

**Town Board Meeting
November 18, 2021**

A regularly scheduled Town Board meeting was held at the Esopus Town Hall, 1 Town Hallway, Ulster Park, NY. The meeting was also available via zoom, live streamed on Facebook and televised on local access channel 23 on Thursday November 18, 2021, at 7:00 PM with the following persons in attendance:

**Supervisor Jared Geuss
Councilman Kathie Quick
Councilman Chris Farrell
Councilman Evelyn Clarke
Councilman Laura Robinson**

Recording Administrator Holly A. Netter, Town Clerk, RMC

Supervisor called the regularly scheduled meeting to order at 7:48 pm immediately following the public hearing on LL 13, Opt Out Cannabis.

PLEDGE TO THE FLAG

Public Comment:

Chris Marta- Sleightsburgh Resident said the Spit gate has been left open seven times and did not automatically lock at 9 pm. It has been open 3 -4 nights in a row. The Town spend \$12,000 - \$15,000 for the automatic gate and the primary function is not working; it's frustrating. Asked for a proper procedure when gate is not working. Shannon came down to close it. Process has been working, it's been a different hunting season; a lot less noisy. Sleightsburgh residents are happy with process. He suggested a resident having a master key, so they can close it. Chris asked for the best procedure to report if the gate is not working.

Supervisor Guess said to email outreach @ esopus.com Supervisor Geuss has talked to Highway Superintendent Cafaldo and the change in weather/temperature is causing a sensor issue. They are looking to put a black top pad over the sensor, and it should be a quick fix. He said they checked the camera footage and between 12 pm and 8 pm there were a total of 7 cars who came in and out of the Spit. That included the Sheriff's patrolling it twice.

Jeanie Sammons – 134 Legion Court – Issue with garbage cans not being pulled in. The day the garbage is picked up (Tuesday)the neighbor refills it and leaves it at the curb. If there is a storm the trash blows all over the street. On her postal route she sees many cans being left out which cause issues getting to the mailboxes. She asked if there was a code and how this can be enforced. Supervisor Geuss will check with the Code enforcement officer and get back to her.

Chris Marta asked where to find the ARPA funds on the 2022 budget, he didn't see it. He asked to post it on the website where the money is being allotted, what rate the money is earning and an accounting of the ARPA funds. (Deb Kain, Bookkeeper, replied by text - line 130 of the revenues \$440,000.) Chris said he wants to make sure it is transparent.

Councilman Chris Farrell read Diane Hull's email comment

To the Esopus Town Board,

I just found out they were only two stop signs going up in Connelly. This isn't even a Band-Aid on the situation. They're not even in the problem spots. I was at the September meeting via zoom. I was unable to attend in person. I raised my hand to discuss the matter further, but Alex didn't see it.

The one at Mary's Avenue is going the wrong direction. It should be going out of town. All mention of this sign was going out of town. Coming into town, that's not a problem. Going out of town people run that stop sign routinely at Mary's Ave. People coming down Connelly Road go around the corner and don't even slow down and they go right up Mary's Ave.. Traffic needs to stop before Mary's Avenue to void an accident with these drivers.

There is nothing to slow down traffic on Plantasie or First.

I don't understand what happened to the signs at First and Plantasie, Connelly Road at Plantasie or First at Center. There was also one discussed at Spring and First or First at Spring. Attached is my original email outlining where we wanted the signs. What happened?

Today at 2:55 pm I called Mike he said, "I'm still waiting for the Town Board. "They have to tell me what they want?" Can we please stop the emails and hand him the list, which will hopefully be amended.

Thank you
Diane Hull

Supervisor Jared Geuss said he will hand deliver the letter and keep everyone updated on Connelly.

Speed sign was set up at town hall as an example and is going out next week in either Connelly or Sleightsburgh and will be moved around.

Councilman Kathie Quick asked to make sure the approved signage for Sleightsburgh was also given to Mike.

Diane Hull asked to have a list sent to her of where the signs are going to be placed; Supervisor Geuss will copy her on the correspondence.

A MOTION WAS MADE BY SUPERVISOR GUESS TO CLOSE THE PUBLIC COMMENT THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

**RESOLUTION
WATER RATE**

WHEREAS, the law requires the cost of the operation and maintenance of the Port Ewen Water District to be paid by revenue derived from the sale of the service,

WHEREAS, this Town Board has adopted a Water District budget for year 2022, based on a rate of a minimum charge of \$19.16 for the first 0 to 4,000 gallons and a rate of \$4.79 per 1,000 gallons, thereafter, based on the water meter.

THEREFORE, be it resolved that the Town Board increase the rate charged for Water service from a minimum of \$17.96 for the first 0 to 4,000 gallons and \$4.49 per 1,000 gallons, thereafter, based on the water meter, to a minimum of \$19.16 for the first 0 to 4,000 gallons and the rate of \$4.79 per 1,000 gallons thereafter, based on the water meter, with the new rate to be effective upon adoption of this resolution.

**OFFERED BY: COUNCILMAN FARRELL
SECONDED BY: SUPERVISOR JARED GEUSS**

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN CHRIS FARRELL	AYE
SUPERVISOR JARED GEUSS	AYE

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

RATE INCREASE REQUEST FOR DEPUTY DOG CONTROL OFFICER: KEVIN HINDMAN

A MOTION WAS MADE BY COUNCILMAN KATHIE QUICK TO PAY KEVIN HINDMAN, EMERGENCY DEPUTY CONTROL OFFICER, A RATE OF \$100 PER CALL INCLUDING MILEAGE TO AND FROM THE CALL. THE MOTION IS SECONDED BY SUPERVISOR JARED GEUSS.

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	NO
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN CHRIS FARRELL	NO
SUPERVISOR JARED GEUSS	AYE

**** NO VOTES; NOT ENOUGH INFORMATION RELATING TO HOW MANY CALLS HE GOES ON AND THE BREAKDOWN OF THE FUNDS THAT WERE PAID TO HIM IN THE PAST.**

MOTION CARRIED 3 AYE 2 – NO

APPOINTMENT FOR ASSESSMENT BOARD OF REVIEW – JAMES BANKS

A MOTION WAS MADE BY COUNCILMAN EVELYN CLARKE TO REAPPOINT JAMES BANKS TO THE ASSESSMENT BOARD OF REVIEW, TERM TO EXPIRE SEPTEMBER 30, 2026. THE MOTION WAS SECONDED BY COUNCILMAN CHRIS FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

NYS Stretch Code Update – Waiting for revised documents. The Local Law for the stretch code will be introduced on 12/2. The Board anticipates setting a public hearing for 12/16 and may take action to approve the law during the regular Town Board Meeting.

Miscellaneous

YMCA – Camp was a success, and they are preparing the dates for 2022 at Esopus, 3 sessions: June 27 – July 8, 7/11 – 7/22, 7/25- 8/5.

Vaccinations are available at Best Buy. Anyone 5 years old or older is eligible. They are offering 1st, 2nd, and booster shots. Times and dates of clinics can be found on the Ulster County website.

Holiday Tree Lighting – Parks & Recreation will be hosting a holiday tree lighting with Santa on December 4th, 4pm-6pm at the gazebo near MHVCU. All are invited to join in on the festivities which include caroling, cookies and hot chocolate. The rain date is scheduled for December 11th.

EXECUTIVE SESSION

A MOTION WAS MADE TO ENTER EXECUTIVE SESSION AT 8:25 PM FOR THE PURPOSE OF DISCUSSING A POTENTIAL LITIGATION MATTER. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION AT 8:58 PM BY SUPERVISOR GEUSS. THE MOTION WAS SECONDED BY COUNCILMAN FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

ACTION:

TOWN OF ESOPUS RESOLUTION

AUTHORIZING THE SUPERVISOR TO CONTRACT FOR PROFESSIONAL SERVICES TO REPRESENT THE TOWN IN PENDING LITIGATION

WHEREAS the Town Board has met in Executive Session to discuss pending litigation matters in an action affecting the Town pursuant to §105(1)(d) of the Open Meetings Law, which permits a public body to enter into an executive session to discuss "proposed, pending or current litigation."

AND WHEREAS the Town Board finds that the action(s) in connection with notice of said litigation are probable or imminent, and

THEREFORE, BE IT RESOLVED that the Board finds it appropriate to engage the following advisers to represent the town at the rates indicated below:

- Attorney Kyle Barnett, Esq., of the firm Van DeWater and Van DeWater LLP at 85 Civic Center Plaza, Suite 101, Poughkeepsie, NY at a rate of \$250/hour

Resolution offered for adoption by; Supervisor Geuss

Seconded by: Councilman Kathie Quick

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN CHRIS FARRELL	AYE
SUPERVISOR JARED GEUSS	AYE

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

**TOWN OF ESOPUS RESOLUTION
AUTHORIZING THE SUPERVISOR TO CONTRACT FOR PROFESSIONAL SERVICES TO REPRESENT
THE TOWN IN PENDING LITIGATION**

WHEREAS the Town Board has met in Executive Session to discuss pending litigation matters in an action affecting the Town pursuant to §105(1)(d) of the Open Meetings Law, which permits a public body to enter into an executive session to discuss "proposed, pending or current litigation."

AND WHEREAS the Town Board finds that the action(s) in connection with notice of said litigation are probable or imminent, and

THEREFORE, BE IT RESOLVED that the Board finds it appropriate to engage the following advisers to represent the town at the rates indicated below:

- Michael Bernholz, SRA, CCIM, MAI of Hudson Valley Appraisal at Sunset Blvd and Broadway, Port Ewen, NY at a rate of \$250/hour for pre and post litigation support, including potential development of a scope of work for defined certified appraisal work at a price negotiated by the Supervisor.

Resolution offered by; Supervisor Geuss

Seconded by: Councilman Evelyn Clarke

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN CHRIS FARRELL	AYE
SUPERVISOR JARED GEUSS	AYE

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 NOVEMBER 2021

AO 0599.000	Fund Balance	AO 1355.401	\$1,200.00
		Dan Baker	
		AO 1420.400	8,096.18
		Attorney fees	
		AO..1620.405	\$2,855.47
		Building telephone	
		AO.3310.400	\$2,192.15
		Traffic Control	
		AO 5182.401	\$7,306.60
		ESOPUSOL	
DA 0599.000	Fund Balance	DA 5112.400	\$44,304.53
		Chips	
SW.0599.000		SW8310.100	\$14,877.67
		Water Labor	

A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.

OFFERED BY: COUNCILMAN FARRELL

SECONDED BY: COUNCILMAN KATHIE QUICK

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN CHRIS FARRELL	AYE
SUPERVISOR JARED GEUSS	AYE

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

RESOLUTION AUTHORIZING PAYMENT OF BILLS NOVEMBER 2021

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	211560 -211625	\$90,740.37
HIGHWAY FUND	212200- 212216	\$155,441.42
STREETLIGHTS		\$0
PORT EWEN SEWER FUND	213115 – 213130	\$19,147.43
PORT EWEN WATER FUND	214230- 214250	\$16,452.87
Water Capital	210009	\$19,768.00
Rec Escrow		
TOTAL		\$301,550.09

Offered by: Councilman Farrell

Seconded by: Councilman Kathie Quick

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN CHRIS FARRELL	AYE
SUPERVISOR JARED GEUSS	AYE

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

tb 11-18-21

ADJOURNMENT

A MOTION WAS MADE BY SUPERVISOR JARED GEUSS TO ADJOURN THE MEETING AT 9:00 PM. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

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