

**Town Board Meeting
November 19, 2019**

A regularly scheduled Town Board meeting was held on Tuesday, November 19, 2019 in the Town Hall, 284 Broadway, Ulster Park, New York at 7:30 PM with the following persons in attendance:

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

Recording Administrator Holly A. Netter, Town Clerk, RMC

A MOTION WAS MADE BY SUPERVISOR SHANNON HARRIS TO OPEN THE REGULAR MEETING AT 7:30 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PLEDGE

PUBLIC COMMENT - NONE

Maintenance of cemeteries. The Town received a letter from the Klyne Esopus Museum regarding the state of disrepair in many of our cemeteries. In their letter they requested the Town create a committee to examine and develop a realistic achievable solution to the matter. Supervisor Harris said she talked to Dan Vedder, Buildings and Grounds Supervisor and the he is addressing concerns about trees down. Supervisor Harris thanked the Museum for their letter.

Volunteer Board vacancies. Environmental Board term expiring 12/19, Planning Board term expiring 12/19, Water/Sewer Board with term expiring 12/21 and Zoning Advisory Board term expiring 12/22.

Job vacancy. Civil Service is scheduling interviews for qualified individuals seeking the Port Ewen Water District Water Treatment Operator/Trainee position.

NYSDOT response. Supervisor Harris said NYSDOT has responded to the Town's inquiry from the fall of 2018. The original letter dealt with the congestion coming into Port Ewen however their response did not address that main concern. She said in the future she will stream line letters to the NYDOT so not to undermine the intention of the letter. She will follow up with them to obtain and answer regarding the original concern.

RESOLUTION OF INTRODUCTION

Shannon Harris, seconded by Jared Geuss, introduced the following proposed local law, to be known as Local Law No. 7 of 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING ARTICLE IV AND ARTICLE XII OF CHAPTER 123 “ZONING” OF THE TOWN CODE TO ADDRESS REGULATION OF COMMERCIAL EVENT VENUES.

SECTION 1. Statement of Intent

The current provisions of Chapter 123 “Zoning” of the Code of the Town of Esopus are hereby amended with those items underlined added.

SECTION 2. Amend Chapter 123, Article IV, Section (§) 123-10 of the Town Code

Chapter 123, titled “Zoning,” Article IV, §123-10, titled “Schedule of District Use Regulations,” is hereby amended to add “Commercial Event Venue” to the “Schedule of Permitted Uses” as a use permitted upon issuance of a special use permit in accordance with §123-46 of the Town Code.

Use	Districts											Supplementary Regulations
	RF-1	RF-2	R-40	R-12	NC	B C	GC	LI	HI	W	WR	
<u>Commercial Event Venue</u>			•									

SECTION 3. Amend Chapter 123, Article IV, Section (§) 123-13 of the Town Code

Chapter 123, titled “Zoning,” Article III, §123-13, titled “Uses Requiring Special Use Permits,” is hereby amended by adding a new subsection §123-13 W titled “Commercial Event Venue.”

§123-13. Uses requiring special use permits

W. Commercial Event Venue.

- 1) Restaurants, hotels, bed and breakfast establishments, or agriculture/farm-based businesses with banquet facilities where commercial event venues are accessory uses shall not be subject to this regulation.
- 2) Applicants shall provide a plan subject to site plan review standards along with specificity pertaining to the types of events.
- 3) The special use permit shall limit the number of participants/attendees for each event, set forth the permitted hours of operation and the maximum number of events per year.
- 4) The applicant shall provide safety/security/emergency access plans with its application.
- 5) All temporary structures must be removed within 3 days of the event.
- 6) The commercial event venue shall be located on a site with a minimum of three (3) acres.

- 7) The site of the commercial event venue shall have access on a County or State Road. Access to a Local Road or street, may be permitted by the Planning Board upon a finding that it can handle the traffic volume for the proposed event.
- 8) Parking areas may be designated on fields or lawn areas that are capable of handling motor vehicle traffic.
- 9) Catering services, including the use of food trucks, are allowed to provide the food and beverages for the special event. On-site preparation of food shall be subject to all applicable Board of Health approvals.
- 10) Any venue, which provide overnight accommodations must comply with all applicable codes and laws related to the provision of said accommodations.
- 11) Alcoholic beverages may be consumed on-site provided the venue or catering service has appropriate insurance coverage and complies with local laws. Open or cash bars are allowed subject to New York State Liquor Authority rules and regulations.
- 12) In each year subsequent to the special permit approval, a notice shall be sent to the commercial event venue / property owner reminding the person that they are holding a special permit under this section and that a yearly renewal is required. If there are no reports of violations after the first year, a biennial (i.e., taking place every other year) renewal may be granted by the Building Department.
- 13) There shall be a fee paid at the time of the initial application, and additional fees upon Planning Board approval based upon the number of anticipated events. The applicant shall pay fees to the Building Department in accordance with a fee schedule adopted by the Town Board.

SECTION 4. Amend Chapter 123, Article XII, Section (§) 123-61 of the Town Code

Chapter 123, titled "Zoning," Article XII, §123-61, titled "Terms Defined," is hereby amended to include the following definitions:

GENERAL EVENT VENUE - The actual location(s) in which the special event gathering is to occur on the subject site.

COMMERCIAL EVENT VENUE - An establishment where small gatherings and events, such as, but not limited to, weddings, parties, fundraisers, small conferences and similar events, are held subject to the standards set forth in Article IV, § 123-13 W, of this chapter.

SECTION 5. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

SECTION 6. Effective Date

This Local Law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

Supervisor Harris advised the Town Board that, pursuant to (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Sections 123-51(A) and (B), it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. **Supervisor Harris offered** the following resolution which was **seconded by Councilperson Jared Geuss**, who moved its adoption:

WHEREAS, on November 19, 2019, Supervisor Harris has introduced this local law for the Town of Esopus, to be known as "Town of Esopus Local Law No. 7 of the Year 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING ARTICLE IV AND ARTICLE XII OF CHAPTER 123 "ZONING" OF THE TOWN CODE TO ADDRESS REGULATION OF COMMERCIAL EVENT VENUES.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on December 3, 2019, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on December 3, 2019 at 7:00 o'clock, p.m., on Local Law No. 7 of the Year 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY,

NEW YORK AMENDING ARTICLE IV AND ARTICLE XII OF CHAPTER 123 "ZONING" OF THE TOWN CODE TO ADDRESS REGULATION OF COMMERCIAL EVENT VENUES.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

The foregoing resolution was voted upon with all councilmen voting as follows:

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.

FORMALIZING OUR TOWN HALL ACCESS ROAD AS A TOWN HIGHWAY

In the matter of

**APPLICATION TO LAY OUT
A TOWN HIGHWAY**

Town of Esopus

*Laying out a certain town highway in the
Town of Esopus, County of Ulster and
State of New York.*

**TO THE SUPERINTENDENT OF HIGHWAYS OF THE TOWN OF ESOPUS IN THE COUNTY OF
ULSTER**

THE UNDERSIGNED, an inhabitant of the Town of **Esopus**, hereby applies to you to lay out a highway in the said Town, commencing **from US Route 9W (Broadway)**, which proposed highway will pass only through the lands owned by the undersigned, who consents to the laying out of the highway.

Hereto annexed and made a part hereof is a certain map showing the course of the said proposed highway.

Dated, this 18th day of October, 2019.



NAME

STATE OF NEW YORK)
COUNTY OF ULSTER) ss:

On Oct 18, 2019 before me, the undersigned, a notary public in and for said State, personally appeared Shannon Norris, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public



In the matter of

ORDER LAYING OUT HIGHWAY

The Town of Esopus

Laying out a certain town highway in the
Town of Esopus, County
of Ulster and State of New York.

APPLICATION HAVING BEEN MADE for the laying out of a town highway in the Town of
Esopus, Ulster County, New York, extending from US Route 9W (Broadway) Road in
the westerly direction, a distance of approximately 545 feet entirely through the lands
of Town of Esopus, and a dedication and release from the owner of and other persons
interested in the lands through which the highway is proposed to be opened having been given:

NOW THEREFORE, I, the Town Superintendent of Highways of the Town of
Esopus, Ulster County, New York, doe hereby determine and order that a town highway
shall be, and the same is hereby laid out in said Town as follows:

BEGINNING AT A POINT 9W west to Town Hall Parking lot

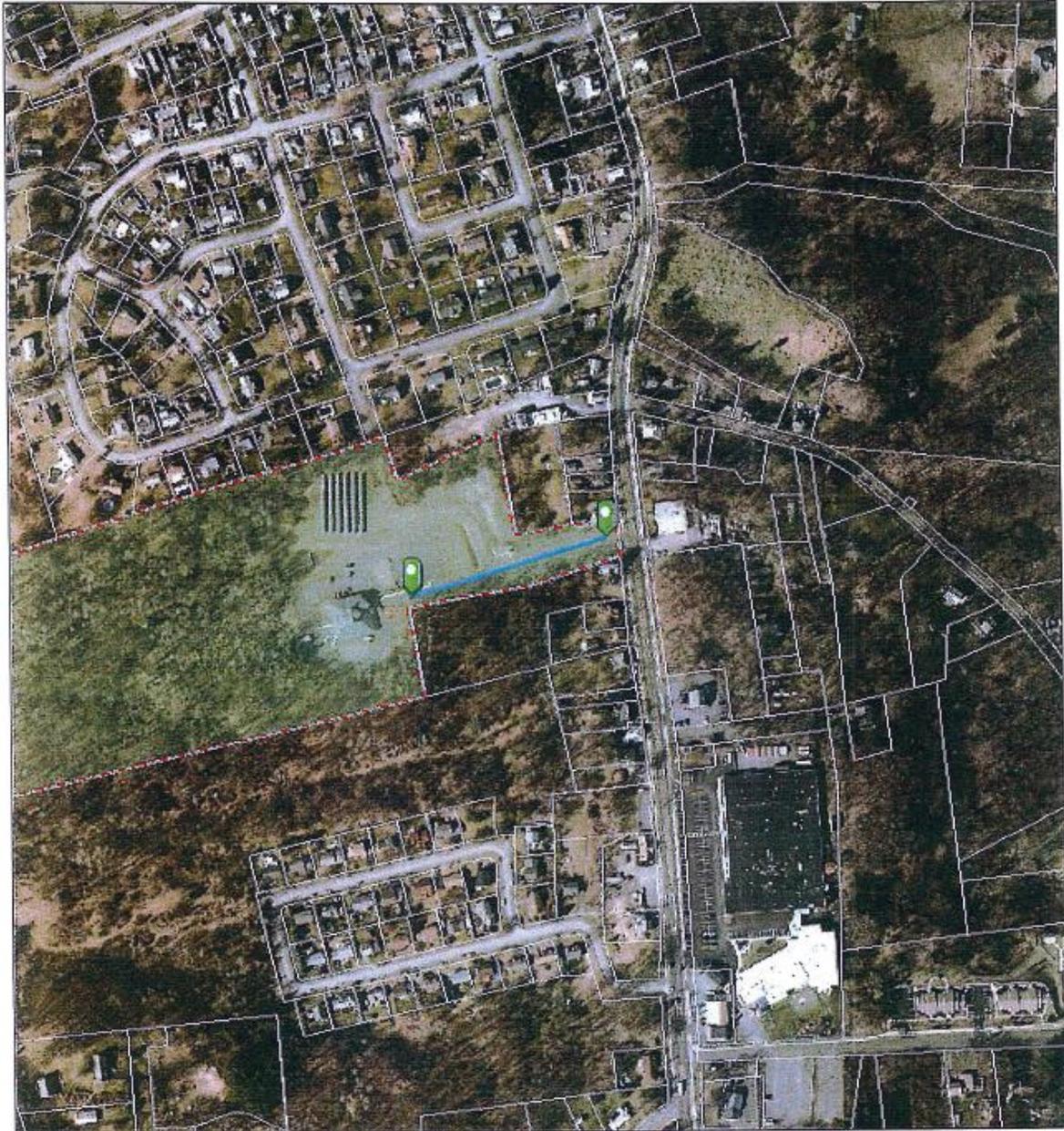
Dated this 18 day of 18 OCTOBER, 2019.

Mel J. Cyll
TOWN SUPERINTENDENT OF HIGHWAYS



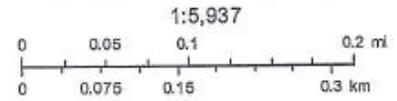
Debra J. Kain

Ulster County Parcel Viewer



October 18, 2019

- polygonLayer
Override 1
- polygonLayer
Override 1



CONSENT OF TOWN BOARD
TO PROPOSED TOWN HIGHWAY

In the matter of

Town of Esopus

*Laying out a certain town highway in the
Town of Esopus, County
of Ulster and State of New York.*

UPON READING AND FILING the application of **Town of Esopus**, dated and acknowledged the 19 day of November 2019 and the dedication and release of **The Town of Esopus** and **Esopus Highway Dept** dated November 19, 2019, and duly acknowledged, dedicating and releasing the necessary lands for a proposed town highway to extend from **US 9W (Broadway)** Road in a **westerly direction** a distance of approximately **545 feet** entirely through the lands of **The Town of Esopus**.

RESOLVED THAT, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same hereby is given that the Town Superintendent of Highways of the Town of **Esopus** make an order laying out the aforesaid town highway, the said town highway to consists of the lands described in the said dedication and release and to extend as delineated upon the map thereto annexed, and it is further,

RESOLVED, that the Town Clerk be, and she/he hereby is, directed to forthwith cause such release to be recorded in the Office of the Clerk of the County of Ulster, and upon its return, to attach it hereto.

Dated: November 19, 2019

**TOWN BOARD OF THE TOWN OF ESOPUS
COUNTY OF ULSTER, STATE OF NEW YORK**

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

In the matter of

DEDICATION AND RELEASE
OF LANDS FOR TOWN HIGHWAY

Town of Esopus

Laying out a certain town highway in the
Town of **Esopus**, County
of Ulster and State of New York.

WHEREAS, application has been duly made to the Town Superintendent of Highways of the Town of **Esopus**, in Ulster County, New York, for the laying out of a certain town highway to extend from **US 9W (Broadway)** in a **westerly** direction a distance of approximately **545 feet** entirely through the lands of **The Town of Esopus**, the undersigned,

NOW THEREFORE, the said **Town of Esopus**, the owner, does hereby dedicate, release and convey to the said Town of **Esopus**, for highway purposes, the following lands, to wit: **existing private road for Town Hall, Town of Esopus, County of Ulster SBL # 56.75-2-23.210.**

The lands hereby dedicated, released and conveyed are specifically shown and delineated upon a certain map which is hereto annexed and made a part hereof.

AND WE DO CERTIFY that no considerations will be paid to the undersigned for this dedication.

IN WITNESS WHEREOF, we have caused these presents to be executed and sealed this 19 day of November 2019.



STATE OF NEW YORK)
COUNTY OF ULSTER) ss:

On November 19, 2019 before me, the undersigned, a notary public in and for said State, personally appeared Shannon Harris, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.





Notary Public

A MOTION AUTHORIZING SUPERVISOR HARRIS TO SIGN THE NECESSARY DOCUMENTS FOR THE DEDICATION AND RELEASE OF LANDS FOR TOWN HIGHWAY WAS MADE BY SUPERVISOR SHANNON HARRIS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

11-19-19 TB MEETING

**The road will be named Town Hall Drive. All necessary paperwork will be filed with Ulster County 911 to create the new physical address. The new 2020 directories will coincide with new branding/logo and address.

2020 KIWANIS KINGSTON CLASSIC

A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO APPROVE A PARTIAL ROAD CLOSURE OF 9W ON APRIL 26, 2020 FOR THE ANNUAL KINGSTON CLASSIC. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

UPCOMING EVENTS

11/20 Wednesday: 4:30 PM Zoning Task Force Mtg.; 7 PM Environmental Board Mtg., Town Hall.

11/24 Sunday: St. Remy FD Pancake Breakfast.

11/26 Tuesday: 5:30 PM Economic Development Committee Mtg., Town Hall.

11/28-29 Thursday and Friday: Town Hall closed for Thanksgiving break.

12/1 Sunday: 8:30-11:30 AM Esopus FD Pancake Breakfast.

12/2 Monday: 5:30-7:30 PM EBA Mixer at "End Cut"; 7 PM American Legion Post 1298 Mtg., Town Hall.

12/3 Tuesday: 7 PM Town Board Workshop, public hearings for local laws & stormwater drainage plan.

12/6 Friday: 5:30-8:30 PM Presentation Church/Sacred Heart Pasta Dinner, Community room.

12/7 Saturday: 5:30-8 PM Winter Wonderland Parade featuring Mr. & Ms. Claus beginning at Medrex Building.

12/11 Wednesday: 7 PM Fred Zimmer retirement party prior to Planning Board mtg, Town Hall.

12/12 Thursday: 1 PM AARP Christmas Party; 6-8 PM Citizen Emergency Preparedness training and free response kits, Town Hall upper Courtroom -- **MUST REGISTER:** <https://prepare.ny.gov/training-events>

12/13 Friday: 10-12 AM Citizen Emergency Preparedness training and free response kits, Town Hall upper Courtroom -- **MUST REGISTER:** <https://prepare.ny.gov/training-events>

12/14 Saturday: 9 AM Klyne-Esopus Museum Mtg., Town Hall.

12/15 Sunday: 8 AM-12 PM Port Ewen FD Special Breakfast with Santa Claus.

12/16 Monday: 12 PM Esopus Seniors Christmas Luncheon featuring dancing, raffles and holiday cheer.

11-19-19 TB MEETING

12/17 Tuesday: 7:30 PM Town Board meeting, Town Hall.

12/20 Friday: 11 AM Town Hall Christmas Luncheon and Secret Santa exchange (All Town Board members and elected officials welcome to join).

12/15 Sunday: 10 AM-12 PM Breakfast with Santa Clause for residents of St Remy Fire District residents.

12/24-25: Town Hall closed at Noon on 12/24 and on 12/25 Town Hall closed for Christmas.

12/31-1/1/20: Town Hall closed at Noon on 12/31 and on 1/1 Town Hall closed all day for New Year's, EXCEPT for Town Board Organizational meeting, which begins at 12 PM Noon and is followed by a light luncheon.

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 NOVEMBER 2019

AO. 0599.000 Fund Balance to

AO.1420.400 \$ 7,464.11
Legal Fees

A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.

OFFERED BY:	Councilperson Chris Farrell	
SECONDED BY:	Councilperson Jared Geuss	
	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 NOVEMBER 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	191622-191671	\$ 77,092.40
HIGHWAY FUND	192274 - 192297	\$ 52,560.58
STREET LIGHTS	196089	\$ 5,392.97
PORT EWEN SEWER FUND	193123 -193132	\$ 10,799.98
PORT EWEN WATER FUND	194238 -194255	\$ 18,634.43
Capital ⁽³⁰⁾		
TOTAL		\$ 164,480.36

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilperson Gloria Van Vliet
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.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL AT 8:05 PM TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE EMPLOYMENT HISTORY OF PARTICULAR INDIVIDUALS EMPLOYED BY THE TOWN OF ESOPUS. THE MOTION WAS

SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

****EXECUTIVE SESSION ACTUALLY STARTED AT 8:15 PM.**

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO COME OUT OF EXECUTIVE SESSION AT 9:02 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Decision:

Karen Bitanti will continue through 2020. She can assist both Judges if they choose but cannot exceed her current salary allotted in the 2020 budget.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 9:02 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