
Brian Pickard, CPA  
Bill Kemble, Daily Freeman  
Kathy Kiernan, ZBA Chairman  
Joe Guido, ZBA Member  
Mike Cafaldo, Highway Superintendent

**Supervisor John Coutant called the meeting to order at 7:19 PM.**

**Public Comment:**

None

**Marshall & Sterling – Health Insurance**

Eric Davids, Consultant for Marshall & Sterling came to discuss the health benefit options for the town employees. Several options were given however, there was only one option which provided the coverage that is comparable to comply with the union contract. Eric also explained there is new mandated dental care for children who are under 17 years old which will add to the health care expense. The Town Board will review the options and finalize the expenses for the preliminary budget. The town will need to let Marshall & Sterling know by November 1<sup>st</sup> which choice they have made.

**Litigation – Chapter 71 Escrow – Zoning Board Question**

ZBA member Joe Guido and ZBA Chairperson Kathy Kiernan attended the meeting to ask for funds to seek legal counsel regarding a ZBA case. At this time there is a ZBA case that requires the advice of an attorney. Councilperson Kyle Barnett suggested Chairperson Kathy Kiernan solicit hourly rates and

obtain the attorney’s qualifications to make sure they are well versed in Zoning Law. The current town code will need to be amended to allow the ZBA to obtain an escrow when necessary.

**Supervisor John Coutant made a motion to have Chairperson Kiernan to seek legal counsel not to exceed \$800 to resolve the legal matter that was before the ZBA. Councilperson Gloria Van Vliet seconded the motion.**

**The board was polled:**

|                                       |            |
|---------------------------------------|------------|
| <b>Supervisor John Coutant</b>        | <b>AYE</b> |
| <b>Councilperson Gloria Van Vliet</b> | <b>AYE</b> |
| <b>Councilperson Kyle Barnett</b>     | <b>AYE</b> |
| <b>Councilperson Diane McCord</b>     | <b>AYE</b> |
| <b>Councilperson Wayne Freer</b>      | <b>No</b>  |

**Motion Carried, majority was in favor.**

#### **Riverview Cemetery**

An update was given on the status of the Riverview Cemetery’s progress. The Association of Cemeteries was contacted and the New York State Cemetery Law was reviewed. Currently we cut the grass twice a year. The Cemetery is asking for \$3,000 to help them sustain the cost of mowing and prolong the cemetery being turned over to the Town at which time it will become our fiscal responsibility. The cemetery is currently run by volunteers, with no administrative expenses. It cost approximately \$6,000 for the mowing per year. Councilperson Barnett suggested the Town mow it twice and give \$1,000 which will prolong the takeover for approximately 10 years. The problem of cemetery abandonment is not unique to Esopus, many towns throughout the state are facing the same issue.

#### **Drainage Highway Department**

The highway department made modifications to drainage inside the highway garage to keep water off the floor of the shop. Supervisor Coutant commended Highway Superintendent Mike Cafaldo for a job well done. Supervisor Coutant also suggested the Board Members stop by to see the improvements.

#### **Drainage- Rifton Problem (letter)**

Supervisor Coutant drafted a letter to address the drainage concern on Pine Street & 213 in Rifton. Mike Cafaldo, NY State DOT and Councilperson Kyle Barnett have been to the property. The pipe that goes past this owner’s property was installed by the owner and is too small to handle the flow of water according to the State Highway Department. Everyone is in agreement that it is the property owner’s responsibility neither the Town’s nor the State’s.

### **Sprinkler System Contract**

Supervisor Coutant will ask for the authorization to sign the Sprinkler Contract at the Town Board meeting on October 16<sup>th</sup>. The contract remained the same from prior years.

### **Solar Project – Contract & Attorney Response (possible special meeting)**

A letter was received from Attorney Paul Kellar in response to the SunEdison proposed Agreement. Councilperson Kyle Barnett thought the issue made by Attorney Kellar suggesting the Board may want to consult someone with expertise in power agreements was thought provoking. Councilperson Wayne Freer feels we should take our attorney's advice and look to have someone review the contract that has expertise in power agreements to ensure the calculations are correct. Supervisor John Coutant will set up a meeting with Randolph Horner and Paul Kellar so they can address any concerns with the contract.

### **Hacker & Murphy Invoice**

There seems to be an error in an invoice that was received from Hacker & Murphy regarding the Riverview Condominium litigation. Councilperson Barnett will follow up and have the corrections made prior to the bill being authorized for payment.

### **Resolution –UCRRA**

Ulster County Association of Town Supervisors & Mayors have put together a resolution addressing the increased UCRRA charges scheduled to be incurred by our transfer stations in 2015 which will be given to the legislative body and UCRRA. UCRRA picks up recyclables that are clean and separated from the towns which are sold by the UCRRA at a much higher price than the co-mingled recyclables the UCRRA receives from private haulers. The association is requesting the towns not be charged "pull" fees or bin rental fees for recyclables. Instead these costs should be shared by all by raising the tipping fee for everyone by \$2.00 per ton or by the county handling those costs by paying a net service fee equal to that amount. The membership feels they are being unfairly burdened with costs associated with following environmentally responsible procedures. Everyone should share the cost of recycling. A copy of the UCRRA draft budget was supplied with the resolution and it was forwarded to Kurt Dankelman, Esopus Recycling Coordinator for review.

### **Miscellaneous**

Councilperson Gloria Van Vliet asked for the status of the church parking lot. The church is having difficulty and needs to sell the property. Councilperson Van Vliet would like to budget the money in case the grant funds do not come. Supervisor John Coutant said Senator Cahill's office has not done a thing but make excuses over the past few months when he has tried to get an answer on when we would get the money. Councilperson McCord said we made a promise and she would like to know what it would cost for a BAN.

The environmental Board wants to work on a community garden and compost on Town Property. They would also like to have a farmers market. Councilperson Wayne Freer said there are 4 – 5 people who are interested in becoming a member of a tourism advisory board here in the Town. This topic will be discussed at a future meeting.

Budget discussions continued relating to revenue. Supervisor Coutant needs to get an estimate for mortgage tax from the county. Dog Kennel budget needs to be decreased and options need to be reviewed. The funding of the building for the transfer station will come out of Kurt Dankelman's 2014 budget and be completed by the end of the year. We need a total estimate for the building including electric and everything else that is needed for the building. Health Insurance figures are also needed. The payment for the building was taken out of the capital fund again this year. There is a line item for the payment in the 2015 budget.

The next meeting will be October 14, 2014 and start at 7:00pm to continue the budget discussion.

**Adjournment**

**A motion to adjourn at 10:15 PM was made by Councilperson Kyle Barnett and seconded by Councilperson Wayne Freer. All Town Board members voted in favor. Motion Carried.**

Respectfully submitted,

Holly A. Netter  
Town Clerk