

**TOWN BOARD MEETING
September 17, 2019**

A regularly scheduled Town Board Meeting was held on Tuesday, September 17, 2019 in the Town Hall, 284 Broadway, Ulster Park, NY with the following persons in attendance:

**Supervisor Shannon Harris
Councilperson Gloria Van Vliet
Councilperson Jared Geuss
Councilperson Kathie Quick
Councilperson Chris Farrell - Absent**

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

Supervisor Shannon Harris called the meeting to order at 7:30 PM.

PLEDGE TO THE FLAG

PUBLIC COMMENT - none

UPDATES

- 1 . Vacancies on Volunteer Boards.** Environmental Board has one vacancy plus another member may be resigning, both terms expire 12/19, Planning Board term expiring 12/23, Water/Sewer Board with term expiring 12/21 and Zoning Board term expiring 12/22.

- 2 . Heavenly Valley Estates follow up.** Update on actions from 9/10 meeting held with residents to discuss stormwater drainage issues and solutions. The Highway Department cleared the grass from the catch basins. They are looking at clearing out some of the swampy area. Tighe and Bond will include Heavenly Valley in the study. The question was raised how much more will this cost. Supervisor Harris said the cost is capped at \$500. Councilperson Farrell said Heavenly Valley needs to reach out to the state to put a drain prior to their entrance. He had recently been down to view the situation and he said only about 20% of the people have culverts in front of their homes. It appears to be a developer's issue not a town issue. He suggests the residents get together and put pipes and drainage in to help. One neighbor said she had been there for years and when the road was repaved with tar the ditched became narrower.

- 3 . Kingston Port Ewen "Wurts St" Bridge closure** for inspection from 9/23 -9/27, 9-5.

- 4 . **Port Ewen Water-Sewer Dept update-** Hydrant flushing in Port Ewen will take place 9/22 - 10/2, 9 PM-5 AM.
- 5 . **Central Hudson update-** Request to add light to pole 122323 at Churchill & Rt. 213. Central Hudson stated there are no records to indicate whether or not a light was once there. Neighbors attest there was a light in the past.
- 6 . Regarding the gas line replacement in Port Ewen, road work is expected to be completed before Thanksgiving.

UPCOMING EVENTS:

Wed, 9/18, 4:30 PM - Continuation of Town Board budget meeting.

Thu, 9/19, 7 PM-Sexual Harassment / Active Shooter training option #1 (est. 15-20 participants)

Fri, 9/20, 9 AM - Sexual Harassment / Active Shooter training option #2 (est. 50 participants)

Wed, 9/25 - Kick off of Esopus Zoning Update Task Force at 4:30 PM, Riverfront Access Study, 7 PM

Sat, 9/28, 8 AM - 8 AM-3 PM Esopus Apple Festival and Town-Wide Yard Sale until 4 PM. Sat, 9/28, 4 PM – "Family Fun Night" at Ross Park (after the Apple Festival)

Tues, 10/1, 5:30 - 7 PM - Esopus Business Alliance mixer event prior to 6 PM County Executive Town Hall forum featuring guest County Executive Pat Ryan. Tues, 10/1, 7 PM - Next Esopus Town Board Workshop meeting.

Mon, 10/7, 1 PM - Esopus Seniors Meet the Candidates forum for local and county-wide positions

Tues, 10/8, 7 PM – Volunteer water chestnut weed-cutting recognition celebration.

Tues, 10/22, 7:30 PM - Next Esopus Town Board meeting (televised on Channel 23)

Sat, 10/26 - 11/3 – Early voting in Ulster County. Information available in the Town Clerks office for polling locations and times.

ESOPUS BUSINESS ALLIANCE MIXER

A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPROVE THE INCLUSION OF ALCOHOLIC BEVERAGES FOR EBA MIXER ON 10/1/19. EBA TO PROVIDE PROOF OF INSURANCE LISTING THE TOWN OF ESOPUS AS ADDITIONAL INSURED. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ESOPUS TRANSFER STATION

Lenny Liberta, Transfer Station Operating Manager, explained they tried to have the Transfer Station open on Sundays for the past 4 weekends. This had been suggested by the patrons of the Transfer Station. Lenny had asked permission from the Board to try it and he absorbed the cost for this experiment. The revenue and customer usage was so minimal and the patron that suggested opening did not come. Lenny suggested to no longer be open on Sundays; the Board thanked him for trying. He also reviewed the number of permits issued from 2018 and 2019. Although less permits were sold this year, the revenues increased. The transfer station continues to become more efficient. The carport covers over the boxes help keep out snow and rain which in the past added to the pull weight. A small increase in the scale rate was implemented and was well received by the patrons.

Lenny said he is waiting on Spectrum to show him where the ditch needs to be dug for the new wires. He asked the Board for permission to install a 4" pipe while the ditch was open. Several times the conduit from the pole to the office trailer has needed to be repaired. If the pipe is underground and in place, a new wire can easily be snaked through without having to dig the next time the wire needs to be repaired. Lenny said Supervisor Harris spent time on a Saturday at the Transfer Station talking to people and welcomed the other Board Members to do the same.

Jim Fabrizio, Rock Solid Organization, would like to place their company's collection boxes for clothing at the Transfer Station and at Town Hall. Currently there are two boxes at the Transfer Station from another company who is not maintaining them very well. Councilpersons said they have seen the bright orange boxes and they seem to be one of the better maintained boxes. Councilperson Chris Farrell said he had done a little research and said Rock Solid was a for profit company. Jim gave a presentation on his organization. Rock solid collects and sells to another company who is the end user. The end user unloads and gives away to others. Councilperson Chris Farrell questioned if the items are sold to others or given to others. It is a Christian organization and didn't feel it be appropriate to mix the Christian based company with a municipality. Rock Solid said they donate a % of the proceeds of the sale of the box to a group such as the fire department. Chris said he was not ready to vote on this without having more information. He requested a year end statement and proof of the percentage of what is donated back as well as the administrative costs. Jim said he would get the statement to Supervisor Harris for distribution to the Board. Councilperson Van Vliet questioned if all boxes sell the items collected. Councilperson Farrell recognized that Rock Solid boxes are kept clean and maintained and encouraged Jim to get the Board more information.

ASSESSMENT BOARD OF REVIEW

A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET TO REAPPOINT HANK PITTNER TO THE ASSESSMENT BOARD OF REVIEW FOR A TERM OF 5 YEARS TO EXPIRE 9/30/2024 EFFECTIVE OCTOBER 1, 2019. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

LOCAL ZONING LAW UPDATES.

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO REFER THE FOLLOWING LOCAL LAWS TO THE ULSTER COUNTY PLANNING BOARD AND THE ESOPUS PLANNING BOARD; CHAPTER 98 - PENALTIES FOR DUMPING OFFENSES, CHAPTER 101 - RENTAL PROPERTY REGISTRATION AND INSPECTION, CHAPTER 123 - COMMERCIAL EVENT VENUES INCLUDING AN UPDATE TO THE LAND USE TABLE, CHAPTER 123-26 – EXPEDITED DUE PROCESS FOR ENFORCEMENT AND PENALTIES FOR OFFENSES, CHAPTER 123-61 – CLARIFYING DEFINITION OF "FAMILY" IN THE ZONING CODE, AND CHAPTER TBC - IMPLEMENTING 2019 ESOPUS COMPREHENSIVE PLAN ZONING RECOMMENDATIONS FOR STATE SUPERFUND SITE HERCULES POWDER CO./DYNO NOBEL # 356001. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

TOWN OF ESOPUS
ZONING TASKFORCE COMMITTEE
CREATION 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 need for communication between committees and boards for the determination of zoning regulation,

AND WHEREAS, there is a need for hamlet representation and advocacy in these determinations,

THEREFORE, BE IT RESOLVED that the Town of Esopus Town Board creates the Zoning Taskforce Committee and assigns the following requirements for future representatives; term to expire at the end of every even calendar year, beginning this year, 2019; and appoints the following representatives who have expressed willingness to join the Committee:

| ZONING TASKFORCE COMMITTEE | |
|--|--|
| 1. Chair | 2. Supervisor |
| 3. Waterfront Advisory Board Member | 4. Economic Development Board Member |
| 5. Planning Board Member | 6. Environmental Board Member |
| 7. Building Inspector & Code Enforcer | 8. County Legislator |
| 9. Councilperson | 10. Parks & Recreation Board Member |
| 11. Water & Sewer Board Member | 12. Zoning Board of Assessors Member |

AND, BE IT RESOLVED that the Zoning Taskforce Committee will also include the following planning consultants, as determined by the Town Board, who will be responsible for assisting the Town in the logistics and planning aspects of changing local zoning regulation:

Alan Sorenson, Matthew Rogers, Joshua Westfall

AND, BE IT FURTHER RESOLVED that the Zoning Taskforce Committee will also include at-will up to two (2) advocates for each Hamlet in Esopus, who will be responsible for: organization and representation of their Hamlet’s concerns, desires and thoughts in regard to zoning regulations; who will not have voting power in the Committee nor be counted towards determination of a quorum, but act as consult in good faith:

| HAMLET REPRESENTATIVES | |
|-------------------------------|--------------|
| 1. Esopus | 2. Connelly |
| 3. Port Ewen | 4. Rifton |
| 5. Sleightsburgh | 6. St. Remy |
| 7. Ulster Park | 8. West Park |

AND, BE IT RESOLVED that the Town Board, at their discretion, can appoint, add, remove, or replace members and positions without cause and as necessary. The Members of the Zoning Taskforce Committee serve at will.

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

| | |
|--------------------------------|------------|
| Councilperson Gloria Van Vliet | AYE |
| Councilperson Jared Geuss | AYE |
| Councilperson Kathie Quick | AYE |
| Councilperson Chris Farrell | AYE |
| Supervisor Shannon Harris | AYE |

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

ZONING TASKFORCE APPOINTMENTS

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADOPT THE FOLLOWING MEMBERS AND ALTERNATES TO THE ZONING TASKFORCE AND AUTHORIZE SUPERVISOR HARRIS TO FILL VACANCIES ON THE ZONING TASK FORCE IN CONSULTATION WITH COUNCILPERSON JARED GEUSS.

- JARED GEUSS – CHAIR**
- SHANNON HARRIS – SUPERVISOR**
- MERCEDES ROSS – WATERFRONT ADVISORY**
- JOHN CUTRONE –ECONOMIC DEVELOPMENT**
- DARIN DEKOSIE/ FRED ZIMMER – PLANNING BOARD**
- MARK ELLISON/ DON CARRAGHER – ENVIRONMENTAL BOARD**
- SAL MORELLO – BUILDING INSPECTOR& CODE ENFORCER**
- LAURA PETIT – COUNTY LEGISLATOR**
- KATHIE QUICK - COUNCILPERSON**

ROBERT WELLS – PARK & RECREATION
GEORGE POST/ DOUG DEKOSKIE – WATER & SEWER BOARD
KARL WICK / JIM BANKS/ DON AVALLON – ZBA
HAMLET REPRESENTATIVES ESOPUS, CONNELLY, PORT EWEN, SLEIGHTSBURGH, ST REMY,
ULSTER PARK, WEST PARK
AICP PLANNERS
ALAN SORENSON – TOWN PLANNER
MATTHEW ROGERS – COMPREHENSIVE PLANNER
JOSH WESTFALL- PLANNING CONSULTANT
THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT
WERE 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 SEPTEMBER 2019

| | | |
|----------------------------------|--------------------|---------------------------------|
| AO. 0599.000 Fund Balance | \$ 110.17 | |
| AO.1990.400 Contingency | \$35,000.00 | To |
| | | |
| | | AO.1010.402 \$ 5,866.00 |
| | | Master Plan Update |
| | | AO.1420.400 \$ 306.78 |
| | | Attorneys |
| | | AO.1620.405 \$ 1,684.74 |
| | | Telephone |
| | | AO1620.436 \$ 1,395.00 |
| | | Peak Powers – Generator |
| | | AO.3311.400 \$ 2,050.00 |
| | | Town Signs |
| | | AO.5182.401 \$ 8,802.65 |
| | | Town Electric |
| | | AO.8540.400 \$ 15,005.00 |
| | | Town Drainage |

A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.

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

Councilperson Gloria Van Vliet AYE
 Councilperson Jared Geuss AYE
 Councilperson Kathie Quick AYE
 Councilperson Chris Farrell AYE
 Supervisor Shannon Harris AYE

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

RESOLUTION AUTHORIZING PAYMENT OF BILLS SEPTEMBER 2019

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 | 191483 -191546 | \$ 82,386.21 |
| | | |
| HIGHWAY FUND | 192221 - 192243 | \$ 14,979.64 |
| | | |
| STREET LIGHTS | 196087 | \$ 5,783.56 |
| | | |
| PORT EWEN SEWER FUND | 193104 - 193113 | \$ 6,834.39 |
| | | |
| PORT EWEN WATER FUND | 194194 -194215 | \$ 3,854.01 |
| Capital | 000030 | \$ 2,322.37 |
| TOTAL | | \$ 149,160.18 |

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilperson Gloria Van Vliet
SECONDED BY: Councilperson Chris Farrell

Councilperson Gloria Van Vliet AYE
 Councilperson Jared Geuss AYE
 Councilperson Kathie Quick AYE
 Councilperson Chris Farrell AYE
 Supervisor Shannon Harris AYE

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

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK AT 8:40 PM TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE EMPLOYMENT HISTORY OF PARTICULAR INDIVIDUALS IN THE HIGHWAY AND WATER SEWER DEPARTMENTS. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION BY COUNCILPERSON CHRIS FARRELL AT 9:40 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ACTION:

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO AUTHORIZE SUPERVISOR HARRIS TO TAKE THE NECESSARY ACTIONS UNDER CIVIL SERVICE LAW SECTION 75 TO RESOLVE THE MATTER WITH EMPLOYEE NUMBER 14 AND ENGAGE IN NEGOTIATION. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

**** KYLE BARNETT WILL BE CONTACTED REGARDING HIS AVAILABILITY AS HEARING OFFICER.**

ADJOURNMENT

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 9:41 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively submitted,

Holly A. Netter
Town Clerk, RMC