

**TOWN BOARD MEETING
MAY 15, 2014**

A regularly scheduled Town Board Meeting was held on Thursday, May 15, 2014 in the Town Hall 284 Broadway Port Ewen, New York at 7:30 PM with the following persons in attendance:

**Supervisor John Coutant
Councilperson Gloria Van Vliet
Councilperson Kyle Barnett
Councilperson Diane McCord
Councilperson Wayne Freer – Absent**

Tim Keefe, Building Inspector

Administrative Recorder - Holly A. Netter, Town Clerk

Supervisor John Coutant called the meeting to order at 7:35 PM.

PUBLIC COMMENT

Marion Zimmer from Port Ewen and a member of the friends of Esopus Library, reminded everyone there is a community reception, with refreshments, this Saturday, May 17th at 4pm-6pm for the new Director Brook Ditmar. All are invited. Also June 3rd will be the library elections from 10am – 8pm in the library. There are 3 seats available for the Library Board of Trustees and the vote for the tax appropriation.

Legislator Carl Belfiglio had several topics to discuss. First he offered his support to John Burroughs Association and to Scenic Hudson. Legislator Belfiglio has written a letter to the Commissioner of the NYS Parks and Recreation in support of the grant to build the one mile trail and rehabilitate the trails along the Black Creek Area. He hoped the Town Board would also draft a letter of support as well.

Legislator Carl Belfiglio said he attended the DEC hearings at the college where a discussion took place regarding the draft of the Environmental Impact Statement that the DEP produced for the Askokan Reservoir. The release of the turbid water from the west basin has been a problem since 2010. This is a problem for us since we draw our water from the Hudson River. In 2011 the water department had to post a notice saying the turbidity level was extremely high. During public comment Carl told the DEC on behalf of the residents of Esopus and Ulster County that he was not satisfied with the final consent order or the Final Filtration Avoidance Determination (FAD); which basically states the DEC is not allowing the NYS DEP to filter that water. Clean water is kept in the east basin and is sent to NYC for their drinking water and the

unfiltered West basin gets funneled down into the Hudson where our drinking water comes from.

The final issue Legislator Carl Belfiglio discussed was the high traffic level at the Sleightsburgh Spit. Although the signage states the hours of the park as Sunup until Sundown (only fishing allowed after sundown) people are coming in and out of the area all hours of the night, many of which are not fishing. Legislator Belfiglio lives in Sleightsburgh and asked how we enforce that. He has had firsthand experience witnessing carloads of people drinking and smoking marijuana after hours. He would like the Town Board to come up with a solution to the problem. The Town was given the property from Scenic Hudson. He does not feel the town benefits economically from the park. There is a free boat launch which is used by many people not from our area. Supervisor Coutant took exception to this comment and feels the fisherman do stop at the local restaurants to eat when they come to town to fish. Legislator Belfiglio did not have any immediate solutions on how to remedy this situation. Councilperson Van Vliet said this has been a frequent topic of conversation at workshop meetings, however, they have not been able to come up with a solution at the present time. Councilperson Kyle Barnett said it is really an enforcement issue. Councilperson Barnett suggested since some of the neighbors have offered to help, a neighborhood watch group could be formed and the Sherriff's office could be notified when there is suspicious activity. Hopefully they will be able to catch them; word will get out and stop the late night illegal activity. This situation is a challenging battle. People should not confront anyone on their own; leave the enforcement to Sherriff's Department.

Public Hearing – 113 E. Main Street

Supervisor Coutant read a letter which was written by the Town Building Inspector Timothy Keefe. The letter was addressed to the Estate of Robert Levreault and was written pursuant to Chapter 59 of the Town of Esopus Code and Section 107 of the Property Maintenance Code of NY State. The dwelling located at 113 E. Main Street has been declared unsafe and dangerous to the public. A copy of the letter has been attached to these minutes as **ADDENDUM A**.

There has been no response from the family of neither the deceased owner nor the bank which has been paying taxes on the property. Tim Keefe was asked if he solicited bids for the removal. He had put out requests and had only one firm bid from Washington Estate Transport Inc from Rosendale, New York in the amount of \$18,500 which includes the removal of asbestos.

Councilperson Kyle Barnett confirmed there was no one present who represented the owner of record or Wells Fargo.

A motion was made by Councilperson Kyle Barnett and seconded by Councilperson Diane McCord to declare the property located at 113 East Main Street in Port Ewen an unsafe structure and should be removed by the town. All costs pursuant to bid should be assessed and re-levied against the property.

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

Public Hearing – 193 Union Center Road

Supervisor Coutant read a letter which was written by the Town Building Inspector Timothy Keefe. The letter was addressed to Robert Playford and was written pursuant to Chapter 59 of the Town of Esopus Code and Section 107 of the Property Maintenance Code of NY State. The dwelling located at 193 Union Center Road has been declared unsafe and dangerous to the public. A copy of the letter has been attached to these minutes as **ADDENDUM B**.

There has been no response from the owner or family of the owner. Tim Keefe was asked if he solicited bids for the removal. He had put out requests and had only one firm bid from Washington Estate Transport Inc from Rosendale New York in the amount of \$8,900 no asbestos.

A motion was made by Councilperson Kyle Barnett and seconded by Councilperson Gloria Van Vliet to declare the property located at 193 Union Center Road in Ulster Park an unsafe structure and should be removed by the town. All costs pursuant to bid should be assessed and re-levied against the property.

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

Town Board has voted to remove both of the above mentioned structures. The awarding of the contract will be reserved until an advertisement is posted and more bids are received.

A motion was made by Councilperson Gloria Van Vliet and seconded by Supervisor John Coutant to have Holly Netter, Town Clerk advertise to solicit bids to remove the two properties that have been mention tonight. All members were in favor. Motion Carried.

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

SCENIC HUDSON PRESENTATION

Seth McKee, Land Conservation Director for Scenic Hudson, Mathew Shipkey, Senior Land Project Manager for Scenic Hudson and Joan Burroughs have invested many hours in our town. They gave a 30 minute presentation on the proposed ideas they have for the John Burroughs trails and marketing throughout the Black Creek Corridor. The John Burroughs Association is applying for a grant from NYS office of Parks, Recreation and Historic Preservation under the Environmental Protection Fund for a multi-use trail project at the John Burroughs Nature Sanctuary in West Park, New York.

The trails in the 200 acre Sanctuary are designated Hudson River Greenway Trails and surround John Burrough's cabin Slabsides, a National Historic Landmark and a Hudson River Valley National Heritage Area Site of Special Interest.

The trails included in this project are part of a greater vision to create the John Burroughs Black Creek Corridor for hikers and paddlers from The Walkway over the Hudson to Black Creek Forest Preserve to the north where the creek meets the Hudson River. The John Burroughs Association has joined with Scenic Hudson and a broad group of community organizations and leaders to execute the vision. They are offering the John Burroughs Nature Sanctuary and Slabsides as a historic focal point in the center of the Corridor. The Sanctuary also links with Scenic Hudson's Gordon Property to the north.

The funding will allow the Association to design and build a new trail along Black Creek from the John Burroughs Nature Sanctuary in West Park, NY. It will restore and relocate portions of The Overlook and historic Amasa Martin Trails. This portion of the project will include the addition of attractive features that are both functional and add to the trail experience.

They also hope to build and install a rustic cedar twig-style entrance sign for the two gates to the Nature Sanctuary and on Route 9W that will aid in way-finding. The goal is to connect the

local attractions in the Hudson Valley area and through a common branding/signage we will be part of the Greater Walkway Region.

Roscoe Pecora, town resident, who was present in the audience, said he would like to see Scenic Hudson make an investment of a tourism/visitor's center. Years ago he had made this suggestion and was asking if any progress has been made or is anything being done to bring that to fruition. They felt it was a great idea and suggested he get involved and join the group to collectively work together to reach these long term goals. Scenic Hudson explained when people hear Hyde Park they think of F.D.R. They would love it, if when people hear Esopus, they would think of John Burroughs and all the natural assets that are here.

Supervisor John Coutant informed the audience two years ago the Conservation Department started stocking Chodikee Lake; next year will be a fisherman's dream. There will be a high level of quality sportsman coming to our town and New Paltz. Black Creek connects to the lake and the supervisor hopes some of these fish find their way into our town.

Supervisor Coutant thanked Joan Burroughs and Scenic Hudson for their presentation.

**RESOLUTION IN SUPPORT OF A GRANT APPLICATION
BY THE JOHN BURROUGHS ASSOCIATION**

BE IT RESOLVED, THE TOWN OF ESOPUS, COUNTY OF ULSTER, STATE OF NEW YORK IS IN SUPPORT OF A GRANT APPLICATION BY THE JOHN BURROUGHS ASSOCIATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION TO DEVELOP AND CONSTRUCT A NEW TRAIL ALONG BLACK CREEK, RESTORE THE OVERLOOK TRAIL AND THE AMASA MARTIN TRAIL AND BUILD AND INSTALL NEW ENTRANCE AND WAYFINDING SIGNS.

THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO SIGN A LETTER IN SUPPORT OF THIS GRANT APPLICATION.

Resolution offered by: Councilperson Diane McCord

Resolution Seconded by: Councilperson Gloria Van Vliet

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

TOWN OF ESOPUS
APPOINTMENT RESOLUTION
ENVIRONMENTAL BOARD

BE IT RESOLVED, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York, as follows,

WHEREAS, there is a vacancy on the Town of Esopus Environmental Board,

THEREFORE, BE IT RESOLVED, the Town of Esopus Town Board appoints Shari Aber to the Environmental Board. Term to expire December 31, 2015.

Resolution offered by: Councilperson Gloria Van Vliet
Seconded by: Councilperson Kyle Barnett.

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

TOWN OF ESOPUS
ASSESSMENT REVIEW BOARD
APPOINTMENT RESOLUTION

BE IT RESOLVED, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York, as follows,

WHEREAS, there is a vacancy on the Town of Esopus Assessment Review Board,

THEREFORE, BE IT RESOLVED that the Town of Esopus Town Board appoints Gilbert Ramos to the Assessment Review Board. Term to expire on 9/30/18.

Resolution offered by: Supervisor John Coutant
Seconded by: Councilperson Diane McCord

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

TOWN OF ESOPUS
APPOINTMENT RESOLUTION
ZONING BOARD OF APPEALS

BE IT RESOLVED, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York, as follows,

WHEREAS, there is a vacancy on the Town of Esopus Zoning Board of Appeals,

THEREFORE, BE IT RESOLVED, the Town of Esopus Town Board appoints Melanie Marino to the Zoning Board of Appeals. Term to expire December 31, 2016.

Resolution offered by: Councilperson Diane McCord
Seconded by: Councilperson Kyle Barnett

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

TOWN OF ESOPUS
RESOLUTION TO AUTHORIZE SETTLEMENT
TOWN OF ESOPUS adv. DYNO NOBEL

BE IT RESOLVED, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York the following:

WHEREAS, the Town Board of the Town of Esopus has received and reviewed the proposed settlement in the above referenced matter,

THEREFORE, BE IT RESOLVED, that the Town of Esopus Town Board authorizes the Town Attorney Paul T. Kellar, Esq., to execute the proposed settlement and such documents as necessary to effect settlement of this case on behalf of the Town of Esopus and to have said documents filed.

Resolution offered by: **Supervisor John Coutant**
Resolution seconded by: **Councilperson Kyle Barnett**

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer -	Absent

ESOPUS TOWN BOARD RESOLUTION
ADOPTING ENVIRONMENTAL FORM

WHEREAS, following the successful completion of the Town Hall and Library Solar Projects in 2010, the Town Board instructed Solar Project Manager Randolph Horner to begin planning for an installation on the closed, capped landfill will sufficient annual output to meet the Towns entire annual electricity requirement for Municipal operations and services, and

WHEREAS, by October 2011 Project Manager Horner was authorized to conduct a Municipal Procurement Process for the Landfill Solar Installation, and

WHEREAS, the Project Development Process has been lengthy, but has finally resulted in the selection of a well-qualified Power Purchase Agreement Provider able to generate Clean Solar Electricity with significant financial savings for the Town over the long life of the System, and

WHEREAS, according to the procedures of the New York State Department of Environmental Conservation (NYSDEC) and the New York State Energy Research & Development Authority (NYSERDA), an Environmental Assessment must be prepared,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town of Esopus hereby designates itself Lead Agency for the Environmental Assessment of a Solar installation on its own closed Landfill.

The Town defers to the authority of the NYSDEC for the ultimate modification to the existing Landfill Closure Plan

For the purpose of the Environmental Assessment by the Town as lead Agency, the Town Board hereby adopts the Short Environmental Assessment Form prepared by Project Manager Horner on the standard NYSDEC Form.

Supervisor John Coutant is hereby authorized to sign the EAF on behalf of the Town.

Resolution offered by: Supervisor John Coutant
Seconded by: Councilperson Diane McCord

The Board was polled:

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

BUDGET ADJUSTMENTS

BUDGET ADJUSTMENT FOR MAY 2014

AO 0599.000 Fund Balance AO 1620.403 BLDG OFFICE SUPPLIES \$214.97

A MOTION TO APPROVE THE BUDGET ADJUSTMENTS WAS OFFERED BY COUNCILPERSON KYLE BARNETT AND SECONDED BY COUNCILPERSON GLORIA VAN VLIET ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

RESOLUTION AUTHORIZING PAYMENT OF BILLS

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	141189 - 141235	\$ 41,750.66
Highway Fund	142098 - 142119	\$ 12,064.95
Street Lights	146005	\$ 6,784.31
Port Ewen Sewer Fund	143064 - 143079	\$13,087.61
Port Ewen Water Fund	144096 - 144133	\$ 31,949.49
Total.....		\$ 105,637.02

A MOTION TO APPROVE PAYMENT OF VOUCHERS FOR THE MONTH OF APRIL WAS OFFERED BY COUNCILPERSON DIANE MCCORD AND SECONDED BY COUNCILPERSON KYLE BARNETT. ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

Supervisor John Coutant	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	AYE
Councilperson Diane McCord	AYE
Councilperson Wayne Freer	Absent

APPROVAL OF MINUTES

A Motion to approve the minutes of previous meetings was made by Supervisor John Coutant and seconded by Councilperson Diane McCord. All Town Board Members voted in favor. Motion Carried.

Communication & Reports are available in the Town Clerk's Office.

Miscellaneous

Councilperson Kyle Barnett thanked the volunteers that have come forward to fill the vacancies of the various Boards. It is not easy to take time out of a busy schedule and make a commitment to attend the meetings; it does not go unnoticed. All volunteers are greatly appreciated by the Board.

Flowers – If anyone has any perennials or plants that they no longer want. We would love to give them a new home here at Town Hall. Please contact Holly Netter, Town Clerk at 331-3709.

Gary Swinger – Special Recognition

Gary Swinger and his family attended this meeting. Supervisor Coutant asked Gary to step up to the front as each of the Board Members said a few special words about how much he will be missed. Supervisor Coutant has enjoyed the friendship and relationship that he has had with Gary since he took office; “you have been one of us”. Councilperson Gloria Van Vliet said sharing good times with friends and neighbors is a joy. Gloria and her husband have attended many events and dinners at Maple Ridge and they are sorry they are leaving. Most of all she appreciated that Gary was often the only one who came to the Town Board meetings. Although we know they have to start their new Journey in Harlem, we hope they come back to visit us. Councilperson Kyle Barnett said it was a real honor and privilege to work with Gary. He wished Gary and Gillian a pleasant and safe journey. His presence tonight, as always, is greatly appreciated. Councilperson Diane McCord wrote and read a special poem for Gary.

Welcome to our Community
and how can we help you this day?
This is Gary Swingers invitation
and this is Gary's way.
He's a friend who came into our lives,
Spreading God's love and his caring.
A good example of how we all should be,
For Gary's gift is one of sharing.
Now he and his loving wife Jillian
Are off to spread the Good News elsewhere,
Heading south to Harlem,
A good move for this adventurous pair.
We will miss the visits you gave us,
Memories of all those happy Town Board Meetings!
We'll all be waiting for your visits,
Looking forward to a Gary Swinger Greeting!

Councilperson Wayne Freer was not in attendance. However he too sends his thanks and wishes for a safe journey to Gary and Jillian.

Supervisor Coutant invited everyone to have cake and coffee after the meeting and to say their goodbyes.

Gary Swinger thanked the Board and friends of the Town of Esopus. He said it has been unbelievable to be among everyone over the past 14 years; to be able to work together for the betterment of the town, bring joy to the children and bring fellowship among the people in so many different ways. He also thanked everyone for the care and love that has been shown to their community. Church Communities will continue to grow their relationship with the town and help the community where they can.

The meeting was closed in honor of Gary Swinger.

ADJOURNMENT

A Motion was made to adjourn the Town Board Meeting in Gary Swinger's honor at 9 PM by Supervisor John Coutant and seconded by Councilperson Kyle Barnett. All Town Board Members voted in favor. Motion Carried.

Respectively Submitted,

**Holly A. Netter
Town Clerk**