

**TOWN OF ESOPUS
TOWN BOARD MEETING
April 18, 2024, 7:00 PM**

A regularly scheduled Town Board Meeting was held on April 18, 2024 in person at 1 Town Hall Way, Ulster Park. Meeting. The following persons in attendance:

**Councilman Laura Robinson
Councilman Evelyn Clarke
Councilman Kathie Quick
Councilman Jared Guess - Absent
Supervisor Danielle Freer**

Administrative Recorder: Holly A. Netter, Town Clerk, RMC

4 WAYS TO GIVE PUBLIC COMMENT:

- 1.) **In-Person – Attend the Workshop**
- 2.) **Phone in: Leave voicemail on 845 331 0676 prior to the meeting**
- 3.) **EMAIL – lreynolds@esopus.com with the subject line “Public Comment”**
- 4.) **MAIL – mail written comments to:
*Town of Esopus, P.O. Box 700
Port Ewen, NY 12466***

Supervisor Danielle Freer called the meeting to order at 7pm.

PLEDGE TO THE FLAG

PUBLIC COMMENT

Stephen Cerini Mountainview Ave – Annual Pollinator Plea – Asked for everyone (who can), to leave the “early bloomers alone” dandelions etc., to help the bees who are coming out of hibernation. He also provided everyone with seed packets to plant to help the pollinators.

Kathy Atwell 165 West Stout – Asked for an update on when the Wurts St. Bridge would be reopened.

A MOTION WAS MADE BY SUPERVISOR FREER TO CLOSE THE PUBLIC COMMENT. THE MOTION WAS SECONDED BY COUNCILMAN ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

REQUEST FOR THE FLOOR: TREE AND PLANT TASKFORCE

Steve Cerini said the committee was working on a design board to plant grasses, bushes, and perennials near the welcome sign by Connelly and 9W. The team is working on putting together a list of plants that will be used in the location of the welcome sign. They also have personal donations from their gardens to help get it established. Supervisor Freer said she loves and appreciates the idea. Supervisor Freer asked if they would be willing to also take on the other signs throughout town. Steve said the volunteers would like to work on a design menu for each sign, so they have continuity to show they are all related to the Town.

SUPERVISOR FREER MADE A MOTION TO ALLOW UP TO \$500 IN ARPA FUNDS TO BE SPENT TO SUPPLEMENT THE TREE AND PLANTS THAT THE TREE & PLANT TASKFORCE COMMITTEE NEED, TO ENHANCE THE LARGER WELCOME SIGNS AROUND TOWN. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

Supervisor Freer also informed the Board there is a group who is joining the tree committee to discuss their idea for memorial tree plantings at Lighthouse Park vs memorial benches that were originally discussed.

AWARDING OF BID FOR TOWN OF ESOPUS WATER STORAGE TANK PROJECT FOR THE PORT EWEN WATER DISTRICT:

A regular meeting of the Town Board of the Town of Esopus, in the County of Ulster, State of New York, was convened in public session at the Town Hall, 1 Town Hall Way, Ulster Park, New York, in said Town on April 18, 2024 at 7:00 p.m. local time.

The meeting was called to order by Supervisor Danielle Freer and upon roll being called the following were:

PRESENT:

Supervisor Danielle Freer
Councilmember Evelyn Clarke
Councilmember Kathie Quick
Councilmember Laura Robinson

ABSENT: Councilmember Jared Guess

The following persons were **ALSO PRESENT:**
Holly Netter, Town Clerk, RMC

The following resolution was **offered by Supervisor Danielle Freer seconded by Councilman Kathie Quick**, to wit;

**RESOLUTION AUTHORIZING AWARD OF BID FOR
TOWN OF ESOPUS WATER STORAGE TANK PROJECT
FOR
PORT EWEN WATER DISTRICT**

WHEREAS, the Town Board of the Town of Esopus, in the County of Ulster, New York, on behalf of the Port Ewen Water District, by order after public hearing, approved a map and plan for a replacement water storage tank; and

WHEREAS, at the request of the Town Board, Brinner & Larios, P.C., engineers duly licensed by the State of New York (herein called "Engineer"), prepared plans and specifications for such improvement dated February 2023, Revised October 2023 and January 2023, and including Addenda 1 and Addenda 2 and a record of a pre-bid meeting held March 20, 2024; and

WHEREAS, the Town issued a notice of public bids dated March 11, 2024, a copy of which was published March 8, 2024 in the Daily Freeman, the official newspaper of the Town, for the acceptance of sealed bids for Contract No. TE-231, NYS EFC Drinking Water Project #15616, the "Proposed 2 Million Gallon Potable Water Storage Tank and Related Improvements" (the "Project"); and

WHEREAS, sealed bids for the Project were opened at 10:00 a.m. on April 3, 2024 at Town Hall, with bids received as set forth in the tabulation on file with the Town Clerk, a copy of which was presented to this Board, and the Engineer has submitted their letter of recommendations; and

WHEREAS, the bid of Arold Construction Company, Inc. for the Alternate Bid in the aggregate amount of \$2,835,465 has been determined to be the lowest responsible bid for the Project, and it has been determined that award of the Alternate Bid is in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Esopus does hereby authorize the Supervisor, or in her absence or unavailability the Deputy Supervisor, to accept the foregoing bid for the Project and execute a contract in such the form provided by the specifications, subject to the provision of a certificate of insurance and payment and performance bonds and such further documentation as required by the bid specifications.
2. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Danielle Freer	Voting Aye
Councilmember Evelyn Clarke	Voting Aye
Councilmember Kathie Quick	Voting Aye
Councilmember Jared Guess	Absent
Councilmember Laura Robinson	Voting Aye

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Esopus, Ulster County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 18th day of April, 2024 and entitled:

**RESOLUTION AUTHORIZING AWARD OF BID FOR TOWN
OF ESOPUS WATER STORAGE TANK PROJECT FOR PORT
EWEN WATER DISTRICT**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (a majority of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 18 day of April, 2024.

-SEAL-

Holly A. Netter, Town Clerk

AWARDING OF BID FOR TENNIS COURT FENCE AT CAS LANDI PARK IN ST. REMY

A bid opening for the Cas Landi tennis court fence, installation of 360 ft of 10 ft high black chain link system with 1¾” 9-gauge mesh and one (1) gate to enclose the tennis court located at Cas Landi Park Route 213 Ulster Park NY, was held at 10 am, Wednesday, April 17, 2024. Two bids were received:

COMPANY NAME & ADDRESS	BID
Adams Fences 743 Dutchess Tpke Poughkeepsie, NY 12603	\$ 24,343.00
Anchor Fence Enterprises, Inc PO BOX 209 Bloomington, NY 12411	\$ 34,993.00

The lowest bidder was **Adams Fences** at **\$24,343.00** which was **\$10,650.00** less than the second lowest bid

AWARD BID FOR FENCE AT CAS LANDI TENNIS COURT

Whereas, The Town of Esopus advertised and received bids to Furnish and install 360 ft of 10 ft high black chain link system with 1¾” 9-gauge mesh and one (1) gate to enclose the tennis court located at Cas Landi Park Route 213 Ulster Park NY.

Whereas, bids were received and opened at the office of the Town of Esopus Town Clerk, on April 17, 2024 at 10 am; and

Whereas, bidders were advised that the contract required the contractor and subcontractors to pay prevailing wage rates as a minimum in accordance with the current Federal and State Wage Rate Schedules; and

Whereas, the lowest bidder for the fencing for the Cas Landi tennis court was **Adams Fences 743 Dutchess Turnpike Poughkeepsie, NY 12601** at a price of **\$24,343.00**.

Therefore Be It Resolved that the Town of Esopus Town Board award the bid to **Adams Fences**.

RESOLUTION OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN LAURA ROBINSON

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN JARED GEUSS	ABSENT
SUPERVISOR DANIELLE FREER	AYE

Resolution duly adopted. ** Funding from Park Escrow REC FEES

PROPOSED ZONING BOARD OF APPEALS ESCROW

At a previous workshop the Board discussed making changes to the fee schedule for the Planning and Zoning Boards. A resolution is being drafted to allow an application fee to be collected to offset fees spent for the attorney and engineers to assist the ZBA with the appeal process. Supervisor Freer said the proposed amount of \$500 was based on what other towns charge as well as the current legal charges the board is incurring. Councilman Clarke had questions regarding the new fee that need to be clarified. Supervisor Freer will also share and seek feedback from Zoning Chair Karl Wick and others.

The fee was originally brought up at a workshop where Planning Board Chairman Roxanne Pecora and Code Enforcement Officer Mark Jaffee reviewed a proposed fee schedule that was drafted by Vice Planning Chairman, Darin DeKoskie. At that time, several questions needed to be clarified with Darin. Supervisor Freer said she would like to have one more workshop with the Chairman and Vice Chairman of the Planning Board & Code Enforcement Officer so the new fee schedule can be finalized and adopted.

CONTRACT WITH UCSPCA FOR THE CARE AND BOARDING OF CANINE IN THE TOWN OF ESOPUS

COUNCILMAN LAURA ROBINSON MADE A MOTION AUTHORIZING SUPERVISOR FREER TO SIGN THE ANNUAL CONTRACT WITH THE UCSPCA FOR THE CARE AND BOARDING OF CANINES FOUND AT LARGE IN THE TOWN OF ESOPUS. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

RIFTON POST OFFICE UPDATE

The Rifton Post Office suspended business on Friday April 5, 2024. The suspension is due to a safety hazard at the property where the Rifton Post Office is located.

A letter was sent by Congressman Ryan to Postmaster General Louis DeJoy demanding answers and a reopening plan for the location. He stressed the strain it has put on the daily lives of the Rifton residents, including seniors who rely on the Rifton Post Office for their medication. There are also many people who do not have internet service and rely on the post office for communication and bill paying.

Although there is an appreciation for the need to remove the safety hazards, the lack of transparency and customer service has caused a lot of frustration.

Supervisor Freer has sent letters and worked in conjunction with Congressman Ryans office to send out a press release.

NATIONAL ALLIANCE ON MENTAL HEALTH ILLNESS - MID HUDSON REQUEST (NAMI-MH)

NAMI is a nonprofit organization who provides support, free education and advocacy for individuals affected by mental health issues. May is Mental Health Awareness Month and NAMI has asked permission to hang white ribbons in Town as they did in 2023. For more information and assistance, go to the national website of www.nami.org or the local website of www.namimidhudson.org.

A MOTION WAS MADE BY SUPERVISOR FREER TO APPROVE NAMI TO HANG RIBBONS IN THE TOWN TO BRING AWARENESS TO MENTAL HEALTH IN MAY. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR; MOTION CARRIED.

MISCELLANEOUS/LIAISON LIGHTENING ROUND

TOWN CLERK

BOCES Park Rental Previously a discussion was had relating to the increased requests for use of the park from BOCES. What used to be a request for use of the park twice a year blossomed into 19 dates requested for 2023. Procedures and rules needed to be streamlined to simplify the process. Dan Vedder said he would be comfortable with a minimal charge of \$50 for any event of 20 or more attendees to cover supplies and cleanup. The Town partners with BOCES throughout the year and wants to continue to be a good partner while covering the cost of supplies and cleaning.

SUPERVISOR FREER MADE A MOTION TO APPROVE A MINIMAL CHARGE OF \$50 PER EVENT. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. BOCES WILL BE RESPONSIBLE FOR PROVIDING THE \$150 TRASH REMOVAL DEPOSIT, WHICH WILL BE REFUNDED IF THE PARK IS CLEANED UP AND TRASH IS REMOVED BY BOCES PERSONNEL.

Town Clerk Netter said she has received a request from another group asking to host a farmers market every Friday at Ross Park; Joanne Dorcent, Jimmy Germain, Marie Mezile. A copy of the request will be forwarded to the Board. Supervisor Freer said this is why she questioned the origin of the Esopus Community Foundations plans for the farmers market at the MHVFCU. There are several businesses and organizations looking to have a farmers market. She is hoping the Economic Development Committee (EDC) can set up a meeting to pool all of the interested parties together to find a way to accommodate everyone and make it a success.

Town Clerk Netter will be attending the NYS Town Clerks Conference April 21-April24.

Highway – Drainage update

At a prior meeting the Board had agreed to split the cost with the Highway Department to clean up the Millbrook, which had not been done in many years. This is being done with the hope of improving the flooding during heavy rains as well and having a positive impact on the water/sewer interceptors and preventing issues at the pump stations in Connelly. Work has begun and additional work, that was not expected, needs to be done. Superintendent Cafaldo has asked the town to consider having the company continue the work which will allow the highway department to address and start other seasonal projects. The additional cleanup is \$10,000. They located and cleaned sanitary manholes that were along the stream. Graded the area around them so water flows properly away from the manhole covers, repaired culvert crossings, graded swales on high side of each of them to assure proper water flow in and out of the culvert. The extra work on Mountain Road, which the highway was originally scheduled to handle, consists of removing heavy debris out of 470 additional feet of stream on the opposite side of Mountain Road. The stream will be cleaned and regraded to assure proper flow. Areas that need to be widened will be widened. Both sides of the bridge/culvert will be cleaned out, graded and free of all debris and silt to assure proper flow under Mountain Road. The cost of this work is \$8,000. There was discussion about one more section which should be addressed that starts near CSX /the old Rec Hutt and continues down to the Millbrook.

SUPERVISOR FREER MADE A MOTION TO APPROVE THE ADDITIONAL WORK FOR VIERIRA LANDWORKS AND TRUCKING IN THE AMOUNT OF \$18,000 FROM ARPA FUNDS. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

BUDGET ADJUSTMENTS & VOUCHERS

BUDGET ADJUSTMENTS APRIL 2024

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:

AO.0599.000 Fund Balance to **AO.1355.401 \$2,400.00**
Dan Baker

AO.1355.455 \$7,000.00
Hudson Valley Appraisals (Lake Shore Tax Cert)

RESOLUTION OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN EVELYN CLARKE

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN JARED GEUSS	ABSENT
SUPERVISOR DANIELLE FREER	AYE

Resolution duly adopted.

RESOLUTION AUTHORIZING PAYMENT OF BILLS APRIL 2024

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	241110-241150	\$74,389.89
HIGHWAY FUND	242060 - 242085	\$67,588.11
STREETLIGHTS	246001	\$6,966.33
PORT EWEN SEWER FUND	243042-243058	\$12,121.79
PORT EWEN WATER	244053-244063	\$11,838.40
Capital Water	245011	\$4,486.38
ARPA	247006	\$1,267.94
Visa		

		\$178,658.84
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RESOLUTION OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN EVELYN CLARKE

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN JARED GEUSS	ABSENT
SUPERVISOR DANIELLE FREER	AYE

Resolution duly adopted.

KEY UPCOMING DATES – VISIT OUR WEBSITE FOR MORE INFORMATION:

- 5.2 NEXT TOWN BOARD WORKSHOP**
- 5.4 RIVERKEEPER SWEEP (Sleightsburgh, Freer and Perrine’s Bridge)**
- 5.16 NEXT TOWN BOARD MEETING**
- 5.18 LAST FROST FEST DAY EVENT HOSTED BY THE ENVIRONMENTAL BOARD @ 10AM-3PM @ MHVFCU**
- 5.27 MEMORIAL DAY PARADE @ 10AM IN PORT EWEN**

Hometown Hero Banners are expected to be received and displayed for Memorial Day and Phase II will begin quickly after. Hoping to get those flags purchased and hung for Veterans’ Day.

EXECUTIVE SESSION INTERVIEWS

SUPERVISOR DANIELLE FREER MADE A MOTION TO ENTER EXECUTIVE SESSION AT 8:05 PM FOR THE PURPOSE OF DISCUSSING ONGOING LITIGATION AND PARTICULAR EMPLOYEE WORK HISTORY. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR.

SUPERVISOR DANIELLE FREER MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 8:40 PM. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR.

Action: None for employee matter.

Action:

SUPERVISOR FREER MADE A MOTION TO PAY HUDSON VALLEY APPRAISAL CORP IN THE AMOUNT OF \$24,000 FOR SERVICES ASSOCIATED WITH THE MULTI YEAR IRON MOUNTAIN TAX CERTIORARI CASE. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY SUPERVISOR FREER AT 8:41 PM. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

*Respectively Submitted,
Holly A. Netter
Town Clerk, RMC*