

**TOWN BOARD MEETING
OCTOBER 17, 2013**

A regularly scheduled meeting of the Town of Esopus Town Board was held on Thursday, October 17, 2013 at 7:30 PM in the Town Hall 284 Broadway Port Ewen, N. Y. with the following persons in attendance:

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

Administrative Recorder: Diane L. McCord, Town Clerk, CMC, RMC

Pledge to the Flag

Supervisor Coutant called the meeting to order.

Public Comment:

Anne Gordon: “Thank you to the town for their support for the Sojourner Truth Project. It has taken five years to complete. We started off not knowing what we were going to do but as the years past we became more and more focused and we finally knew exactly what we wanted. On September 21, 2013 our dedication of the statute took place and it was wonderful.”

Anne especially wanted to thank Supervisor Coutant. “He smoothed our path in every way he could and it was wonderful. Our Town Clerk Diane McCord continues to deal with the administration of our grant and her help has been invaluable. Deb Kain the town bookkeeper efficiently shepherded us through paying our bills. Dan Vedder and his Recreation Department although short of staff they did a wonderful job of cleaning up the park saved us a lot of money. On the 21st they were there from the beginning right through the end.”

“All the invoices of our grant have been sent in and we have followed the budget that was set up in 2011 and we have spent almost every penny of the grant and none over. Interest in the monument continues...John was just telling me about seeing crowds of people at the monument site. The press coverage was just terrific and it helped a lot. Many of the almost 300 people who attended the dedication are making return trips and bringing friends and relations.”

“As for the site itself, our main concern is the return of the Japanese Knotweed. It is something there is no cure for, you just have to go down there and pull it up. I urge everyone to pull it up when seen. Another thing I would like the Town Board to consider are ways to help us; the parking space was meant for local businesses and for visitors to the site but several employees of one business use the parking for the entire day and their cars can be found several hours a day during the week. Some type of parking regulation needs to be made by the Town Board. We need a parking regulation that can be enforced and one that would prevent their cars from being there for the entire day.

The owner of a large truck behind our fence continually backs into the fence and is slowly pushing it over. When asked not to do it anymore he said he had not caused the damage and said it was the town employees who had damaged the fence. When you see it being pushed from behind you know who caused the damage to the fence. It is hard to understand why this behavior occurs. The whole town is proud of that sight and the positive reflection that it gives to all of us. Now I want to thank you again for all the help you gave toward the statute of Sojourner Truth.”

Supervisor Coutant said on behalf of the entire Town Board you were the chairperson of the group of people that made this happen and what you did was certainly above and beyond. Let me give you an answer on the signage that is currently in the park. The signage indicates that it is a one hour parking and in order for anybody to enforce it ...it must be approved by the Town Board before any tickets can be given and before anything can be done. Those signs were put there by the Dept. of Transportation. The first thing we have to do is pass legislation and the second thing is you are one hundred percent right we did not do any damage to the fence. We would not have had the opportunity to get anyone close enough to push that fence backward and we would not be on that side of the fence. I tried to contact this neighbor twice and have not been successful. I will try again. The sight is looking good and yes you are right our Recreation guys did a lot of work and we will try to continue to maintain it in the fashion as it appears now. Thanks again to your group as well.

Anne Gordon commended Tim Allred who did the landscape planning and his goal was to create a site that would create as little work in terms of weeding, maintenance and trimming as possible. Supervisor Coutant said he did a great job.

Councilperson Wayne Freer thanked Anne and said he was on the Town Board originally when we first started off. We chaired it and steered it in the right direction so it got to the finalization it is today. It worked out really good. In his recollection, the parking spots were put in and it included no overnight parking. We will have to go back and do some amending to the parking regulations. Councilperson Kyle Barnett agreed and said we are all really proud of the job that was done. Councilperson Donna McAuley thanked Anne.

1. Grand Award -Marion Zimmer

Supervisor Coutant said it is always nice to see Marion Zimmer. Once again she has obtained a grant for the town. In September a grant was approved for the Explorers. This grant was given Greenway Regional Approval. Marion Zimmer said we did receive \$775 in matching grant funds for this program. Marion put in a schedule that begins in February 2014 and it should be finished by June 15th. We will have all the materials to carry us through a two year period.

2. Hudson River Improvement Fund

The Hudson River Improvement Fund announced its 2013 Call for Proposals. The Improvement Fund strives to support projects that promote the enhancement of public use and enjoyment of the natural, scenic and cultural resources of the Hudson River and its shores. Awards are focused on physical projects that require capital construction, development or improvement. The Fund is particularly interested in projects that will have a lasting impact on waterfront access, education and habitat

restoration. Marion Zimmer will look into this grant.

3. Code 96-3 – 189 Hasbrouck Avenue – Public Hearing

Supervisor Coutant explained the Town Board had passed legislation addressing property owners of abandoned property who have excessive growth of their lawns or other ground cover, including grass, weeds, or other rank, poisonous or noxious vegetation requiring this growth be trimmed to a height of no greater than ten inches. We have a case at 189 Hasbrouck Avenue in Port Ewen. This will be the first case where the Town Board authorized someone to bring this property in compliance. This property belongs to Richard & Claudia Klein.

There was no one present at this Public Hearing to comment on said notice. Fire Inspector Deb Pugliese said the situation continues to be in violation.

A Motion was made by Supervisor John Coutant and seconded by Councilperson Kyle Barnett to place this law in effect and trim the property at 189 Hasbrouck Avenue in Port Ewen, N.Y. All Town Board Members present voted in favor. Motion Carried.

4. Employment Agreement – T. Keefe

This item was tabled.

5. Property – Dead End Street

Supervisor Coutant said from time to time we run into a situation where a town owned property located on a dead end street is of little value to the town. We are again faced with this situation. We wish to convey that property to Dr. Ed Aleo and expand the tax base in the Town of Esopus.

Fred Zimmer believes this issue should be brought before the Planning Board to make sure it is being done right. Supervisor Coutant said our Planning Board Attorney has drawn up the documentation after investigating the issue. Dr. Aleo will pay for the cost of this conveyance.

**RESOLUTION OF THE TOWN OF ESOPUS TOWN BOARD
RE: To Transfer Town of Esopus property in Ulster County, N. Y.
Land to Edward L. Aleo**

At a meeting of the Town Board of the Town of Esopus, Ulster County, New York, held at the Town Hall 284 Broadway in Port Ewen, N. Y. in said Town of Esopus, on the 17th day of October, 2013 at 7:30 pm.

The following Resolution was offered by Supervisor John Coutant who moved it's adoption, seconded by Councilperson Kyle Barnett to wit:

WHEREAS, as the Town of Esopus may have an interest in a paper street at the northerly end of Spring Street, Port Ewen and

WHEREAS, a title report was made for the benefit of Edward L. Aleo by Universal Land Abstract, Inc. which showed that said paper street was shown on a map of Kenneth Keefe, PLS dated August 15, 2012 for a lot line adjustment and which references a certain Map entitled "Van Westrum Addition to Port Ewen" filed in the Ulster County Clerk's Office as Map No. 692.

WHEREAS, mere depiction of a public street on a map does not create title to the Municipality.

WHEREAS, the title report could not confirm title in the Town and could find no deed into the Town, which results in the inability of the Town to give nothing more than a quit claim deed.

WHEREAS, the Town owns the adjoining land and will restore the property to the tax rolls.

WHEREAS, the Town has no present or future use for the land to be conveyed which title is questionable and which land has no value.

WHEREAS, grantee will pay all expenses to record the Deed.

NOW THEREFORE, BE IT RESOLVED, pursuant to the provision of Section 64 of the Town Law of the State of New York, and subject to a Permissive Referendum, that the Town of Esopus transfer to Edward L. Aleo, a certain parcel of land for no monetary consideration known as parcel A as shown on a map of Kenneth, PLS and as set forth in the description attached hereto.

RESOLVED that, pursuant to Section 82 and 90 of the Town Law of the State of New York, within ten (ten days from the date of this resolution, the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of this Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a Permissive Referendum, and said Town Clerk shall publish such Notice in the official newspaper of the Town of Esopus and in addition thereto, the Town Clerk shall post or cause to be posted on the sign board of the Town of Esopus, a copy of such notice within ten days after the date of the adoption of this Resolution; and it is further

RESOLVED that the Supervisor of the Town of Esopus be, and he hereby is, authorized and empowered to sign on behalf of the Town of Esopus any and all further documents as may be required by law to give force and effect to this Resolution, including the Deed and Gains Tax Affidavit and deliver the same to Grantee to be recorded at his expense.

The question of the adoption of the foregoing Resolution was put to a vote on roll call which resulted in an affirmative vote and the resolution was duly adopted.

Certified this 17th day of October, 2013 by Diane L. McCord, Town Clerk

6. Resolution – Propane

Whereas, the Port Ewen Water/Sewer District advertised and received bids for Propane to be supplied for a period of (1) year, beginning October 1, 2013 and ending September 30, 2014.

Whereas, bids were received and opened at the office of the Town of Esopus Town Clerk, on September 9, 2013.

Whereas, the lowest bidder for Propane was Heritage Energy, P O Box 797, Lake Katrine, NY 12449, at a price of \$1.549 per gallon.

Therefore, be it resolved that the Town of Esopus Town Board award the bid to Heritage Energy.

Resolution offered by Councilperson Wayne Freer
Resolution seconded by Councilperson Donna McAuley

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

Resolution duly adopted.

7. Announcement – Reimbursement of Funds

The electric bill for Birchez Pump Station was paid to Central Hudson in the amount of \$6,773.56. The Supervisor wanted the public to know we have received this amount back from Steve Aaron’s personal account. We are looking to move forward to do the things necessary to bring this pump station into compliance.

8. Annual Fall Senior Dinner Dance

The Annual Fall Senior Dinner Dance is sponsored by the Ulster County Community Action and the City of Kingston on October 24, 2013 in the Mid-Town Neighborhood Center. The cost is \$3.00 and begins at 4:30 PM.

9. Halloween Curfew

The Town Board has set the Halloween curfew at 7 PM on October 31, 2013.

10. Tugboat Auction

Tugboats painted by local artists are being auctioned off on Saturday, October 19th at 2 PM. Activities will begin at Noon at the Town of Esopus Town Hall, 284 Broadway, Port Ewen with a chicken or sliced steak BBQ (there will be a small charge), T McCann Band, Ulster County Photography Club Reception at 1 PM, River Keeper, Irish Step Dancers, Youth Activities, Global Palate Restaurant Demonstration on “How to make Ice Cream”, a Jazz, Pointe and Ballet Demonstration. Rich Matthews will be the auctioneer.

11. Budget Adjustments and Payment of Vouchers

**RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS
October 17, 2013**

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 October 17, 2013

AO 0599.000	Fund Balance	AO 7110.4	Parks Maintenance cont	\$1,683.42
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**Resolution offered by Supervisor John Coutant
Resolution seconded by Councilperson Kyle Barnett**

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

Resolution duly adopted.

**PAYMENT OF VOUCHERS
October 17, 2013**

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	131468-131515	\$ 27,269.10
Highway Fund	132213-132238	\$ 33,485.52
Street Lighting	136010	\$ 6,326.20

Port Ewen Sewer Fund	133129-133148	\$ 9,887.29
Port Ewen Water Fund	134345-134267	\$ 10,633.26
Total.....		\$ 87,601.27

Resolution offered by Councilperson Wayne Freer
Resolution seconded by Councilperson Donna McAuley

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

Resolution duly adopted.

12. Approval of Minutes

A Motion to approve the Town Board Minutes for September 2013 was made by Supervisor John Coutant and seconded by Councilperson Kyle Barnett. All Town Board Members present voted in favor. Motion Carried.

13. Communications and Reports of Officials and Boards

The communications for September are available in the Town Clerk's Office. The following reports of officials and boards are available in the Town Clerk's office:

Town Clerk Report for September 2013
Assessor's Report dated October 8, 2013
Planning Board Minutes dated September 11, 2013
Port Ewen Water/Sewer Board Agenda dated October 8, 2013
Waterfront Advisory Minutes dated September 2013
Building Inspector's Report dated September 2013
Zoning Board of Appeals Minutes dated September 2013
Town Board Workshop Minutes dated September 2013
Town Board Minutes dated September 19, 2013
Town Board Budget Meeting dated October 3, 2013
Town Board Workshop/Budget Meeting dated October 15, 2013

A Motion to adjourn was made by Councilperson Donna McAuley and seconded by Councilperson Kyle Barnett at 8:17 PM. All Town Board Members presented voted in favor. Motion Carried.

Respectfully submitted,

Diane L. McCord, Town Clerk, CMC, RMC