

**TOWN OF ESOPUS
TOWN BOARD MEETING
October 20, 2022
7:00 PM**

A regularly scheduled Town Board Meeting was held October 20, 2022, in person at 1 Town Hall Way, Ulster Park. Meeting was also available on TV 23, available via zoom and Live Streamed on the Town of Esopus Facebook page. The following persons in attendance:

**Councilman Laura Robinson - absent
Councilman Evelyn Clarke
Councilman Kathie Quick
Councilman Jared Guess
Supervisor Danielle Freer**

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

Also in attendance: Debra Kain, Bookkeeper and Brian Pickard, CPA

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 – ireynolds@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*

Regularly scheduled meeting was called to order at 7 pm,

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Patty Kowatch, Bowne St. Attended the Planning Board meeting and is still concerned about the issue not being resolved for the access road to Bowne Street. She said the Planning Board was very vague talking about site plan work and changes that were being made. She said she appreciates the Fire Department and does not begrudge them having a new station but does not want to see access to Bowne St. There is increased usage of Ross Park and the roads are too narrow to accommodate large apparatus. She said she will walk and knock on all the neighbors’ doors if the intention is to open up the road to raise awareness. What bothers her most was the conversations were very vague and not transparent at all. She feels it should be an open discussion so the public knows what is going on. Supervisor Freer said we hear you.

Mike Mulligan, Bowne St Has expressed his concern at several meetings about the opening of Bowne Street and echoed Patty's concerns. He said it is inconsistent with the plan to rejuvenate Ross Park and bring more patrons to the park. He is troubled with the Chair involving herself with conversation that refers to the "1st thing and the second thing"; speaking in code. It violates transparency. Why bother having an open meeting if you are not forthright with your conversation so the public understands, instead of speaking so vaguely no one can understand what you are referring to. He is outraged and said it is totally improper. He asked the Board to investigate with the parties involved conducting themselves in an inappropriate manner.

Councilman Geuss said personally he is not for opening Bowne Street and the Town Board is not looking to move forward with it; the Planning Board is who brought this up. Supervisor Freer said decisions or changes need to go through a proper public hearing. Councilman Kathie Quick said she understood the concerns of not wanting more traffic on the narrow neighborhood back roads. Councilman Evelyn Clarke said she lives on the corner of Bowne and shares the same concerns.

2023 BUDGET DISCUSSION

Supervisor Freer said we are in a good position. Funds have been properly managed. We have received an increase in mortgage and sales tax for this year. The budget is at 2% which is the tax cap allowed.

Councilman Kathie Quick said she feels good about what the Board has been doing. Councilman Jared Geuss said neighboring towns have much higher increases. We have managed funds well over the years, placed money in reserves for the future and are moving forward on projects.

Councilman Evelyn Clarke said "Ditto" to all the other comments. Utilizing the increase in mortgage taxes and sales tax as well as ARPA funds to make changes and improvements in the town to help get the necessary work done.

Supervisor Freer said they have done a nice job with distribution of the ARPA funds across the various boards and department wish lists; money is being spent in every hamlet.

A MOTION WAS MADE BY SUPERVISOR FREER TO APPROVE THE 2023 PRELIMINARY BUDGET AS THE FINAL BUDGET FOR THE TOWN OF ESOPUS. THE MOTION WAS SECONDED BY COUNCILMAN QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

WATER TREATMENT PLANT IMPROVEMENT PROJECT DISCUSSION AND BID AWARD

A MOTION WAS MADE BY COUNCILMAN GEUSS TO AWARD THE BID CONTINGENT UPON A SUCCESSFUL CONVERSATION OF THE SUPERVISOR, BOOKKEEPER AND EFC FOR FINANCING ON MONDAY MORNING. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. The following Resolution was read and adopted.

RESOLUTION FOR
ROGER MABIE WATER TREATMENT IMPROVEMENTS CONTRACT

Supervisor Danielle Freer introduced the following resolution, which was seconded by **Councilman Kathie Quick** , as follows:

WHEREAS, the Town of Esopus has duly solicited sealed bids by public notice pursuant to General Municipal Law Section 103 for improvements to the Roger Mabie Water Treatment Plant located in the Town of Esopus (the “Project”); and

Whereas

On Wednesday September 28, 2022, the Town of Esopus opened two bids for the Roger Mabie Water Treatment Plant Improvement Project General Construction Contract. The bidders and their respective base bid and bid alternate prices are as follows:

Bid Item	WM Schultz Construction, Inc.	TAM Enterprises, Inc.
Base Bid	\$1,028,800.00	\$1,381,617.00
Bid Alt. A1 – Raw Water Wet Well Manhole Rungs	\$24,000.00	\$18,973.00
Bid Alt. A2 – Clarifier B Tube Settler Grating	\$11,000.00	\$16,668.00
Bid Alt. A3 – Thickener Tank & Surge Tank Painting	\$177,000.00	\$134,932.00
Bid Alt. A4 – Raw Water Wet Well Pipe Painting	\$22,000.00	\$17,787.00
Total Bid Inc. Bid Alternates	\$1,262,800.00	\$1,569,977.00

WHEREAS, all bids received were considered publicly at the time and place specified in such public notice; and

WHEREAS, the Town Board of the Town of Esopus has determined that **WM Schultz Construction, Inc.** is the lowest responsible bidder whose bid was filed in conformity with such public notice for the Project in accordance with the plans and specifications incorporated into the bid documents (the “Proposal”); and

WHEREAS, The Base Bid is in the amount of \$1,028,800 for the General Construction Contract; and

WHEREAS, The Town Board has decided to include bid alternate A2 in the amount of \$11,000 for the Clarifier B Tube Settler Grating; and

WHEREAS, The Town Board has also decided to include bid alternate A4 in the amount of \$22,000 for the Raw Water Wet Well Pipe Painting; and

WHEREAS the total sum including these Bid Alternates is \$1,061,800;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Proposal be and the same is hereby accepted; and it is further

RESOLVED, that the Town Board enter into a contract with such low bidder for the completion of the Project for the contract sum specified in the Proposal and in accordance with the plans and specifications provided for in the bid documents, said contract to be in form and substance approved by the Supervisor and the Town Attorney and executed by the Supervisor consistent with the bid documents, the Proposal and the provisions of General Municipal Law Section 103.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Freer	AYE
Councilperson Geuss	AYE
Councilperson Quick	AYE
Councilperson Clarke	AYE
Councilperson Robinson	Absent

DATED: Ulster Park, New York
October 19, 2022

HOLLY A. NETTER, TOWN CLERK, RMC

PLANNING BOARD MEETING FOLLOW-UPS AND REQUESTS

Withall Lot Line Adjustment- Mr. Withall requested a \$400 waiver for the newly required site plan form. Mr. Withall said they have paid a lot of money since this process began. They began the process of moving their property line in fall of 2021. Supervisor Freer and Councilman Geuss said they need to further investigate the matter. Mr. Withall said he was confused because the Planner said it wasn't needed and he thought the survey was sufficient. He asked for the waiver because he also didn't feel that it was actually needed since there was no building being

done on the property. The family business has been operating in the Town of Esopus since the 30's. The home next to the business has always used this area to park their vehicles. The main reason for this lot line adjustment was to formalize the parking area so if there comes a time when the business is sold, the house will continue to have a driveway to park in. Councilman Geuss said the intention is to have people walk away with next steps and doesn't want to see people blindsided. He wants to make sure there is a smooth transition through the planning process. Supervisor Freer said she didn't have enough time to research the whole matter and talk to the various departments and planner. She also did not want to set a president of waiving fees. The question was asked; Is the Planning/Zoning Boards making simple things hard? Mr. Withall said the amount it was going to cost wasn't spelled out from the beginning. Every meeting they thought the fee would be the last one and every time they are asking for additional plans and money. Need a better job of explaining the process and transparency to plan on funding. Supervisor Freer said she will look into it further and they will get back to Mr. Withall.

New Hamlet MFZ Extension -289 Broadway

On October 7th, 2021, the Esopus Town Board voted to adopt Local Law No. 12 to establish a mixed-use floating zone district known as the "NEW HAMLET MFZ." The local law indicates that the approval would expire if the Site Plan approval was not granted by the Esopus Planning Board on or before January 31, 2023. Due to delays related to the lack of available trades and engineers, they could not meet this deadline; therefore, they requested a one-year extension to their cited deadline. The full site plan application will be submitted for review before November 7th and presented in front of the Planning Board during their regular meeting on December 19th, 2022. Councilman Clarke said she was glad to hear they are continuing the project.

COUNCILMAN GEUSS MADE A MOTION TO GRANT A 1 YEAR EXTENSION AND AUTHORIZED THE SUPERVISOR TO WORK WITH THE PLANNER TOM SHEPSTONE TO DRAFT THE NECESSARY MATERIALS TO EXECUTE THE EXTENSION. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

MISCELLANEOUS / LIAISON UPDATES

HALLOWEEN CURFEW

A MOTION WAS MADE BY SUPERVISOR FREER TO SET THE HALLOWEEN CURFEW AT 7:00 PM IN THE TOWN OF ESOPUS. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

There is a bid opportunity on the website for the Water Treatment Facility Improvements for Plumbing, Electrical and HVAC. Interested parties are encouraged to review the website for details.

OCTOBER 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 ADJUSTMENTS FOR OCTOBER 2022

AO. 0599.000 FUND BALANCE TO	AO1355.401	\$1,200.00	Daniel Baker
	AO1620.435	\$285.50	SAFCO
	AO5182.401	\$8,236.31	ESOPUSOL

OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN GEUSS

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 OCTOBER 2022

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	221495 - 221538	\$55,521.65
HIGHWAY FUND	222233 - 222255	\$153,536.49
STREETLIGHTS		
PORT EWEN SEWER FUND	223117 - 223136	\$24,035.64
PORT EWEN WATER	224218 - 224233	\$16,403.52
Capital Water		
ARPA	227021 - 227033	\$110,534.07
Visa		
		\$360,031.37

OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN QUICK

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

Resolution duly adopted.

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY SUPERVISOR DANIELLE FREER AT 8:05 PM. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

*Respectively Submitted,
 Holly A. Netter
 Town Clerk, RMC*