

**TOWN BOARD MEETING
November 22, 2016**

A regularly scheduled Town Board Meeting was held on Wednesday, November 22, 2016 in the Town Hall, 284 Broadway, Ulster Park, N.Y. with the following persons in attendance:

**Supervisor Diane McCord
Councilperson Gloria Van Vliet
Councilperson Wayne Freer
Councilperson Kyle Barnett - Absent
Councilperson Leslie Kalmus**

Administrative Recorder: Holly A. Netter, Town Clerk

PUBLIC COMMENT

Douglas Navarra, 512 Main Street, St. Remy had attended the June 22, 2016 workshop as well as September 28, 2016 Town Board meeting to discuss an ongoing issue with the drainage on Main Street. Mr. Navarra had stopped in to speak with Supervisor McCord earlier that morning, at which time Supervisor McCord read a portion of the letter from Terence Carle who performed a Title Search on the property. Mr. Navarra read portions of a deed, as well as a title search from Glasco Title which was done in 2010, and said he could not find any easement to allow flood waters to come onto his property. He also said he is continuing his research at the County Clerks' office.

Mr. Navarra is seeking permanent closure of the culvert pipe and a remediation of drainage on the corner of Decker St. to meet the existing catch basin on the corner of Decker and Alda. He feels there are two hazards. The water compromising the trees which are on the property and could fall on the neighbor's house and the safety and security of flooding on Main Street during the peak of the melt which collects at the base of Main Street. Pedestrians could have issues.

Navarra said as of last month there was no budget for the remediation for this area. He said Highway Superintendent Mike Cafaldo's plan was to install a French drain. Navarra wants a pipe installed on Decker Street. He said he is concerned for the entire community in St. Remy. He said he has a right to protect his property's safety and security and to have his property function as he sees fit, including aesthetics.

He submitted pictures from a mild rain from 11/15/16 as well as the culvert pipe and they will be attached to these minutes as Addendum A. Navarra concluded by asking the Board to do the right thing and do the remediation.

The Board thanked Mr. Navarra. Supervisor McCord said they have done a title search of this property and she has sent the results to the Town Attorney. This is precipitated by Mr. Navarra filling in a 200 ft ditch where the water from the catch basin overflowed and leached into the ground over time and has been doing that since the late 1800's. Navarra did not mention that in his presentation and this problem started to occur when he filled in the ditch.

Central Hudson Meeting Birchez – Don Kiernan

Central Hudson has requested a meeting to discuss the electric bill for the pump station at Birchez which is approximately \$12,000 because Central Hudson has never been paid. The Town has not taken ownership of the pump station and Birchez still owns it. A summary of the Birchez file was given to the Town Board covering 2007 to the last communication with Town Attorney Paul Keller on March 2, 2016. Supervisor McCord asked Don Kiernan if easements where the water lines cross onto building lots along Dick Williams Lane have been received. Kiernan replied "not to the satisfaction of the Town Attorney." At a workshop meeting in February, Steve Aaron said he would get a copy of the maintenance records of the pump station and generator to the Town, to date we have not received them. Kiernan said the Health Department is not backing down from requiring a grease trap. The Health Department would have to rescind the letter requiring the trap. Councilperson Freer said this matter has been going on for quite some time and we need to get to the bottom of this matter one way or the other. Councilperson Freer questioned the easements; he recalled the meeting and thought they said they were clear. Supervisor McCord said the easement on the road is clear but the area going to the pump station is all tied into the big building. Mike Cafaldo said the road never had a final coating placed and was not built to Town specs, according to Allan Larkin. Freer asked Cafaldo to look into that. Kiernan wants to see the maintenance records to ensure the equipment has been properly maintained to protect the Town from additional costs. Freer asked where the second pump was? Kiernan replied he has not heard from Aaron since the meeting in February. The answers to these questions are a key factor for the meeting with Central Hudson to know if they are ready to be accepted or not and who will be responsible for the pump stations in the future. Kiernan said he will not take ownership of the pump station until he receives the maintenance records and knows it is fully operational.

Councilperson Gloria Van Vliet asked about the road. Didn't it have to go through the Planning Board process? She said she would assume he would have had to build the road to Town specifications. Councilperson Van Vliet directed the question to Myles Putman, Planning Board Consultant, who was present for another matter. Myles said according to his recollection, it was made a condition of approval. However, somehow he was given the go ahead to develop the senior housing before dedicating the road to the Town. Myles said the developer changed engineers every 6 months, so who knows who inspected it at the time it was built. The question of whether Mr. Aaron has a clear deed to the road was raised.

APPOINTMENT HARRASSMENT COMMITTEE - MARIANNE WELLS AND SAL MORELLO

A MOTION WAS MADE BY SUPERVISOR DIANE MCCORD TO APPOINT MARIANNE WELLS AND SALVATORE MORELLO TO THE HARASSMENT COMMITTEE. THE MOTION WAS SECONDED BY COUNCILPERSON WAYNE FREER. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

KATHY ROBINSON – WINTER WONDERLAND PARADE

The Winter Wonderland Parade will be held December 10th at 5:30 pm starting at Medrex and going south on Broadway to West Stout St. After the parade, there will be a gathering at the gazebo next to the Mid Hudson Valley Federal Credit Union (MHVFCU). Mr. and Mrs. Clause will hand out chocolate chip cookies. Anyone who is interested in participating in the parade can contact Kathy Robinson at 331 -3549. Donations of new coats, hats and gloves for the local schools can be made in the designated boxes located at Dollar General, Mario's Pizza, MHVFCU and Port Ewen Pharmacy. The rain date for the parade is December 11th. The Website www.esopus.com will have the cancelation posted by 3:00 pm on the 10th.

LIGHTING BRIGHTNESS COMPLAINT – KATHLEEN BARRY, TILDEN/HERRIMAN

A complaint was received about the brightness of a street light located on the corner of Tilden St. and Harriman St. The Board members discussed the situation and it was determined the light will stay as is.

REQUEST TO REMOVE STREET LIGHT - RIVERVIEW COURT

At a prior workshop meeting the request was made by Barbara Hill to have the Street light turned off on Riverview Court. Supervisor McCord notified the neighbors in the area and asked them for their input. A letter was shared at the Town Board Meeting signed by 10 other residents opposing the request. The Board made the decision the light will remain on.

PUBLIC HEARING ON ZONING CHANGE SEQR REQUIRED

Scott Dutton has requested a zoning change for 56 Main St., Esopus. Currently Captain Vantastic operates out of the property and is currently zoned neighborhood commercial. Mr. Dutton has asked the Board to consider changing the zoning to General Commercial.

Myles Putman, Planning Consultant, gave an overview of Mr. Dutton's proposal to change the zoning. Myles sent a memo outlining the information to the Town Board. Myles said it was his understanding that a petition proposing a zoning change was made. He would like a copy of the petition if it was submitted and all SEQR paperwork

that accompanied the request. The zoning change would require a public hearing. At that time the Town Board must refer a copy of the complete proposed amendment to the Town and County Planning Boards. Since the Neighborhood Commercial district in Esopus is also within the Town's coastal management area, a copy of the complete statement will be forwarded to the Waterfront Advisory Board. The Town Board would like to know how the neighbors feel about the property. The supervisor will notify the neighbors and the topic will be put on the Agenda for the December 5th workshop meeting.

Myles explained another option is for Mr. Dutton to go to the Zoning Board of Appeal to have one non conforming use changed to another without changing the code. The discussion will be continued at the next workshop meeting.

COMPREHENSIVE PLAN PPA – TABLED FOR FUTURE MEETING

APPROVAL OF THE MINUTES

A MOTION WAS MADE BY SUPERVISOR MCCORD TO APPROVE THE TOWN CLERK'S MINUTES. MOTION WAS SECONDED BY COUNCILPERSON FREER. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

COMMUNICATION & REPORTS ARE AVAILBLE IN THE TOWN CLERK'S OFFICE

NO BUDGET ADJUSTMENTS – NOVEMBER

RESOLUTION AUTHORIZING PAYMENT OF BILLS - NOVEMBER 2016

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	161529 - 161567	\$ 28,930.89
Highway Fund	162272 - 162295	\$ 57,642.79
Street Lights	166011	\$ 6,602.21

Port Ewen Sewer Fund 163157 -163173	\$ 78,060.41
Port Ewen Water Fund 164250 - 164272 Void 164255	\$ 13,599.59
Total.....	\$184,835.89

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilperson Leslie Kalmus
SECONDED BY: Councilperson Wayne Freer

Councilperson Wayne Freer	AYE
Councilperson Gloria Van Vliet	AYE
Councilperson Kyle Barnett	Absent
Councilperson Leslie Kalmus	AYE
Supervisor Diane McCord	AYE

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

MISCELANEOUS

Supervisor McCord shared an application which has been drawn up for potential Volunteer Board applicants. Upon approval of the form it will be sent to Mike Rice to place on the website. Many Boards have positions open and anyone interested was encouraged to apply.

ADJOURNMENT

A MOTION TO ADJOURN AT 9:14 PM WAS MADE BY SUPERVISOR MCCORD. THE MOTION WAS SECONDED BY COUNCILPERSON KALMUS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Respectfully submitted,

Holly Netter
Town Clerk, RMC