

**Town Board Meeting
February 16, 2021**

A regularly scheduled Town Board meeting was held via zoom, live streamed on Facebook and televised on local access channel 23 on Tuesday, February 16, 2021 at 7:00 PM with the following persons in attendance:

**Supervisor Shannon Harris
Councilman Kathie Quick
Councilman Jared Geuss
Councilman Chris Farrell
Councilman Evelyn Clarke**

Recording Administrator Holly A. Netter, Town Clerk, RMC

SUPERVISOR HARRIS MADE A MOTION TO OPEN THE REGULARLY SCHEDULED MEETING AT 8:32 PM, AFTER THE PUBLIC HEARINGS ON LOCAL LAWS 8-12 OF 2021 WERE HELD. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS WERE IN FAVOR; MOTION CARRIED.

289 Broadway Update – Sonia and Andrew Wright presented their latest proposal revisions for housing and mixed-use facilities at 289 Broadway. Sonia and Andrew shared their updated development design based on the town’s recommendations.. These changes included arched windows to the Town house style rentals and adjusting the cornice elements to make the facades more dynamic. Landscaping designs were also provided. If these townhouses can be a sustainable net zero rental unit, Andrew said he thinks it will be one of the first truly net zero in New York State. They are looking to make it as sustainable as humanly possible. The Port Ewen Diner is up for sale and is a landmark on 9W. First Place Auto is on the other side of this project.

Matt Rogers reviewed the next steps if Sonia and Andrew would like to move forward with the mix floating zone regulations, they would submit a sketch plan to the Town Board. Once it is received the Board would schedule that meeting during a regular town board meeting. If the Town Board determines it is a use they would like to see move forward, they make that determination and then Planning Board would start their review of the application.

Councilman Farrell thanked Sonia & Andrew for meeting with him and Dr. Cory earlier in the day to discuss how BOCES could partner with them.

Security of Esopus Shoreline and Water Supply

Supervisor Harris gave a briefing on unauthorized oil laden barges anchored within 1,000 feet of Port Ewen drinking water intake valve. Recommendations to Town Board for enhanced security and policy change. There are plans to use DEP 90-day extension to analyze impact of DEP high turbid releases on water treatment processes. There is a direct correlation between

the DEP's actions and high turbidity readings at the Water Plant. There will be a zoom workshop with Champlain Hudson Power Express on February 25, 2021 from 3pm – 5pm. They are developing a high powered line which is running down the Hudson River and the project is calling for deep dredging of the bottom of the Hudson River, 8ft, right along our shore line and within a couple hundred feet of our intake valve. What gets dredged could end up in our drinking water. We want them to re route the line because this is our reservoir of water used for drinking for Hyde Park, Town and City of Poughkeepsie, Town and Village of Rhinebeck, Lloyd and Esopus.

Supervisor Harris asked if she had support buying 2 video cameras to monitor illegal anchorage or anything that poses harm to the water intake valve. Councilman Farrell asked for the cost; Supervisor Harris replied \$400 each so up to \$1,000. He also asked if there were any other additional costs, example spectrum, to be able to monitor. Supervisor Harris said no it should work with existing system. Councilman Farrell asked if it was possible to purchase 1 wide angle camera; Supervisor Harris will look into it. Supervisor Harris also said she proposes the development of a one page procedure for the water plant outlining directions and contact information to be implemented. The idea is to be proactive and report it and not to watch/ wait.

SUPERVISOR HARRIS MADE A MOTION TO LOOK INTO PURCHASING 1 WIDE ANGEL LENS VIDEO CAMERA WITHOUT SACRIFICING CLARITY AND TO INCLUDE SOME KIND OF MONITORING THAT HOOKS INTO THE EXISTING SYSTEM AS WELL AS CREATING A POLICY. THE MOTION WAS SECONDED BY COUNCILMAN CLARKE.

Vote:	Councilman Evelyn Clarke	AYE
	Councilman Jared Geuss	AYE
	Councilman Kathie Quick	AYE
	Councilman Chris Farrell	NO
	Supervisor Shannon Harris	AYE

Motion carried 4 Aye, 1 No

Highway Department Update – Highway Superintendent Mike Cafaldo was not present

A MOTION WAS MADEBY SUPERVISOR HARRIS TO TABLE THIS TOPIC UNTIL THE NEXT MEETING WHEN THE SUPERINTENDENT WAS AVAILABLE. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS PRESET WERE IN FAVOR. MOTION CARRIED.

Transfer Station Resolution Lenny Liberta is in favor of seeking a DEC grant funding for recycling efforts at the Esopus Transfer Station and Laura Petite is also interested in working on the project. They are looking for Town Board support to proceed with the application.

RESOLUTION AUTHORIZING SUBMISSION OF NYSDEC GRANT APPLICATION

Supervisor Harris introduced the following resolution, which was **seconded by Councilman Farrell**, who moved its adoption:

BE IT RESOLVED: That Shannon Harris, as Town Supervisor of the Town of Esopus is hereby authorized and directed to file an application for funds from the New York State Department of Environmental Conservation (the "NYSDEC") Municipal Waste Reduction and Recycling Grant Program on behalf of the Town of Esopus in an amount not to exceed \$50,000, and upon approval of said request to enter into and execute a State Assistance Contract with the New York State Department of Environmental Conservation for such financial assistance to the Town of Esopus for upgrades to the Esopus Municipal Recycling Drop-Off Center and further, to carry out and comply with the terms of such Project agreement. The foregoing resolution was voted upon with all councilmen voting as follows:

Councilman Evelyn Clarke	AYE
Councilman Jared Geuss	AYE
Councilman Kathie Quick	AYE
Councilman Chris Farrell	AYE
Supervisor Shannon Harris	AYE

DATED: Ulster Park, New York February 16, 2021,

HOLLY A. NETTER, TOWN CLERK

Laura Petite reviewed what work needs to be completed; welding has to be done to get hoppers onto the compactors - in kind services which would offset some funds. This is a 50% matching grant, the town would spend the funds and get reimbursed. We already have some of the equipment there. Laura explained if you are already planning on doing the projects and if the upgrades are immanent anyway you might as well put in for the grant and get 50% back. It becomes almost like a revolving loan as you do the upgrades you can get funds back.

Estimates of costs

Concrete pads 10,000 – 12,000 get back \$5,000 -\$ 6 000

Have 3 hoppers \$500 each, sheet metal and welding

In kind would be used for highway -whoever can do the welding

Pole barns \$3,000 each

\$500 signage

Electrical upgrades are needed

Supervisor Harris said Laura Petite is asking for modest stipend to make this application complete. Laura said she would like to see an Environmental Educator Work Plan and reports need to be completed. Laura will prepare and submit the grant; if anything is needed after they can talk about it. Supervisor Harris asked Laura for an estimate of proposed hours and rate for a refined scope to be provided.

Councilman Evelyn Clarke asked if she had a full list of costs and if it could be uploaded to the Board so they can see if it is in the budget and to see what we are spending. Laura said she can forward it on once the application is complete.

Councilman Geuss asked if it cost anything to submit the application – no. Laura further explained once the application is submitted you are not obligated to do the work and it can be spaced out over 3 years to make it easier to budget.

LABERGE – ADDENDUM PUD AND HOUSING

Supervisor Harris explained there was a contract addendum with Laberge Group for additional work on development of a new Local Law pertaining to Planned Unit Developments (PUD) and housing. Laberge Group will prepare two drafts of housing regulations intended to facilitate increased access to housing in the Town of Esopus. In addition, Laberge Group will revise the existing Article XI Planned Unit Development regulations to increase Town Board oversight of initial PUD applications, similar to the new Mixed-Floating Zone regulations. Two drafts of the revised PUD regulations will be provided. As discussed, the above-services will be completed and billed on a lump sum basis, not to exceed \$1,000. All material will be provided in digital form. This fee does not include time for conference calls and Zoom meetings. Prior authorization will be necessary before conducting conference calls or zoom meetings on the above drafts and which will be billed on an hour basis in accordance with the hourly rate schedule previously provided. These services will be billed under Contract Addendum No. 2020080-00, dated September 17, 2020.

A MOTION WAS MADE BY SUPERVISOR HARRIS TO SIGN THE CONTRACT ADDENDUM WITH LABERGE GROUP ACORDING TO THE CONTRACT. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

TIGHE & BOND – CONTRACT ADDENDUM GRANT #C01269GG

Supervisor Harris reviewed the potential agreement on a contract addendum with Tighe & Bond for additional work on grant administration for Grant #C01269GG pertaining to culvert replacements on Hardenburgh & Dashville Road. Tributary Restoration and Resiliency Grant Construction Phase Services

The Proposal was to provide services to support the Town during construction and grant administration for the New York State Department of Environmental Conservation (NYSDEC) Grant funded culvert replacement projects at Dashville Road and Hardenburgh Road. NYSDEC Hudson River Estuary Program offered funding for projects to support restoration of free-

flowing waters to benefit water quality, conserve and restore habitat, and help communities with existing and projected impacts of localized flooding.

Tighe & Bond assisted the Town of Esopus in submitting a grant application to NYSDEC for the culverts on Dashville Road and Hardenburgh Road. The grant application was a logical continuation from the previous grant funded culvert inventory and prioritization tasks that Tighe & Bond has assisted the Town with over the past several years. The Town of Esopus learned that they were awarded a grant from NYSDEC in December 2020 with a total value of \$430,200. The grant awards dictates that a minimum of 10% match be provided by the Town. The approach presented in the grant application was to use “in-kind” services of the Town’s staff and equipment to replace these two culverts as the 10% match. The grant funds will be used for purchase of materials and any services that the Town cannot or does not wish to perform.

After meeting with Town staff and the Highway Superintendent, Mike Cafaldo, the following scope of work is proposed to support the Town during the construction phase of this project and with grant administration. Scope of Services Tighe & Bond, who provides services in New York as T&B Engineering & Landscape Architecture, P.C., proposes the following scope of services;

1. Grant Administration Support: Assist the Town in preparing “in-kind” services tracking sheets. Perform MWBE solicitation for material and services not performed by the Town. Coordinate with NYSDEC and Town staff as needed to assist the Town in order to comply with the requirements of the funding source.
2. Permitting Support: The replacement of the two culverts has been permitted with NYSDEC and Army Corps of Engineers, but a condition of the grant is to meet with NYSDEC prior to construction to ensure the project scope meets the funding intent and requirements. We will coordinate with NYSDEC and schedule a meeting with the Town and NYSDEC to discuss the project. Tree clearing should be limited between November 1 and March 31.
3. Construction Submittal Review: Review culvert shop drawings from structure manufacturer and proposed materials to be used by the Town for conformance with the design intent of the culvert replacement Shovel-Ready Drawing set and NYSDEC - 2 - requirements. Design details and materials have been shown and called out on the Shovel-Ready Drawings, but the Town’s material preferences and final culvert details are likely to vary slightly from the Drawings.
4. Construction Observation Support: Observe construction of the two culvert replacements and provide support to Town Highway staff as requested. We anticipate performing site visits to kick-off construction, periodic visits during construction, and a closeout site visit to support the Town during construction. Full time construction observation is not anticipated to be needed or requested.

Schedule the scope will be completed as requested by the Town and dictated by the funding source. The NYSDEC grant for this project needs to be used by November 2023; however, it is anticipated that a minimum of one culvert will be replaced this year and one next year. It is possible that the Town Highway Department will have the ability to replace both structures this year. Tighe & Bond is ready to support either schedule dictated by the Highway’s capacity.

Tighe & Bond will perform the scope of services noted above for a not to exceed fee of \$35,800. We will undertake this work on an hourly plus expense basis, and you will be billed in accordance with the attached rate schedule. In the event that the scope of work is increased for any reason, the limiting fee to complete the work shall be mutually revised by written amendment. Our attached Terms and Conditions is part of this letter agreement. The included schedule and fees are based on the above scope of work and assumptions. The schedule includes reasonable allowances for review and approval times by applicable parties. This schedule may need to be adjusted as the project progresses, allowing for changes in scope, character or size of the project requested by you, or for delays or other causes beyond our reasonable control, including delays due to Force Majeure, including those delays that may incur due to the COVID-19 pandemic.

A MOTION WAS MADE BY SUPERVISOR HARRIS TO ACCEPT THE PROPOSED CONTRACT AGREEMENT TO PERFORM THE SCOPE OF SERVICES NOTED ABOVE FOR A FEE NOT TO EXCEED \$35,800. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

TEVAS – ANNUAL AGREEMENT

A MOTION WAS MADE BY SUPERVISOR HARRIS TO AUTHORIZE SUPERVISOR HARRIS TO SIGN THE AGREEMENT BETWEEN THE TOWN OF ESOPUS AND THE TOWN OF ESOPUS VOLUNTEER AMBULANCE SQUAD FOR GENERAL AMBULATORY TRANSPORT SERVICES IN THE AMOUNT OF \$25,000. THE MOTION WAS SECONDED BY CONCILMAN FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

WATER/SEWER DEPARTMENT – APPOINTMENT

A MOTION WAS MADE BY SUPERVISOR HARRIS TO HIRE ANDRE OTAYEK AS WATER TREATMENT OPERATOR IN THE TOWN OF ESOPUS AT A RATE OF \$25.25 PER HOUR EFFECTIVE 2/8/2021. THE MOTION WAS SECONDED BY COUNCILMAN FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

UPDATES

Port Ewen Post Office – per notice from USPS following inquiries from Town Supervisor Shannon Harris, construction has begun on the new Post Office to be located at 194 Broadway with completion projected for early June 2021.

Port Ewen/Kingston Suspension Bridge – Zoom meeting to take place with the Town of Esopus Supervisor, Kingston Mayor and Assemblyman Cahill regarding prolonged DOT closure and lack of timeline for reopening.

BQ Energy – the new BQ estimate for the West Shore Solar Project is ~\$346,000; significantly reduced compared to the original estimate of ~\$1,750,000. BQ is now planning with Central Hudson to confirm a project completion schedule for the end of 2021.

Sojourner Truth – Councilman Clarke said in the past there has been a walking tour/bus to celebrate Sojourner Truth from Esopus to Kingston. Due to COVID this year’s celebration will be a self guided Sojourner Truth Life Community Ride Monday, 15 Feb 2021– Sunday, 28 Feb 2021 Information regarding this event can be found online at blackhistorymonthkingston.org. This is a unique opportunity to take a self-guided tour (carride) with community members, friends and family to visit historic sites significant to the life of legendary Abolitionist, Sojourner Truth. Visit our website to download the route and a map that will lead you to various locations of Sojourner’s journey; audio available. They recommend posting photos and sharing on social media.

BUDGET ADJUSTMENTS

Be It Resolved, by the Town Board of the Town of Esopus, County of Ulster as follows:

Whereas, the Town of Esopus has been presented with budget adjustments and the adjustments have been examined and approved by the Town Board.

Therefore, Be It Resolved, that the following budget adjustments be approved for payment:

BUDGET ADJUSTMENT FOR DECEMBER 2020

AO.1990.400 Contingent \$34,462.64	EXP. PPE Purchases
	AO 1010.401 \$ 7,042.55
	AO 1220.416 \$ 2,628.00
	AO 1220.418 \$ 7,500.00
	AO 1355.200 \$ 2,000.00
	AO 1355.426 \$ 2,000.00
	AO 1410.400 \$ 2,534.21
	AO 1460.400 \$ 2,453.00
	AO 1620.200 \$ 4,000.00
	AO 1620.200 \$ 3,664.20
	AO 1620.404 <u>\$ 640.68</u>
	\$34,462.64

A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.

OFFERED BY: Councilman Chris Farrell
SECONDED BY: Councilman Evelyn Clarke

Councilman Evelyn Clarke	AYE
Councilman Jared Geuss	AYE
Councilman Kathie Quick	AYE
Councilman Chris Farrell	AYE
Supervisor Shannon Harris	AYE

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

BUDGET ADJUSTMENTS

Be It Resolved, by the Town Board of the Town of Esopus, County of Ulster as follows:

Whereas, the Town of Esopus has been presented with budget adjustments and the adjustments have been examined and approved by the Town Board.

Therefore, Be It Resolved, that the following budget adjustments be approved for payment:

BUDGET ADJUSTMENT FOR FEBRUARY 2021

1330.100 Tax Collector Labor	AO 1330.400	\$ 11,444.00
	Tax Collector Contractor	
	Norman Temp	

A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.

OFFERED BY: Supervisor Shannon Harris
SECONDED BY: Councilman Chris Farrell

Councilman Evelyn Clarke	AYE
Councilman Jared Geuss	AYE
Councilman Kathie Quick	AYE
Councilman Chris Farrell	AYE
Supervisor Shannon Harris	AYE

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

RESOLUTION AUTHORIZING PAYMENT OF BILLS FEBRUARY 2021

BE IT RESOLVED, by the Town Board of the Town of Esopus, County of Ulster as follows:

WHEREAS, the Town of Esopus has been presented with vouchers for payment and these vouchers have been examined and approved by the Town Board,

THEREFORE, BE IT RESOLVED, that the following vouchers be approved for payment:

GENERAL FUND	211022 - 211080	\$163,756.14
HIGHWAY FUND	212003 - 212017	\$13,135.89
STREET LIGHTS	216000	\$6,183.30
PORT EWEN SEWER FUND	213005 - 213014	\$ 89,361.49
PORT EWEN WATER FUND	214010 - 214032	\$ 20,675.50
Water Captial	210000 - 210003	\$91,857.50
TOTAL		\$384,969.82

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilman Chris Farrell
SECONDED BY: Councilman Kathie Quick

Councilman Evelyn Clarke	AYE
Councilman Jared Geuss	AYE
Councilman Kathie Quick	AYE
Councilman Chris Farrell	AYE
Supervisor Shannon Harris	AYE

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

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILMAN FERRELL TO ENTER INTO EXECUTIVE SESSION AT 9:40 PM FOR THE PURPOSE OF DISCUSSING THE HISTORY OF SPECIFIC EMPLOYEES WORK HISTORY. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

COUNCILMAN FARRELL MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 9:52 PM AND WAS SECONDED BY SUPERVISOR HARRIS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ACTION TAKEN: NONE

ADJOURNMENT

A MOTION WAS MADE BY COUNCILMAN FARRELL TO ADJOURN THE MEETING AT 9:52 PM. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively submitted,

Holly A. Netter
Town Clerk, RMC