

**TOWN OF ESOPUS  
TOWN BOARD MEETING  
July 20, 7:00 PM**

A regularly scheduled Town Board Meeting was held on July 20, 2023 in person at 1 Town Hall Way, Ulster Park. Meeting was also available on TV 23, and Live Streamed on the Town of Esopus Facebook page. The following persons in attendance:

**Councilman Laura Robinson  
Councilman Evelyn Clarke  
Councilman Kathie Quick  
Councilman Jared Guess  
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](mailto: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 7 pm.**

**PLEDGE TO THE FLAG**

**PUBLIC COMMENT:**

Lorraine Karabec 24 Hudson Lane, attended the Planning Board meeting on Monday night and said it went well. She felt the replacement Planner and Attorney were good choices, no disrespect to the others. She is hoping for the best and hopes they keep the integrity of our town at heart.

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

**PLANNING BOARD UPDATES AND DISCUSSION**

**ACKNOWLEDGMENT OF NEW AGENCIES:**

The Planning Board officially hired a new Planner and Attorney at their last meeting. Planner Bonnie Franson of Nelson, Pope & Voorhis, LLC and Attorney Theresa Bakner of Whiteman, Osterman & Hanna LLP. Supervisor Freer welcomed the new Planning Board Planner and Attorney.

**LABELLA PROPOSALS:**

**LABELLA– Phase 1, Public informational Meeting on Planning and Zoning Responsibilities and Comprehensive Plan.**

Task 1: Internal Meetings

LaBella Associates (LaBella) will participate in up to three internal meetings with Town of Esopus staff and officials to identify and agree upon specifics of the PowerPoint presentation. One of these meetings will be in person. The remaining two will be virtual.

Task 2: Preparation of the PowerPoint Presentation

LaBella will be responsible for preparing the presentation in partnership with Town staff and officials. Up to three drafts of the presentation will be provided.

Task 3: Public Informational Meetings

LaBella will participate and lead up to two public informational meetings (in person) to summarize the comprehensive planning process and describe the process used to update the Zoning Law in accordance with the Comprehensive Plan. LaBella will prepare a meeting summary of the public discussion.

Matt Rogers will serve as the Town’s main contact and will be responsible for preparing and attending meetings as well as drafting and conducting the public workshops.

Phase 1 Fees are as follows:

Three internal Meeting (two virtual)	\$2,080
Prepare presentation	\$1,560
Conduct two public meetings in person	<u>\$1,820</u>
	\$5,460

**A MOTION WAS MADE BY COUNCILMAN JARED GEUSS TO APPROVE THE PHASE 1 CONTRACT WITH LABELLA PC IN THE AMOUNT OF \$5,460 FOR THE PUBLIC INFORMATIONAL MEETING ON PLANNING AND ZONING RESPONSIBILITIES AND COMPREHENSIVE PLAN IMPLEMENTATION. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.**

**LABELLA PHASE 2: MFZ AMENDMENTS**

Matt Rogers, Senior Planner, LaBella PC, will assist the Town with potential amendments to Town Zoning code 123-22 Mixed -Use Floating Zone.

1. La Bella will participate in up to 4 virtual working meetings to discuss the draft MFZ amendments.
2. Prepare up to 4 amendments to Chapter 123 related to the MFZ for Town review.
3. Format the proposed amendments into a draft Local Law for introduction by the Town Board
4. Attend 1 Town Board meeting to introduce the draft local law and attend 1 public hearing. Record all public and agency comments received on the draft Local Law
5. Assist Esopus with all required referrals.
6. Prepare 1-3 of the EAF, associated SEQRA resolutions, final Local Law and associated adoption resolution.
7. Attend (virtually) a Town Board meeting for the adoption of the Local Law.

Phase 2 Fee Schedule:

Working Meetings	\$ 1,380
Draft Amendments	\$ 1,550
Town Board Meeting and Public Hearings	\$ 780
Local Law Referrals	\$ 430
SEQRA and Adoption of Local Law	<u>\$ 1,205</u>
	\$ 5,345

**A MOTION WAS MADE BY COUNCILMAN JARED GEUSS TO APPROVE THE PHASE 2 CONTRACT WITH LABELLA PC, IN THE AMOUNT OF \$5,345 FOR THE ASSISTANCE WITH THE AMENDMENTS TO THE MFZ AND PREPARE THE DRAFT LOCAL LAW. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.**

**TAX CERTORARI RESOLUTON: RICHARD LOGAN RESOLUTION**

Councilman Quick gave a brief overview from the Assessors' Office

We are nearly 30 days out from the Final Roll. NYS real property law states that all small claims hearing petitions and tax certs must be filed within 30 days of the final role.

Thus far, we have received 2 filings. Lakeshore Villas and Richard Logan with two more claims expected: Central Hudson's demand to have sturgeon pool taxes lowered and the ongoing Iron Mountain Tax Certiorari

In the matter of Richard Logan, we have negotiated a settlement. This is a luxury property that has been under renovation for more than 3-4 years. The Town Board Resolution stipulated a settlement to \$750,000 which reduces the assessment while the property is under construction. The home is stripped to the beams with no electric/no appliances/no kitchen/no bathrooms. By the time the owner is finished with the improvements in three years, we will put the assessment right back up to where it should be once the renovation is complete.

The Assessor asked to please approve the Richard Logan, 70 Floyd Ackert Rd. settlement resolution so we can dispose of this case.

**TAX CERTIORARI RICHARD LOGAN  
SBL # 80.1-3-30 , 70 FLOYD ACKERT RD.**

WHEREAS, tax certiorari proceedings have been filed against the Town of Esopus by Richard Logan in regard to the assessments upon certain property located in the Town of Esopus and designated as Section 80.1, Block 3, Lot 30 (70 Floyd Ackert Road) on the Official Assessment Map of the Town of Esopus.

WHEREAS, it is desired to settle the 2022 and 2023 proceedings.

WHEREAS, Petitioner has agreed to discontinue with prejudice the 2022 and 2023 proceedings.

NOW, THEREFORE, be it resolved, that the Town Board of the Town of Esopus authorizes Kyle W. Barnett, Esq., of the law firm of Van DeWater & Van DeWater, LLP, 85 Civic

Center Plaza, Poughkeepsie, New York 12601 to negotiate a settlement whereby the 2022 and 2023 assessments will be settled in accordance with a Stipulation to the following:

TAX YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION
2022/23	\$1,130,000	\$750,000	\$380,000

and Kyle W. Barnett, Esq. is authorized to sign such documents as are necessary to effectuate the settlement.

Dated: July 20, 2023  
Esopus, New York

**OFFERED BY: COUNCILMAN KATHIE QUICK**  
**SECONDED BY: SUPERVISOR DANIELLE FREER**

<b>COUNCILMAN LAURA ROBINSON</b>	<b>AYE</b>
<b>COUNCILMAN EVELYN CLARKE</b>	<b>AYE</b>
<b>COUNCILMAN KATHIE QUICK</b>	<b>AYE</b>
<b>COUNCILMAN JARED GEUSS</b>	<b>AYE</b>
<b>SUPERVISOR DANIELLE FREER</b>	<b>AYE</b>

**Resolution duly adopted.**

#### **LIAISON UPDATES**

**COUNCILMAN KATHIE QUICK:**  
**Waterfront Advisory Board**

The WAB voted to send their final copy of the LWRP to the NY Department of State at their last meeting on June 28. Their next meeting will be on Wednesday July 26 at 7 PM.

#### **Zoning Board of Appeals**

The ZBA met on Tuesday July 18 at 7 PM. There was one item on the agenda, a subdivision on Legion Court. The applicant needs to provide more information so the public hearing will stay

open until the next meeting on August 16. The Chairman is enforcing the rule that the only item that can be discussed by the public is an item on the agenda for a public hearing.

**Assessor**

We are nearly 30 days out from the Final Roll. NYS real property law states that all small claims hearing petitions and tax certs must be filed within 30 days of the final roll.

Thus far, we have received 2 filings. Lakeshore Villas and Richard Logan with two more claims expected: Central Hudson's demand to have sturgeon pool taxes lowered and the ongoing Iron Mountain Tax CERT

**Seniors** - had an ice cream social at Freer Park and the Bruderhof helped serve the seniors. The seniors also have a trip to the Erie Canal planned for August 9<sup>th</sup> and a trip to New Jersey on October 3<sup>rd</sup> for an Octoberfest.

**Supervisor Freer** said the Highway Department is finishing paving around town: Prospect St., Horton Lane and St. Remy. They are circling back around to Prospect St, next week to work on the pitching of driveways. Supervisor Freer said they have done a good job. If anyone has any questions feel free to call the Highway Department. The Central Hudson work on Broadway has is being finished. They have paved and are lining the road, hopefully done by end of week. Supervisor Freer said she did ask if they would pave both sides of the streets so it would consistent. The reality is Central Hudson and NYS DOT have budgets attached to the projects and it could not be done. They shared the color fades in time and will look better, but she noted she did try multiple times.

**LAURA ROBINSON:**

Movie Night Sat 7/22 Meet the Croods, New Age 8:30 pm, free popcorn, games and movie.

8/12 Family Fun Day 11am – 3 pm Ross Park also free games and food

8/12 Esopus Community Foundation Annual Free Backpack giveaway for those in need, Mario's Pizzeria @ 10 am- 12pm.

Cas Landi Park St. Remy, the Town received a \$50,000 for upgrades to the playground. They are looking into going for more money.

**Councilman Clarke** Economic Development Committee is excited looking forward to getting realigned with the comprehensive plan. They will be working on pitching new business that the community wants to see in our town and align with the comprehensive plan.

Environmental Board is working with Supervisor Freer and the Climate Smart Committee on the P9 Disaster Communication website in partnership with Cornell Cooperative. Cornell is also hosting an upcoming disaster information session specific to wildfires at Esopus Library – UC DES is planning to attend, and the town website project will be mentioned. The EV charging

station conversation is also moving along - Supervisor Freer said the Ulster County Sheriff's Department will be installing charging stations for their new vehicles at the substation in Town Hall. We will be looking at coordinating with the company to see if there is a cost savings for our project. Laura Petit was able to help secure a DEC ZEV grant in the amount of \$35,260 for this endeavor. Councilman Clarke said they are still working on the location. The Environmental Committee plans on participating in the Emergency Preparedness Expo on September 23 at Ross Park. They are still working on the Greenway Grant; documentation is still needed.

**Councilman Jared Guess:**

The Water Sewer plant is under construction; upgrades are going well. He talked to John Davidson from Brenner & Larios and he said the paperwork for the water tank is still in Albany and they are still waiting on the approval from the state.

The Transfer Station has three compactors up and running. The town should be able to save money by having less pulls. Supervisor Freer thanked the Transfer Station, Parks& Rec Department, and Highway Department for getting the job done.

**MISCELLANEOUS**

**Councilman Evelyn Clarke** received a citizen's concern requesting restrooms be available at all times for people to use at Freer and Ross Parks. Freer Park has a public bathroom that is left open, but it is an issue keeping it clean because they are open all the time. The concern will be brought up at the budget meeting with Parks & Rec to discuss what the staffing and cost would be to accommodate this recommendation.

**BUDGET ADJUSTMENT & VOUCHERS**

**BUDGET ADJUSTMENTS- JULY**

**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.1110.400 \$424.26**  
**Justice Contractual**

**OFFERED BY:                      SUPERVISOR DANIELLE FREER**  
**SECONDED BY:                      COUNCILMAN KATHIE QUICK**

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

Resolution duly adopted.

**RESOLUTION AUTHORIZING PAYMENT OF BILLS JULY 2023**

**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	231280 -231330	\$54,576.88
HIGHWAY FUND	232133 -232154	\$16,200.61
STREETLIGHTS		
PORT EWEN SEWER FUND	233103 - 233124	\$ 22,956.68
PORT EWEN WATER	234096 - 234114	\$23,353.15
Capital Water	235009 - 235013	\$134,000.61
ARPA		
Visa		
		\$251,087.93

**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	AYE
SUPERVISOR DANIELLE FREER	AYE



**Resolution duly adopted.**

**UPCOMING KEY DATES – MORE INFORMATION AVAILABLE ON OUR WEBSITE:**

7.22 FAMILY MOVIE NIGHT AT ROSS PARK HOSTED BY PARKS & RECREATION AT 8:30PM

8.3 NEXT TOWN BOARD WORKSHOP

8.5 ESOPUS REPAIR CAFÉ AT ASCENSION CHURCH HOSTED BY ENVIRONMENTAL BOARD

8.12 FAMILY FUN FEST HOSTED BY PARKS & RECREATION 11AM-3PM

8.17 NEXT TOWN BOARD MEETING

**ADJOURNMENT**

**A MOTION TO ADJOURN THE MEETING WAS MADE BY SUPERVISOR FREER AT 7:35 PM. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

*Respectively Submitted,*

*Holly A. Netter*

*Town Clerk, RMC*