

**TOWN BOARD MINUTES
MAY 16, 2013**

A regularly scheduled Town Board Meeting was held on Thursday, May 16, 2013 in the Town Hall 284 Broadway Port Ewen, New York with the following persons in attendance:

**Supervisor John Coutant
Councilperson Gloria VanVliet
Councilperson Wayne Freer
Councilperson Donna McAuley
Councilperson Kyle Barnett**

Administrative Recorder: Diane L. McCord, Town Clerk

PLEDGE TO THE FLAG

PUBLIC COMMENT:

Kurt Muller – 94 Union Center Road Ulster Park: Kurt Muller handed a letter to the Town Board Members:

“Thank you to the board for your time and consideration. I would like to bring a situation to the board’s attention. On April 3rd, 2013 I had an interview with Mr. Michael Cafaldo for the mechanics position in the highway dept. I was given a tour of the facility and spoke with mechanic Bruce extensively about the position. After interviewing with Mr. Cafaldo and speaking to Bruce, I felt the job would fit both my skills and my personality very well. I was offered and accepted the mechanics position at the conclusion of that meeting. Mr. Cafaldo and I agreed May 6th 2013 would be my start date. At that time, I was enrolled in a commercial driver training program which ended on April 17th. I then passed my Class A driver license road test on April 24th in preparation for the job.

On Friday, May 3rd I called the Highway Dept. to see if I needed to bring any paperwork or information on my first day. During this phone call I was informed that I had supposedly called the day after accepting the position and refused the job. **That was absolutely incorrect. I never called and refused the position. I do indeed still want the position. I do not know where the lines of communication were crossed.**

There is no reason for me not to accept this job. My mechanical background and heavy machinery skills are a perfect match for the position. I was looking forward to working close to home and across the street from my two children who will be attending Robert Graves School. I felt that Mr. Cafaldo’s word and a hand shake agreement were sufficient enough to secure my position with the highway department. I am certain there is some sort of mix up; unfortunately I have been informed that the position was filled by an out of town resident in the mean time.

I would like to state again for the record that I did not call the town to refuse the mechanics position. I did not speak with anyone who works with the town stating that I did not want the position and I feel that I should be awarded the position of Highway Department Mechanic that was offered to me on April 3rd 2013.

Thank you for your time this evening.

Sincerely,

Kurt Muller

Councilperson Kyle Barnett asked who claims you called and refused the position? Mr. Muller spoke to Mr. Cafaldo directly. He said I called the next day and he spoke with me and I refused the position over the phone. Councilperson Barnett asked what happened when you told him that did not happen? He was taken back and we were both surprised. Mr. Cafaldo did contact the phone company to see if he could trace the records but they only track out going calls and not incoming calls. Could someone else have done that and represented themselves as you? I have been on Unemployment Insurance since November. On April 3 I was told someone else was hired. Mr. Cafaldo said not to worry we will get to the bottom of it but a few conversations later my job is no longer available. Councilperson Barnett asked did there come a time when you were told the position was sent to someone else? I heard there was originally thirteen men hired for the Highway Dept. but now there is only twelve. Councilperson Barnett explained the Town Board has certain budgetary issues they are responsible for.

Councilperson Wayne Freer asked on May 3rd when you talked with Mike Cafaldo did he tell you the position was filled. Yes. The first conversation he told me the position was filled. Councilperson Freer said we have little or no control over the Highway Superintendent as he is elected. We only have control over the budget. In the beginning of the year we looked at how much was available and how many slots we had. Councilperson Barnett said all we can do is speak to Mike Cafaldo and find out about the mix up, but as Councilperson Freer is pointing out Mike Cafaldo does the hiring for the Highway Dept. He is a separately elected official. Mike Cafaldo did mention to Mr. Muller at one point maybe he could talk to the Town Board and see if we could allow another position. Mr. Muller left his phone number.

1. Rezoning Resolution – Esopus Farms, L.L.C.

Supervisor Coutant explained there is a project going on in the Old Creamery called Esopus Farms L.L.C This is a resort, hotel, restaurant and high class camping facility.

**RESOLUTION TO CONSIDER AND DISCUSS A PROPOSED ZONING AMENDMENT
RELEVANT TO THE ESOPUS FARMS PROJECT
MAY 16, 2013**

PROJECT: ESOPUS FARM L.L.C.

**Proposal to operate a resort hotel, bar/restaurant, and related facilities
at the site of the former "Creamery"**

WHEREAS, the Planning Board of the Town of Esopus, Ulster County, New York, is presently reviewing an application by Esopus Farm L.L.C, for approval of a special use permit, to operate a resort hotel, bar and restaurant and related facilities, said application is referenced as Planning Board Case 2012-17; and

WHEREAS, the project site is situated at 1398 & 1466 Broadway (US Route 9W; State Hwy. 5508); West Park, NY; Ulster County Tax Map Section 71.004; Block 4; Lots 26 & 31.11; is located within the R-40 zoning district; and consists of existing residential and non-residential buildings, including a three (3) story stone structure having a total floor area of over 35,000 square feet and is locally known as the "Creamery", in reference to a past business used on the site; and

WHEREAS, the proposed use consists of two specific land uses that are allowed in the R-40 District upon approval of a special use permit, the first being a resort hotel (with conference, meeting and banquet facilities) and the second the proposed bar/restaurant; in addition the following activities and occupancies are planned: a day spa and a limited amount of retail floor space; and

WHEREAS, since the proposed site is within the R-40 zoning district, the proposed day spa and retail floor space are not permitted in the district as primary land uses and must be operated in a manner that is accessory and subordinate to the resort hotel and restaurant, with such use limited to the resort hotel guests and bar/restaurant patrons only; and

WHEREAS, since the proposed day spa and retail floor space would be allowed in the General Commercial (GC) zoning district; and

WHEREAS, a short distance to the south of the Esopus Farm project site is the northerly boundary of an existing GC zoning district that serves the hamlet of West Park; and

WHEREAS, the Town Board of the Town of Esopus desires to see the proposed project be successful in renovating and re-using a large, underutilized non-residential building and to allow some of the accessory uses, such as the day spa, be operated as a permitted and co-primary land use, which is allowed in the General Commercial (GC) zoning district; and

WHEREAS, pursuant to Sections 265 of NYS Town Law and Article X, Section 123-49.A(1), the Town Board of the Town of Esopus may, on its own motion, amend the zoning local law, including the Official Zoning Map of the Town, 123-7; subject to procedural requirements set forth in 123-50, inclusive of a public hearing; and also the referral requirements of 123-51; and

WHEREAS, a change in the zoning designation or regulations that affect 25 or more acres of land is a “Type 1 Action” pursuant to Sections 617.4(b)(2) of the NY State Environmental Quality Review (SEQR) regulations; and all Type 1 Actions are subject to coordinated review; and

WHEREAS, the current applications by Esopus Farm L.L.C. for approval of the special use permit and also the lot line adjustment comprise a single Type I Action pursuant to SEQR, which is at present undergoing Coordinated Review with the Town of Esopus Planning Board serving as Lead Agency pursuant to Section 617.6(b)(2) of the SEQR regulations; and no approval may be granted by any “involved agency” prior to the conclusion of SEQR process by the Lead Agency with either a Determination of Non-Significance or a Finds Statement, as provided for in 617.6(b)(2)(iii) of the SEQR regulations.

Now, Therefore, Be it Resolved, that;

1. The Town Board of the Town of Esopus hereby initiates a proposal to amend the Official Zoning Map of the Town; 12307 of the zoning law, by re-designating the following three properties, as identified by tax map section-block-lot, from the R-40 Zoning District to the General Commercial (GC) Zoning District: Tap Map Section 71.004; Block 4; Lot 26; Tax Map Section 71.004; Block 4; Lot 27 and that portion of Tap Map Section 71004; Block 4; Lot 31.11 situated east of the CSXT railroad property; and further said properties shall also be placed within the Rt. 9W Overlay District.
2. The Town Board, by this action, becomes an “involved agency” as provided for pursuant to the SEQR regulations and hereby informs the Town of Esopus Planning Board, via a copy of this resolution, as approved, of its status as an “involved agency”.

Motion made by: Supervisor John Coutant
Second by: Councilperson Wayne Freer

Supervisor John Coutant	Aye
Councilperson Gloria VanVliet	Aye
Councilperson Wayne Freer	Aye
Councilperson Donna McAuley	Aye
Councilperson Kyle Barnett	Aye

Whereupon, the Resolution was declared adopted by the Town Board of the Town of Esopus on this 16th day May, 2013.

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Diane L. McCord, Town Clerk
Town of Esopus

Councilperson Kyle Barnett said this is an exciting value to our town in a way that enhances the town’s natural qualities and attributes. He looks forward to seeing this project move forward.

Councilperson Wayne Freer agreed with Councilperson Barnett. The building has been sitting dormant for many many years. Supervisor Coutant said it will be something the Town of Esopus residents will be proud of. It will bring a segment of the public to visit the magnificent property.

2. Ulster County Transportation Council Appointment (Councilperson Wayne Freer)

Dennis Doyle, Director of the Ulster County Planning Department and Ulster County Transportation Council wrote to the Supervisor stating "every two years the Ulster County Transportation Council changes over the rotating membership of the Policy Committee. Per the municipal pairings established in the Council's operating procedures, a member is needed to fill the place of Supervisor Jeanne Walsh. Councilperson Wayne Freer has volunteered to fill this vacancy for the Town of Esopus.

3. Fostering Community Announcement

Phyllis Hutton is with a group S.S.I.P. (Settled and Serving in Place) helping those who want to stay in their homes in or near the Kingston area. They would like to hold a Workshop Meeting on October 17th for their members in the Community Room of our Town Hall.

A Motion was made by Supervisor John Coutant to approve S.S.I.P. to hold a Workshop in the Community Room of the Town Hall on October 17th from 9 AM to 4 PM at no charge. Councilperson Donna McAuley seconded the Motion. All Town Board Members voted in favor. Motion Carried.

4. Scenic Hudson Donation for 75% of Sign

Supervisor Coutant said the Ulster County Historian Anne Gordon wrote a letter to Scenic Hudson requesting financial help with new signage for Sojourner Truth Park. The cost will be \$1,599 minus a \$399.75 contribution from Timely Signs for a total of \$1,199.25. Scenic Hudson will contribute 75% or \$900 toward the signage. The Supervisor publicly thanked Scenic Hudson for their contribution.

5. EMS Award Dinner on May 17th

Ulster County will hold an Awards Dinner on May 17th for the Dept. of Emergency Communications and Emergency Management. These awards are for actions and activities in Calendar Year 2012. The recipients of three of these awards include Councilperson Wayne Freers' son Will Freer and Fire Fighter of the Year Ronald Cristinziano who are credited with saving a life and the Town of Esopus Ambulance Squad received a unit citation. We are proud of our volunteers.

6. Memorial Day Parade

Our Memorial Day Parade will be held Monday, May 27th at 10 AM beginning at the Dollar General Parking Lot and march to the Riverview Cemetery and back again to have refreshments at the Port Ewen Fire Dept. Our 2013 tugboats will be on display in the parade and our Town Board will participate.

7. Open House – Old Rock School & Anna Devine School – 6/7/13

Members of the community are invited to attend an Open House at the Old Rock School & Anna Devine School on Friday, June 7th, 4-7 PM to see the inside of the Anna Devine wing of Anna Devine Elementary School.

Supervisor Coutant said that Kingston Consolidated has been petitioned to give the Town the Old School House. We have not received official word from the school board as to their decision. In Rifton there are people who will help to maintain the old school. It certainly was a cozy place to get an education.

8. No Budget Adjustments

9. Payment of Vouchers

Payment of Vouchers

**PAYMENT OF VOUCHERS
May 16, 2013**

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

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

Therefore, Be it Resolved, that the following vouchers be approved for payment:

General Fund	131196 - 131248	\$57,646.42
Highway Dept.	132084 - 132104	\$21,638.81
Port Ewen Sewer	133060 -133073	\$ 6,928.24
Port Ewen Water	134105 - 134138	\$ 53,587.41
Street Lighting	136005	\$ 6,043.05
Total.....		\$145,843.93

**Resolution offered by Councilperson Donna McAuley
Resolution seconded by Councilperson Kyle Barnett**

