

11/2/2023 WS

Town Board Workshop Meeting

November 2, 2023

A regularly scheduled Town Board Workshop meeting was held in person at the Esopus Town Hall, 1 Town Hall Way, Ulster Park, NY. on Thursday November 2, 2023, at 7:00 PM with the following persons in attendance:

**Supervisor Danielle Freer
Councilman Kathie Quick
Councilman Jared Geuss
Councilman Evelyn Clarke
Councilman Laura Robinson**

Recording Administrator Holly A. Netter, Town Clerk, RMC

4 ways to give public comment:

In person at meeting

Phone – 845 331 0676 and leave a voicemail

Email – lreynolds@esopus.com with subject line “Public Comment” and meeting date

Mail – Town of Esopus PO BOX 700 Port Ewen, NY 12466

PLEDGE TO THE FLAG.

PUBLIC COMMENT

Steven Cerini, 257 Mountainview Ave Thanked everyone for their service.

SUPERVISOR FREER MADE A MOTION TO CLOSE THE PUBLIC COMMENT. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS WERE IN FAVOR: MOTION CARRIED.

2024 WATER & SEWER RATE DISCUSSION

Water Superintendent Nick Butler reviewed his recommendations for the rise in water and sewer rates to offset costs associated with the plant improvements as well as being prepared for 10.42% of City of Kingston sewer repairs. The proposed rate increase is 5% for water and sewer. Nick said the new minimum bill for those in the water & sewer district will be \$43.14, \$2.06 per quarter more than the current charge of \$41.08. Detailed rates are provided in the

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resolutions below. Nick suggested that reserve accounts be set up for the water and sewer. Paul Kellar will be contacted to draft those resolutions.

Nick was commended for thinking ahead. The Water Tank Project is expecting approval from the State soon. John Davidson from Brinnier & Larios was commended for his quick response to a few minor fixes that the State required. The application has been at the state level since March 17, 2023.

Nick stated his team is amazing and they deserve a lot of accolades for the work they are doing. It is a great group of individuals that work well together.

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 2024, based on a rate of a minimum charge of \$21.13 for the first 0 to 4,000 gallons and a rate of \$5.28 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 \$20.12 for the first 0 to 4,000 gallons and \$5.03 per 1,000 gallons thereafter, based on the water meter, to a minimum of \$21.13 for the first 0 to 4,000 gallons and the rate of \$5.28 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: Supervisor Danielle Freer
seconded by: Councilman Jared Geuss

The Board was polled.

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

Adopted this **2nd** day of **November** 2023

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 2024, based on a rate of a minimum charge of \$22.01 for the first 0 to 4,000 gallons and a rate of \$5.50 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 \$20.96 for the first 0 to 4,000 gallons and \$5.24 per 1,000 gallons thereafter, based on the water meter, to a minimum of \$22.01 for the first 0 to 4,000 gallons and the rate of \$5.50 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: Supervisor Danielle Freer
seconded by: Councilman Jared Geuss

The Board was polled.

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

Adopted this **2nd** day of **November** 2023

Rieker Park Updates from Nina Nichols

Nina Nicholas from our Environmental Board brought two projects to the Board for approval. There was work recently done in Reiker Park and she would like to construct perimeter post & rail fencing to make it easier for the Parks and Recreation department to mow at Reiker Park. It will give a clear delineation of where the pollinator plantings end. The other project is an informational kiosk. The Board agreed it was a good idea. Nina said she had the materials, and she was able to construct the projects. Councilman Geuss said the County at one point had some extra kiosks, not sure if any were still available. If there are some already made that is great but if not, Nina is able to build them and said she would make sure they are aesthetically pleasing. Supervisor Freer said she had reached out to Dan Vedder to share this information with him, and he was ok with the idea. Supervisor Freer and Dan will meet with Nina to map out the location of the kiosk and fencing. Supervisor Freer mentioned John Cutrone goes

around filling the various kiosks with Economic Development brochures and discussed having a dedicated space for business brochures or QR codes. Nina thought this was a great idea as well. She also was hoping to get this project started before winter.

BIRCHES PILOT AGREEMENT RESOLUTION

RESOLUTION AUTHORIZING THE INTENTION TO ENTER INTO AGREEMENT FOR A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE TOWN OF ESOPUS, BIRCHES AT ESOPUS HOUSING DEVELOPMENT FUND COMPANY, INC., AND BIRCHES AT ESOPUS SENIOR HOUSING, L.P.

WHEREAS, the Town of Esopus (the “Town”) desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for persons with low incomes; and

WHEREAS, Birches at Esopus Housing Development Fund Company, Inc., an Article XI New York private housing finance law corporation and a New York not-for-profit corporation (the “HDFC”), holds bare legal, or record, title to a certain lot located in the Town identified as tax map number 56.76, Block 2, Lot 5 on the Official Tax Map of Ulster County (the “Property”); and

WHEREAS, the Birches at Esopus Senior Housing, L.P., a New York limited partnership (the “Partnership”) holds beneficial and equitable title to the Property in accordance with a certain declaration of interest and nominee agreement by and between the HDFC and the Partnership; and

WHEREAS, the Property includes an 81-unit rental housing development for low income senior citizens (the “Project”); and

WHEREAS, the HDFC was formed for the purpose of providing residential rental accommodations for persons of low-income; and

WHEREAS, the HDFC’s and the Partnership’s plan for the use of the Property constitutes a “housing project” as that term is defined in the Private Housing Finance Law of the State of New York (“PHFL”); and

WHEREAS, the HDFC is a “housing development fund company” as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the Council Members to exempt the Project from real property taxes; and

WHEREAS, the Partnership and the HDFC intend to enter into a PILOT Agreement whereby they will make payments in lieu of taxes to the Town as set forth in the PILOT Agreement presented to this Board for approval, and

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WHEREAS, the Town, the HDFC and the Partnership agree that the tax exemption for the Project would be beneficial to the community;

NOW, THEREFORE, be it

RESOLVED, that the Town does hereby agree to exempt the entire Project from real property taxes to the extent authorized by section 577 of the Private Housing Finance Law (“PHFL”), in consideration of the Partnership and HDFC entering into a payment in lieu of taxes (PILOT) agreement which shall be binding pursuant to Article 11 of the said PHFL on the local school district and county to accept such payments in lieu of taxes to be applied to the Project, which consists of a total of eighty-one (81) rental units;

The PILOT payments are estimated to be the following amounts:

<u>Calendar Year</u>	<u>Amount</u>	<u>81 units</u>
2024 and thereafter until 2030	\$200 per unit	\$16,200
2030	\$450 per unit	\$36,450

And thereafter increase by two (2%) percent annually, and be it

FURTHER RESOLVED, that the exemption and agreement referred to above shall continue for so long as the Project continues to serve elderly and disabled persons at the Property, but in no event for more than thirty (30) years, pursuant to section 577 of the PHFL, and be it

FURTHER RESOLVED, that the Town authorizes the Town Supervisor to execute and deliver the PILOT Agreement or any other documents he deems necessary to effectuate the purposes of this resolution, and be it

FURTHER RESOLVED, that the exemption and agreement referred to above shall not be effective until the PILOT has been approved as to form and substance by the Town Attorney and executed by the Partnership, HDFC and the Town.

Resolution offered by: Supervisor Danielle Freer
seconded by: Councilman Jared Geuss

The Board was polled.

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

RESOLUTION ADOPTED

Dated: November 2023

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TextMyGov Proposal Follow-up & Agreement

Supervisor Freer reviewed the answers to the questions that the Board had regarding the presentation that was given at a prior meeting. Supervisor Freer said she would do a lot of the “heavy lifting” to map out how the flow of information would go and get the program started.

A MOTION WAS MADE BY COUNCILMAN EVELYN CLARKE TO APPROVE THE SUPERVISOR TO SIGN THE CONTRACT WITH TEXTMYGOV. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

Miscellaneous / Lightening Liaison Round

Snow Ordinance discussion

It was determined after review of the law that is currently in place that the Highway Department is responsible for issuing warning tickets and following up with the Sheriff’s office when a vehicle needs to get towed. The fees in the code are outdated but they are not paid by the town. The individual would be responsible for paying the current charges from the towing company.

Councilman Kathie Quick said a resident complained to her about their neighbors parking on the street instead of in their driveways; it causes difficulty for other neighbors to see what is coming.

Kingston Sewer Department Pelletizer Discussion

A MOTION WAS MADE BY SUPERVISOR FREER TO ENTER INTO EXECUTIVE SESSION AT 8:15 PM FOR THE PURPOSE OF DISCUSSING A POTENTIAL/PROPOSED LITIGATION MATTER. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS WERE IN FAVOR: MOTION CARRIED.

A MOTION WAS MADE BY SUPERVISOR FREER TO COME OUT OF EXECUTIVE SESSION AT 8:56 PM. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS WERE IN FAVOR: MOTION CARRIED.

Action:

Supervisor Freer was tasked with getting a second opinion on a litigation matter.

Councilman Robinson:

Parks & Rec Trunk or Treat was a success despite of the weather. Hannah Palen did a fantastic job shifting everything indoors. The kids had a great time. The Parks and Rec Commission will be meeting next week to discuss the Winter Wonderland Parade.

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UPCOMING KEY DATES – MORE INFORMATION AVAILABLE ON OUR WEBSITE:

11.7 Town Hall Closed: Election Day

11.10 Town Hall Closed: Veterans' Day

11.11 American Legion Post 1298 Veteran Memorial Service 11 am, 1 Town Hall Way

11.16 Next Town Board Meeting

11.23 Town Hall Closed: Thanksgiving Day

11.24 Town Hall Closed: Day after Thanksgiving Day

12.2 Winter Wonderland Parade

Repair Café hosted by the Environmental Board.

ADJOURNMENT

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

*Respectively Submitted,
Holly A. Netter
Town Clerk, R.MC*