

**Town Board Workshop Meeting  
November 4, 2019**

A regularly scheduled Town Board Workshop was held on Monday, November 4, 2019 in the Town Hall, 284 Broadway, Ulster Park, NY with the following persons in attendance:

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

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

**A MOTION TO OPEN THE REGULARLY SCHEDULED TOWN BOARD MEETING WAS MADE BY SUPERVISOR HARRIS AT 7:00 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**PUBLIC COMMENT:**

**Mike Mulligan** resident of Lakeshore Villas reported continued issues with his rental unit. Sewer was backing up into the tub. Onsite maintenance showed up and worked on the issue, no further backup however still draining slow. Thursday October 31<sup>st</sup> three workmen came to replace the furnace in the Mulligan's apartment while they were out. Saturday it was cold so he called and sent a text to maintenance it was 56 degrees. They realized the furnace had been put into the closet but never connected. They gave Mr. Mulligan 2 small space heaters and as of today 11/4/19 it had not been repaired. The response from the emergency contact number said they would look into it. Mrs. Mulligan said she is a musician and has instruments that are being compromised with the temperature so she needs to take them to her office. Supervisor Harris said she will follow up with Lakeshore Management to try to expedite a remedy.

**Port Ewen Post Office update**

The Post Office will send a letter outlining the intent and their public process for establishing the new building, develop a new building design, and then the construction build out will take place. The new building will be targeted for a grand opening in the summer of 2020. A lease has been signed or is in the process of being signed.

**Veteran's Day**

The Veterans Memorial Ceremony will be held on November 11th at 11 AM. Participants will start gathering at 10:45am and refreshments will follow the ceremony in the Community Room.

### **Custodial Position**

Buildings and Grounds Department is offering a part time custodial position. Description and schedule has been posted on Esopus.com.

### **Central Hudson Project**

Central Hudson is running behind on their gas line replacement project. Crews plan to work the next 2-3 Saturdays in order to finish the project ahead of the State Paving Moratorium on November 15th.

### **Winter Wonderland Parade**

The parade will be held on December 7<sup>th</sup> along the usual Port Ewen parade route. Kathy DiSciullo, Recreation Director has been working with Alex Dean our Outreach Coordinator to advertise and get the word out on social media and it is included in the Ulster County Alive mailing.

### **Final 2020 Town Boards and Committees Calendar**

An updated committees calendar was given to the Board. Supervisor Harris asked which Board members were interested in the Association of Towns Annual Training on February 16-19, 2020 at the Marriott in NYC. Supervisor Harris, Councilperson Geuss and Councilperson Quick plan on attending the conference.

### **Kayak shed rentals**

Currently we have three renters who will be continuing their lease for the winter. Outreach Coordinator is advertising for the remaining open slots.

### **Drainage Study & Storm Water Reports**

Letters to participants in the study went out via email with clickable links for more information.

## **RESOLUTION OF INTRODUCTION**

**Supervisor Shannon Harris, seconded by Chris Farrell, introduced the following proposed local law, to be known as Local Law No. 2 of 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 85, "DUMPING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 85-5, "PENALTIES FOR OFFENSES" IN ITS ENTIRETY.**

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 85-5 of Chapter 85 of the Esopus Town Code is amended in its entirety to read as follows:

§ 85-5. Penalties for Offenses.

A. Penalties for Violations.

(1) Any person committing an offense against any provision of this Chapter shall be punishable by a fine not exceeding Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars or imprisonment for a period not to exceed fifteen (15) days, or both.

(2) Each and every day that a violation continues shall constitute a separate offense.

(3) Each of the provisions of this Chapter is hereby readopted without substantive change by Local Law, pursuant to the Municipal Home Rule Law of the State of New York. The provisions of this Chapter, and the provisions establishing penalties for violating this Chapter, shall supersede the provisions of the Town Law to the extent that they are inconsistent therewith.

B. Additional remedies.

(1) The Town Board or any Town Officer designated by said Board, in addition to other remedies, may institute an appropriate action or proceeding to correct or abate a violation of this Chapter or to prevent any illegal act

(2) In addition to any other remedies set forth herein authorizing the Town to enforce the provisions of this Chapter, establishing penalties, and setting forth additional remedies, the Town may seek a civil penalty not to exceed One Thousand and 00/100 (\$1,000.00) Dollars per day for each day of the violation.

C. The Town shall pay a sum equal to 50% of any fine or civil penalty collected by the Town to any individual who supplies information that shall lead to the detection, arrest and conviction of a person guilty of violating a provision of this Chapter, when such information culminates with a fine or penalty being paid, provided that the sum paid hereunder shall not exceed \$1,250.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. This local law shall take effect upon the filing 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. **Supervisor Harris offered the following resolution which was seconded by Councilperson Chris Farrell, who moved its adoption:**

**WHEREAS**, on November 4, 2019, Supervisor Harris has introduced this local law for the Town of Esopus, to be known as “Town of Esopus Local Law No. 2 of the Year 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 85, “DUMPING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 85-5, “PENALTIES FOR OFFENSES” IN ITS ENTIRETY.

**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. 2 of the Year 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 85, “DUMPING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 85-5, “PENALTIES FOR OFFENSES” IN ITS ENTIRETY.

**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:**

<b>Supervisor Shannon Harris</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>

Resolution duly adopted.

**RESOLUTION OF INTRODUCTION**

**Supervisor Shannon Harris, seconded by Councilperson Gloria Van Vliet, introduced the following proposed local law, to be known as Local Law No. 3 of 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO CREATE CHAPTER 101, “RENTAL PROPERTIES REGISTRATION AND INSPECTION”, OF THE ESOPUS TOWN CODE.**

**BE IT ENACTED** by the Town Board of the Town of Esopus that Chapter 101 of the Town Code is Created and reads as written in the following section:

Section 1.

**CHAPTER 101**

**RENTAL PROPERTIES REGISTRATION AND INSPECTION**

**§ 101-1 TITLE**

This Chapter shall be known and may be cited as the Rental Property Registration and Inspection Law of the Town of Esopus.

**§ 101-2 DEFINITIONS**

A. As used in this Chapter, these terms shall have the meanings indicated as follows:

**Action or Proceeding**

Any Action or Proceedings which may be instituted in the Town Court of the Town of Esopus or the County Court of the County of Ulster or the Supreme Court of the County of Ulster or any court of competent jurisdiction with an alleged violation of any law of the Town of Esopus.

**Building**

Any improved real property, residential or mixed use (commercial-residence), located within the Town of Esopus that has five or more rental units.

**Owner**

Any individual or individuals, partnership, Limited Liability Company, Corporation or any business organization, whether for profit or otherwise, in whose name title to a Rental Property is held, including a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm, Limited Liability Company or corporation directly or indirectly in control of the property.

## **Rental Property**

Includes all properties in the Town of Esopus which have five or more residential units that are either rented, leased, let or hired out to be occupied for residential or mixed use (commercial-residential).

### **§ 101-3 LANDLORD REGISTRATION STATEMENT**

- A. Every owner of a Rental Property as above defined shall file with the Building Inspector of the Town of Esopus, within 60 days after the adoption of this article, a landlord registration statement on forms to be supplied by the Building Inspector of the Town of Esopus.
- B. It shall be unlawful for any Owner of a Rental Property to offer for rent, or to rent any unit, or to allow any rental unit to be occupied without having first registered pursuant to this article as required herein within the time prescribed for such registration. Failure to receive notice of the registration deadline will not excuse failure to register the Rental Property. It is the Owner's responsibility to fulfill the requirements of this article.
- C. The registration form shall contain:
  1. A description of the premises by street number or block and lot number, including tax identification number.
  2. The Owner's name, residential address, and mailing addresses together with his/her business telephone number, home phone number, cell phone number, fax number, as well as e-mail address, or if such Owner is a corporation, Limited Liability Company or other entity, the name and address of such corporation, Limited Liability Company or other entity, and the name, residence, business address, together with the residence, business telephone numbers, cell phone numbers, fax numbers and e-mail addresses, if any, of all officers.
  3. Designation of managing agent. The Owner must designate a managing agent. The Owner shall provide the following information to the Building Inspector of the Town of Esopus: the name, residence, business and e-mail address and residence, business and cell telephone numbers of a natural person, 18 years of age or over, who actually resides within a 30 mile radius, and who shall be designated by such Owner as a managing agent responsible for and in control of the maintenance and operation of such dwelling, and who shall be designated as the person upon whom process may be served on behalf of the Owner. The managing agent and/or Owner shall keep a current record of all the tenants, and their names and addresses, who are renting, leasing or living in the premises. There shall be endorsed upon such statements a written consent to such designation signed by such managing agent. An Owner who is

a natural person and who meets the requirements of this subsection as to the location of the residence or place of transacting business of a managing agent may designate him/herself as such managing agent.

4. The Owner shall be obligated, at all times, to keep this information updated, and when there is a change in Ownership or a change in the managing agent, the Owner shall be obligated to update the information by amending the landlord registration statement within 15 days from the date of any such change.

- D. Upon completion and execution and submission of the landlord registration statement as aforesaid, said registration shall be reviewed by the Building Inspector of the Town of Esopus or its designee for adequacy. Should the Building Inspector and/or its designees determine that said application is incomplete, defective or untruthful for any reason, said application shall be marked "rejected" and returned to the filer. A rejected application shall not be deemed to comply with the following provisions of this article.
- E. It shall be the responsibility of each Owner to timely notify the Building Safety Division of the Esopus Fire Department whenever the information provided in the landlord registration statement has become outdated or for any reason is inaccurate.
- F. A copy of the approved application shall be required and shall be a condition precedent before the Owner shall be entitled to rent any unit contained in the Rental Property.
- G. Where, after filing of any landlord registration statement in relation to any Rental Property under the applicable provisions of this article, the Owner of such property shall have granted or transferred his/her right, title or interest therein or in any part thereof, such Owner shall file with the Town of Esopus Building Inspector within 15 days after such grant or transfer a written statement which, under oath, shall contain the name and residence, business addresses, business and home telephone, cell phone numbers, fax numbers and e-mail of the grantee, transferee or other successor of such right, title and interest, or if such grantee, transferee or successor is a corporation, the name and address of such corporation, including the names of all officers, their addresses, business and residence phone and cell numbers as well as e-mail addresses and fax numbers. If the Owner is a Limited Liability Company, the names of all Managing Members, their addresses, business and residence phone and cell numbers as well as e-mail addresses and fax numbers. If the Owner is unable with due diligence to secure the aforementioned information, then the Owner shall immediately notify the Building Inspector of the Town of Esopus in writing of this fact.
- H. Where, after the filing of any landlord registration statement with the Building Inspector of the Town of Esopus pursuant to the applicable provisions of this article, any change other than a designation of a different managing agent or a change of Ownership or interest occurs in any name, residence or any business address of a list of officers required to be included in such statement, the Owner, within 15 days after such change

shall file a statement under oath setting forth the particulars of such change so as to supply the information necessary to make currently correct the last landlord registration statement filed pursuant to the applicable provisions of this section.

- I. An Owner may terminate such designation by filing with the Building Inspector of the Town of Esopus a sworn written statement designation a new managing agent made in conformity with the provisions herein above cited.
- J. Any landlord registration statement or designation of a managing agent required to be filed with the Building Inspector of the Town of Esopus by any Owner of a Rental Property under the provisions of this section shall be signed by such Owner, or if such Owner is a corporation, by an officer thereof, or if such Owner is a partnership, by a partner thereof or if said Owner is a Limited Liability Company, by a Managing Member thereof and said statements must be sworn to under the penalties of perjury.
- K. Any such landlord registration statement or designation of a managing agent shall be deemed prima facie proof of the statement therein contained in any criminal or civil prosecution against the Owner or managing agent of a Rental Property.

#### **§ 101-4 INSPECTION REQUIREMENTS**

- A. The Building Inspector of the Town of Esopus or its authorized designee or agent shall annually inspect each Rental Property, which is subject to the provisions of this article and shall notify each Owner and/or managing agent of each Rental Property as to the time and place of such inspection. The inspection shall take place at a minimum every 12 months. The inspection shall be for the purpose of determining compliance with all applicable rules and regulations concerning safety and maintenance of all rules and regulations applicable to said Rental Property. In addition, the Owner and/or managing agent shall be obligated to review the contents of the landlord registration statement to determine if all said information is up to date, complete and accurate in all respects.
- B. The annual inspection shall follow the following procedure:
  - 1. The Building Inspector or its designee shall inspect the property, provide the Owner with a copy of the written inspection report; and
  - 2. If an Owner rents a property found physically lacking any of the following: running water, heat, electricity, sanitary facilities, windows in sleeping spaces in compliance with N.Y.S. Building Code, cooking facilities and/or smoke/carbon monoxide detector(s) or there is the presence of mold, the property may not be rented until remedied and a re-inspection completed.
- C. Temporary Housing:



1. If a Rental Property is found not to be registered and/or upon inspection has been found in violation of this Chapter or in violation of the Town's Building Code, such that same renders the Rental Property or any part of same unsafe for human habitation, the Owner shall immediately provide, at Owner's expense, temporary housing for all tenants who shall be displaced until the violation has been remedied by Owner, or a Certificate of Occupancy and a rental registration is issued, whichever is earliest. This provision shall not apply to power outages caused by weather related events or are the responsibility of the utility provider.
  2. Such temporary housing shall be provided at the nearest feasible geographical location and shall be safe and habitable alternate accommodations for the displaced tenants.
- D. Tenant List. The property Owner shall certify or affirm that he/she or it has the name, address and contact information for each tenant or subtenant occupying each dwelling unit. Any property Owner, who fails to maintain said information shall be guilty of a violation of this chapter, which is hereby declared to be a violation, and upon conviction thereof, shall be punished by a fine not to exceed the amount set forth in the schedule or penalties, fees and fines set forth herein.
- E. Any inspection report issued pursuant to Subsection A of this section which reveals the presence of a violation shall be remedied by the Owner within the time stated in the report. Failure to bring any Building and/or Rental Property into conformance with such report and/or to remedy within the time set forth therein shall constitute a violation of this article, it being expressly understood that this provision shall not constitute the exclusive remedy.

#### **101-5 OWNERS'S OBLIGATIONS**

- A. In the event that the Owner schedules or the Owner learns that the utility service provider is scheduling a cessation or interruption of: electric power or of gas or fuel to the Rental Property, Owner shall notify the Tenants and the Town of Esopus Supervisor and Building department at least 48 hours in advance of said cessation or interruption of service.
- B. Owner will provide each tenant as well as the Town of Esopus Supervisor and Building Department of an on-site emergency other than dialing 911. Said individual(s) must be able to respond and address on site emergencies 24 hours per day, every day of the year.
- C. Owner shall maintain a master list for all rental units identifying the head of household with their unit number and their landline or cell phone or telephone number. Owner shall immediately contact each such individual in the event of an emergency to apprise

the tenant the nature of the emergency and the action that must be taken. In the event that relocation of the tenant(s) is required, the Owner shall advise the address of said emergency relocation venue.

- D. Owner shall provide each Tenant with a current list of all motels/hotels within an eight mile radius including those facilities which accept pets and which could be used for temporary shelter in the event that tenants must be relocated due to an emergency or other on-site condition requiring the tenants to vacate.
- E. Owner shall prepare and provide to each Tenant and to the Town of Esopus Supervisor and Building Department the protocol which the Owner will follow for individual and mass communications to ensure that each Tenant is promptly notified of any on-site emergency.
- F. Owner will prepare and provide to the Town of Esopus Supervisor and Town Building Inspector a diagram showing the location of each building, apartment, and structure on the Rental Property and also delineating the location of all utility lines and utility facilities extant on the Rental Property.

#### **§ 101-6 ENFORCEMENT**

This local law may be enforced by seeking civil penalties or by instituting a criminal Proceeding or both.

- A. The Owner(s) or a designating managing agent of an Owner may be served with a notice of violation, order of remedy, order of violation, an appearance ticket or other service of process, whether criminal or civil, pursuant to and subject to the provisions of law as it actually served upon the Owner.
- B. No Owner who designates a managing agent pursuant to the provisions of this article may assert the defense of lack of notice or lack of in person jurisdiction based solely upon the service of process upon his designated agent.

#### **§ 101-7 SERVICE OF PAPERS - NOTICE OF VIOLATIONS**

Service of papers and notice of violations shall be:

- A. By delivering to and leaving a copy of the same with any person or persons violating or who may be liable under any of the several provisions of this article; or
- B. By registered or certified mail to the Owner or managing agent at most current address on file in the registration statement; or

- C. If none is on file, to the most current address for the Owner available at the Town of Esopus Assessor's Office by registered or certified mail to the Owner and/or managing agent; and if such person or persons cannot be served by any of the aforesaid methods after diligent search shall have been made for him/her or them, then such notice or order may be served by posting the same in a conspicuous place upon the Rental Property where such violation is alleged to exist, or to which such notice may refer, or which may be deemed unsafe or dangerous, which shall be the equivalent of personal service of said notice upon all parties, including the Owner and/or managing agent for whom such search shall have been made; or
- D. By any other method or service pursuant to New York Civil Practice Law and Rules.
- E. If the Owner or person(s) or any of them to whom said notice is directed, do not reside in the County of Ulster and have no known place of business therein. If said person or persons cannot be found, then by posting a copy of the same in a manner aforesaid and depositing a copy thereof in a United States Postal Service box or office, enclosed in a sealed wrapper addressed to said person or persons at his/her/its last known place of residence with the postage paid thereon, and said posting and mailing a copy of said notice shall be equivalent to personal service of said notice.

#### **§ 101-8 PENALTIES FOR OFFENSES**

Violations of this article will constitute an offense within the meaning of the Penal Law of the State of New York, punishable as provided for herein. In addition, a violation of any provision of this article shall constitute a municipal infraction and will be subject to applicable penalties under this article, and the Town of Esopus may choose to enforce this article as a criminal or civil matter, or both. Any Owner who violates, disobeys, neglects or refuses to comply with any of the terms of this article shall be subject to a fine/penalty of up to \$1,000.00 and/or up to 15 days in jail. Each week a violation continues shall be deemed a separate offense subjecting the offender to additional fines/penalties of up to \$1,000.00 per day and/or additional jail sentences of up to 15 days.

#### **§ 101-9 EFFECTIVE DATE**

The effective date of this law shall be the day that same is filed with the New York State Secretary of State.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. 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 Chris Farrell, who moved its adoption:**

**WHEREAS**, on November 4, 2019, Supervisor Harris has introduced this local law for the Town of Esopus, to be known as **“Town of Esopus Local Law No. 3 of the Year 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO CREATE CHAPTER 101, “RENTAL PROPERTIES REGISTRATION AND INSPECTION”, OF THE ESOPUS TOWN CODE.**

**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. 3** of the Year 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO CREATE CHAPTER 101, “RENTAL PROPERTIES REGISTRATION AND INSPECTION”, OF THE ESOPUS TOWN CODE.

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:

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

The foregoing resolution was thereupon declared duly adopted.

#### **RESOLUTION OF INTRODUCTION**

**Supervisor Shannon Harris, seconded by Councilperson Jared Geuss, introduced the following proposed local law, to be known as Local Law No. 4 of 2019, entitled, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF:**

- 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE HI DISTRICT TO THE GC DISTRICT
- MTN (TAX PARCEL NUMBER 56.19-3-13) FROM THE HI DISTRICT TO THE GC DISTRICT
- ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-2.300) FROM THE LI DISTRICT TO THE GC DISTRICT
- 163-171 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-8) FROM THE LI DISTRICT TO THE GC DISTRICT
- 352 MOUNTAIN VIEW AVENUE (TAX PARCEL NUMBER 56.20-1-4) FROM THE LI DISTRICT TO THE GC DISTRICT
- NO ADDRESS (TAX PARCEL NUMBER 56.20-1-6) FROM THE LI DISTRICT TO THE GC DISTRICT

**BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended as follows:**

**Section 1. The Zoning Map established under Section 123-7 of Chapter 123 of the**

**Esopus Town Code is amended to change the zoning district designation of the following:**

A. 161 Ulster Avenue (TAX PARCEL NUMBER 63.2-2-1) from the HI District to the GC District.

B. Mtn, (TAX PARCEL NUMBER 56.19-3-13) from the HI District to the GC District.

C. Ulster Avenue (TAX PARCEL NUMBER 63.2-2-2.300) from the LI District to the GC District.

D. 163-171 Ulster Avenue (TAX PARCEL NUMBER 63.2-2-8) from the LI District to the GC District.

E. 352 Mountain View Avenue (TAX PARCEL NUMBER 56.20-1-4) from the LI District to the GC District.

F. No address (TAX PARCEL NUMBER 56.20-1-6) from the LI District to the GC District.

Section 2. If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 3. This local law shall be effective upon filing with the Secretary of State.

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Ulster County Planning Board and to the Town Planning Board for review and recommendation: and

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 Shannon Harris offered the following resolution which was seconded by Councilperson Jared Guess, who moved its adoption:**

**WHEREAS, Supervisor Harris has introduced this local law for the Town of Esopus, to be known as Local Law No. 4 of 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATIONS OF:**

▪ 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE HI DISTRICT TO THE GC DISTRICT

- MTN (TAX PARCEL NUMBER 56.19-3-13) FROM THE HI DISTRICT TO THE GC DISTRICT
- ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-2.300) FROM THE LI DISTRICT TO THE GC DISTRICT
- 163-171 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-8) FROM THE LI DISTRICT TO THE GC DISTRICT
- 352 MOUNTAIN VIEW AVENUE (TAX PARCEL NUMBER 56.20-1-4) FROM THE LI DISTRICT TO THE GC DISTRICT
- NO ADDRESS (TAX PARCEL NUMBER 56.20-1-6) FROM THE LI DISTRICT TO THE GC DISTRICT; and

**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 in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall at 284 Broadway Ulster Park, NY 12487, New York on **December 3, 2019, at 7 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 such notice shall be in the same or similar following form:

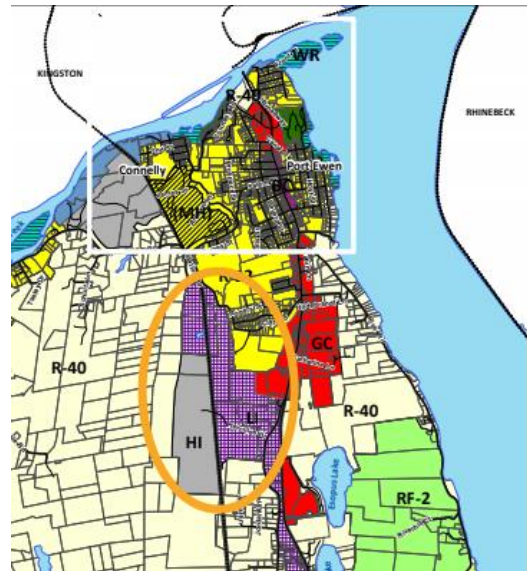
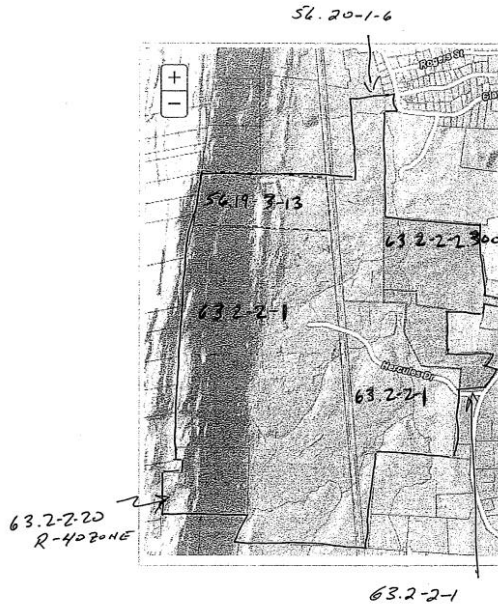
#### **NOTICE OF PUBLIC HEARING**

**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. 4** of the Year 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATIONS OF:

- 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE HI DISTRICT TO THE GC DISTRICT
- MTN (TAX PARCEL NUMBER 56.19-3-13) FROM THE HI DISTRICT TO THE GC DISTRICT
- ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-2.300) FROM THE LI DISTRICT TO THE GC DISTRICT
- 163-171 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-8) FROM THE LI DISTRICT TO THE GC DISTRICT
- 352 MOUNTAIN VIEW AVENUE (TAX PARCEL NUMBER 56.20-1-4) FROM THE LI DISTRICT TO THE GC DISTRICT
- NO ADDRESS (TAX PARCEL NUMBER 56.20-1-6) FROM THE LI DISTRICT TO THE GC DISTRICT.

**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:

<b>Supervisor Shannon Harris</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>

The foregoing resolution was thereupon declared duly adopted.

#### RESOLUTION OF INTRODUCTION

**Supervisor Shannon Harris, seconded by Councilperson Kathie Quick**, introduced the following proposed local law, to be known as **Local Law No. 5 of 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE**



**ESOPUS TOWN CODE BY AMENDING SECTION 123-26, "ENFORCEMENT: PENALTIES FOR OFFENSES" IN ITS ENTIRETY.**

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 123-26 of Chapter 123 of the Esopus Town Code is amended in its entirety to read as follows in the underlined section:

§ 123-26. Enforcement: Penalties for Offenses.

- A. Enforcement Officer. It shall be the duty of the Zoning Enforcement Officer, who shall be appointed by the Town Board, to enforce the provisions of this Chapter and all rules, conditions and requirements adopted or specified pursuant thereto. The Building Inspector shall serve as the Zoning Enforcement Officer and, along with an authorized deputy, (including the Fire Inspector), unless a different Zoning Enforcement Officer and deputy is designated by the Town Board.
- B. Powers and Duties of the Enforcement officer.
- (1) The Zoning Enforcement Officer, or an authorized deputy, shall have the right to enter any building or enter upon any and all land at any reasonable hour as necessary in the execution of his or her duties, provided that:
- (a) The Zoning Enforcement Officer, or authorized deputy, shall display identification signed by the Town Supervisor upon commencing an inspection.
- (b) The Zoning Enforcement Officer, or authorized deputy, shall first make reasonable efforts to alert any occupants present at the time of the inspection to identify himself or herself and the reason for the inspection.
- (2) The Zoning Enforcement Officer shall keep a record of every identifiable complaint of a violation of any of the provisions of this Chapter and of the action taken on such complaint. These records shall be public records.
- (3) The Zoning Enforcement Officer, or authorized deputy, are authorized to issue desk appearance tickets as defined in §150.10 of the Criminal Procedure Law of the State of New York to enforce the provisions of this Chapter and all rules, conditions, and requirements adopted or specified pursuant thereto. Such desk appearance ticket shall be returnable within thirty (30) days in the Town of Esopus Justice Court.

(4) The form of the desk appearance ticket issued by the Zoning Enforcement Officer, or authorized deputy, shall be governed by the Criminal Procedure Law and the Uniform Justice Court Act of the State of New York. The content of such appearance ticket and the method of prosecution there under shall always be subject to the Criminal Procedure Law and the Uniform Justice Court Act of the State of New York.

(5) In January of each year the Zoning Enforcement Officer shall annually submit to the Town Board a written report summarizing all complaints of violations and actions taken as a result of such complaints since the date of the last report.

C. See Penalties for Violations.

(1) Any person committing an offense against any provision of this Chapter or violating any provision or requirement of any statement, site plan, application, permit or certificate approved under the provisions of this Chapter shall be punishable by a fine not exceeding Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars or imprisonment for a period not to exceed fifteen (15) days, or both.

(2) The owner of premises shall be responsible for compliance with all the requirements of this Chapter, and it is no defense that the culpable action or failure to act may have been done by others. The foregoing notwithstanding, any person who commits or takes part or assists in a violation or who maintains any building or premises in which any such violation exists shall also be guilty of a violation.

(3) Written notice of any alleged violation of this Chapter shall be given by mail, at the address listed on the most recent assessment roll for the Town of Esopus, or personal service to the record owner of the subject premises at least five (5) days prior to the commencement of any proceeding to enforce any provision of this Chapter; provided, however, that such notice shall not be required, where in the judgment of the Zoning Enforcement Officer, or authorized deputy, that the alleged violation constitutes a threat to life, health or safety, in which case no such notice shall be required.

(4) Taking emergency action. If in the opinion of the Zoning Enforcement Officer, or authorized deputy, a violation exists which requires immediate action to avoid a direct hazard or eminent danger to the health, safety or welfare of the occupants of a building or to other persons, the Zoning Enforcement Officer, or authorized deputy, may direct that such a violation immediately be remedied or may take such action on her or his own initiative to abate the hazard. Any costs incurred by such action shall be paid by the owner, occupant or person responsible for the violation. The Zoning Enforcement Officer, or authorized deputy, shall keep on file an affidavit stating with fairness and accuracy the items of expense, including actual time expended by town personnel on such enforcement, and date of execution of action taken.

(5) Each and every day that a violation continues shall constitute a separate offense.

(6) Each of the provisions of this Chapter is hereby readopted without substantive change by Local Law, pursuant to the Municipal Home Rule Law of the State of New York. The provisions of this Chapter, and the provisions establishing penalties for violating this Chapter, shall supersede the provisions of the Town Law to the extent that they are inconsistent therewith.

D. Additional remedies.

(1) In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used, in violation of this Chapter or any regulation made under authority conferred thereby, the Town Board or any Town Officer designated by said Board, in addition to other remedies, may institute an appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct or abate such a violation, to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises. The Zoning Enforcement Officer shall serve notice by posting in a conspicuous location on the property that is the subject of the violation and either personally on the owner or by mail, at the address listed on the most recent assessment roll for the Town of Esopus, on the person or corporation committing or permitting the same, and if such violation does not cease within such time as the Zoning Enforcement Officer may specify and a new certificate of occupancy is not obtained, he shall, with the authorization of the Town Board, institute such of the foregoing actions as may be necessary to terminate the violation.

(2) In addition to any other remedies set forth herein authorizing the Town to enforce the provisions of this Chapter, establishing penalties, and setting forth additional remedies, the Town may seek a civil penalty not to exceed One Thousand and 00/100 (\$1,000.00) Dollars per day for each day of the violation.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. 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. She offered the following resolution which was **seconded by Councilperson Chris Farrell**, who moved its adoption:

WHEREAS, on November 4, 2019, Supervisor Shannon Harris has introduced this local law for the Town of Esopus, to be known as **“Town of Esopus Local Law No. 5 of the Year 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, “ZONING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-26, “ENFORCEMENT: PENALTIES FOR OFFENSES” IN ITS ENTIRETY.**

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. 5** of the Year 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, “ZONING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-26, “ENFORCEMENT: PENALTIES FOR OFFENSES” IN ITS ENTIRETY.

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:

<b>Supervisor Shannon Harris</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>

**The foregoing resolution was thereupon declared duly adopted.**

**RESOLUTION OF INTRODUCTION**

**Supervisor Harris, seconded by Councilperson Jared Guess**, introduced the following proposed local law, to be known as **Local Law No. 6** of 2019, entitled **A LOCAL LAW OF THE TOWN OF**

**ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-61, TO INCLUDE THE DEFINITION OF "FAMILY".**

**BE IT ENACTED** by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 123-61 of Chapter 123 of the Esopus Town Code is amended as follows:

**FAMILY:**

- A. One of the following:
- B. One, two or three persons occupying a dwelling unit; or
  - (1) Four or more persons occupying a dwelling unit and living together as a traditional family or the functional equivalent of a traditional family.
  - (2) It shall be presumptive evidence that four or more persons living in a single dwelling unit who are not related by blood, marriage or legal adoption do not constitute the functional equivalent of a traditional family.
- C. In determining whether individuals are living together as the functional equivalent of a traditional family, the following criteria must be present:
  - (1) The group is one which in theory, size, appearance, structure and function resembles a traditional family unit;
  - (2) The occupants must share the entire dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers may not be deemed to be occupied by the functional equivalent of a traditional family;
  - (3) The group shares expenses for food, rent or ownership costs, utilities and other household expenses;
  - (4) The group is permanent and stable. Evidence of such permanency and stability may include:
    - a. The presence of minor dependent children regularly residing in the household who are enrolled in local schools.
    - b. Members of the household have the same address for purposes of voter's registration, driver's license, motor vehicle registration and filing of taxes;

- c. Members of the household are employed in the area;
  - d. The household has been living together as a unit for a year or more whether in the current dwelling unit or other dwelling units;
  - e. There is common ownership of furniture and appliances among the members of the household; and
  - f. The group is not transient or temporary in nature;
- (5) Any other factor reasonably related to whether or not the group is the functional equivalent of a family.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. 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 Section 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 Councilperson Jared Guess, who moved its adoption:**

WHEREAS, on November 4, 2019, Supervisor Shannon Harris has introduced this local law for the Town of Esopus, to be known as **“Town of Esopus Local Law No. 6 of the Year 2019, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, “ZONING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-61, TO INCLUDE THE DEFINITION OF “FAMILY”.**

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. 6 of the Year 2019, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-26, TO INCLUDE THE DEFINITION OF "FAMILY"**.

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:

<b>Supervisor Shannon Harris</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>

**The foregoing resolution was thereupon declared duly adopted.**

**Water / Sewer rate change.**

**RESOLUTION**  
**SEWER RATE**

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

WHEREAS, this Town Board has adopted a Sewer District budget, for year 2020, based on a rate of a minimum charge of \$ 19.96 for the first 0 to 4,000 gallons and a rate of \$ 4.99 per 1,000 gallons thereafter, based on the water meter.

THEREFORE, be it resolved that the Town Board increase the rate charged for Sewer service from a minimum of \$ 19.16 for the first 0 to 4,000 gallons and \$ 4.79 per 1,000 gallons

thereafter, based on the water meter, to a minimum of \$ 19.96 for the first 0 to 4,000 gallons and the rate of \$ 4.99 per 1,000 gallons thereafter, based on the water meter, with the new rate to be effective upon adoption of this resolution.

**Resolution offered by: Councilman Jared Geuss**  
**Seconded by: Councilperson Chris Farrell**

<b>Supervisor Shannon Harris</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>

**The foregoing resolution was thereupon declared duly adopted.**

**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 2020, based on a rate of a minimum charge of \$ 17.96 for the first 0 to 4,000 gallons and a rate of \$ 4.49 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 \$ 16.76 for the first 0 to 4,000 gallons and \$ 4.19 per 1,000 gallons thereafter, based on the water meter, to a minimum of \$ 17.96 for the first 0 to 4,000 gallons and the rate of \$ 4.49 per 1,000 gallons thereafter, based on the water meter, with the new rate to be effective upon adoption of this resolution.

**Resolution offered by: Councilperson Jared Geuss**  
**Seconded by: Councilperson Kathie Quick**

<b>Supervisor Shannon Harris</b>	<b>AYE</b>
<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>

**The foregoing resolution was thereupon declared duly adopted.**



**Disaster Preparedness Community Presentation**

Captain Brett White of the "Citizen Preparedness" Division of the Lower Hudson Valley New York National Guard is offering a complementary community disaster preparedness tutorial for taxpayers and employees of the Town of Esopus. Supervisor Harris is working on dates and times to hold the presentation. A tentative date of December 12<sup>th</sup> was discussed. There are two classes proposed one at 2 pm the other at 6:30 pm. Date and times will be confirmed with Captain White and announced at the next meeting.

**Executive Session**

**SUPERVISOR HARRIS MADE A MOTION TO ENTER INTO EXECUTIVE SESSION AT 7:56 PM FOR THE PURPOSE OF INTERVIEWING A CANDIDATE FOR THE VACANCY OF CUSTODIAL WORKER/BUILDING AND GROUNDS AND TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR EMPLOYEE. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION AT 8:42 PM BY COUNCILPERSON CHRIS FARRELL AND WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**ACTION:**

**COUNCILPERSON KATHIE QUICK MADE A MOTION TO APPOINT SEAN BRANDT TO THE POSITION OF CUSTODIAL WORKER AT THE RATE OF \$15 PER HOUR SUBJECT TO A 90 DAY PROBATIONARY PERIOD. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**NO ACTION TAKEN ON THE OTHER MATTER.**

**ADJOURNMENT**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 8:40 PM. THE MOTION WAS SECONDED BY COUNCIL PERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR, MOTION CARRIED.**

Respectively submitted,

Holly A. Netter  
Town Clerk, RMC

