

## **PRE-BOARD MEETING – MAY 2, 2007**

The Pre-Board Meeting was held on Wednesday, May 2, 2007 at 6:00 p.m. in the Frank D. Greco Multi Purpose Building located at the corner of Market and Robinson Streets in the Village of Saugerties. The following members were present:

Supervisor Greg Helsmoortel  
Councilman Bruce Leighton  
Councilwoman Leeanne Thornton  
Councilwoman Nancy Campbell

Absent: Councilman Fred Costello

A presentation of MS4 (Municipal Separate Storm Sewer Systems) Stormwater Annual Report Year 4 was given by Myra Fedyniak, lower Esopus River Watch. A draft report is ready to be sent in to DEC for the year 2006. Clean Water Act must be regulated by 2008. Inspections may be done by Code Enforcement Officers, Engineers or others that are specifically trained. Training in school systems will be held in June and September this year. Ms. Fedyniak stated that the Town of Saugerties is on track regarding MS4.

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Town Clerk

## **TOWN BOARD MEETING – MAY 2, 2007**

The Town Board Meeting was held on Wednesday, May 2, 2007 at 7:00 p.m. in the Frank D. Greco Multi Purpose Building located at the corner of Market and Robinson Streets in the Village of Saugerties. The meeting was opened with the Pledge of Allegiance with the following members present:

Supervisor Greg Helsmoortel  
Councilman Bruce Leighton  
Councilwoman Leeanne Thornton  
Councilman Fred Costello  
Councilwoman Nancy Campbell

**PRIVILEGE OF FLOOR: none**

**PUBLIC COMMENT PERIOD: none**

**SUPERVISOR'S COMMENTS:**

**APPROVAL OF MINUTES:**

Motion made by Supervisor Helmsmoortel, seconded by Councilman Costello to approve minutes of Pre-Board Meeting of April 18, 2007; Town Board Meeting of April 18, 2007 and Public Hearing of April 24, 2007, carried.

**APPROVAL OF BILLS:**

Motion made by Supervisor Helmsmoortel, seconded by Councilman Costello to approve the bills as presented, carried.

General Fund	\$74,733.78
General Outside Village	59,589.27
Recreational Capital	6,598.92
Highway Townwide	5,818.38
Highway Outside Village	23,500.31
Capital Projects	1,941.43
Ambulance District	37,833.33
Barclay Height Sewer	4,405.10
Glasco Sewer	3,967.71
Malden Sewer	1,011.33
Glasco Water	122.88
Malden Water	54.77

**DEPARTMENT HEAD REPORTS:**

**Wayne Debrosky** – apologize to people out of water this afternoon due to a water main break. Malden had 8.1 inches of rain and Glasco had 6 inches of rain during the month of April. Annual inspection in Glasco noted no deficiencies.

**Greg Chorvas** – CFI returned to finish the work at Glasco Mini Park; docks have not been installed yet, water was too high. Malden’s docks should be in by this weekend. Volunteer efforts commended for police agencies for closing day at the Ice Rink; Society of Little Gardens for donating a tree; and Saugerties Little League for replacing roofs, installing fence guards.

**BOARD COMMITTEE REPORTS:**

**Councilman Leighton** – thank the Water & Sewer Department for quick work on water main break. Boys & Girls Club Auction successful, thank everyone who participated.

**Councilwoman Thornton** – CPC workshops continue with target date in September; will meet at Town Hall Conference room from now on. CAC working with Shingebiss grant on Open Space Inventory. Public Hearings have been closed on the Winston Farm and now the commission has 62 days to make recommendation to Town Board. A new

member is needed to fill a vacancy on Historic Preservation Commission. Presentation available with Esopus Bend Nature Preserve link with school.

**Councilman Costello** – new screen has been installed at the Senior Center. Rich Edwards participated in the Boston Marathon and won in his age group and finished in 3 hrs 8 min 4/10 sec. Congratulate Tom and Frances Resso in celebrating their 50<sup>th</sup> Wedding Anniversary.

**Councilwoman Campbell** – new Task Force had its first meeting with goals (1) municipal (2) business and (3) community. ECD with Pat Kourtney and the goal is to attract green businesses. Building Department is going through old permits and getting everything up-dated. Training began for new software.

### **MOTIONS & RESOLUTIONS:**

Motion made by Councilman Costello, seconded by Supervisor Helmsmoortel to deny PBA health insurance grievance regarding changes to the MVP Health Plan, which was filed by PBA President George Heidcamp, due to the fact that the grievance was filed untimely.

Vote: Adopted – 5 Yes

Motion made by Councilwoman Thornton, seconded by Supervisor Helmsmoortel to approve the TSCO, Technical Service Change Order, from the Chazen Engineering & Land Surveying Company for the Saugerties zoning project. This will require that representatives from Chazen will meet twice a month with the CPC, Comprehensive Planning Committee, to expedite the rewrite process. The goal is to have the draft done by September.

Vote: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Councilwoman Thornton to approve the list of Summer Day Camp staff, as submitted, along with waiting list and others related to departments' summer staffing as per the recommendation of the Recreation Sub-Committee Day Camp Director, Suzanne Dodig-Sussmann and Greg Chorvas, Department Superintendent.

Vote: Adopted – 5 Yes

Motion made by Supervisor Helmsmoortel, seconded by Councilman Costello to approve Vernon Benjamin as Project Coordinator for Water/Wastewater Project on Esopus Creek Road and Oakledge Park in Saugerties, New York at a rate of \$50.00 per hour.

Vote: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Councilwoman Campbell to approve and create a \$200.00 petty cash account for the Supervisor's office.

Vote: Adopted – 4 Yes (Supervisor Helmsmoortel abstain)

Motion made by Councilwoman Campbell, seconded by Councilman Costello to approve the following resolution, as read, concerning the terms of the Town Planning Board members:

WHEREAS, the Saugerties Town Planning Board consists of seven (7) members established by the Town Board pursuant to Town Law Section 271; and

WHEREAS, the Town Board has authority to appoint individuals as members to serve on the Town Planning Board when the terms of office of members of the Planning Board expire and/or there becomes a vacancy of said office members; and

WHEREAS, pursuant to Section 271 of the Town Law and Planning Board consists of seven (7) member Planning Board who are to serve and hold office for the following terms: one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years and one for a term of seven years after his appointment, and thereafter, upon the expiration of the term of each member, his reappointment or the appointment of his successor shall be for a term of seven years and if a vacancy shall occur otherwise than by expiration of term, it shall be filled by the Town Board by appointment for the unexpired term; and

WHEREAS, over the passage of time since the inception of the Town Planning Board the terms of office of members have deviated from the prescribed terms as set forth in the aforesaid Town Law Section 271; and

WHEREAS, the Town Board desires to adjust the terms of the present Town Planning Board members' terms to comply with the aforesaid Town Law; and

WHEREAS, the Town Planning Board consists of the following members: Bill Hayes, George Collins, James Bruno, Carole Furman, Tom Francello, C. Howard Post and Bill Creen; and

WHEREAS, the Town Board desires to readjust and designate the above members terms,

NOW THEREFORE, be it

RESOLVED that the present and proposed reallocation of the Planning Board members' terms are hereafter as follows:

Bill Hayes – present term expires December 2010 but shall be designated as a one year term member which shall expire January 2008

George Collins – present term expires December 2010 but shall be designated as a two year term member which shall expire January 2009

James Bruno – present term expires December 2010 but shall be designated as a three year term member which shall expire January 2010

Carole Furman – present term expires December 2008 but shall be designated as a four year term member which shall expire January 2011

Tom Francello – present term expires December 2008 but shall be designated as a five year term member which shall expire January 2012

C. Howard Post – present term expires December 2007 but shall be designated as a six year term member which shall expire January 2013

Bill Creen – present term expires December 2013 but shall be designated as a seven year term member which shall expire January 2014.

Upon a roll call vote, the vote is as follows:

Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilwoman Campbell	voting	Yes
Supervisor Helmoortel	voting	Yes

Motion made by Councilwoman Campbell, seconded by Councilman Costello to approve the following resolution, as read, supporting an Energy Smart Community.

WHEREAS, the United States has a finite amount of natural resources from which to create energy; and

WHEREAS, America's growing dependence on foreign energy sources weakens its position in the international economy; and

WHEREAS, the cost of energy continues to escalate each year; and

WHEREAS, the New York State Energy Research and Development Authority (hereinafter referred to as NYSERDA) provides significant technical and financial assistance for energy efficient improvements in commercial, residential and institutional buildings; and

WHEREAS, the Town Board of the Town of Saugerties recognizes the value to its community in promoting energy efficiency; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Saugerties meeting in regular session on May 2, 2007 does hereby designate itself as an Energy Smart Community; and further

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Saugerties seeks to partner with NYSERDA and its agent, Mid-Hudson Energy Smart Communities, to promote energy efficiency and renewable energy throughout the Town of Saugerties; and further

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Saugerties encourages all owners and users of commercial, residential and institutional buildings in the town to cooperate with the town, NYSERDA and Mid-Hudson Energy Smart Communities to find and utilize more efficient energy sources and systems.

Upon a roll call vote, the vote is as follows:

Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilwoman Campbell	voting	Yes
Supervisor Helmoortel	voting	Yes

Motion made by Councilwoman Thornton, seconded by Councilman Costello to approve the following Proclamation for RELAY FOR LIFE, as read to observe May 5, 2007 and May 6, 2007 as RELAY FOR LIFE DAYS in Saugerties, New York

#### PROCLAMATION

WHEREAS, the Town and Village of Saugerties have been active participants in the Relay for Life, and

WHEREAS, the Relay for Life is an event that spans every segment of our community, and

WHEREAS, the Relay for Life raised over \$50,000.00 in 2006 and

WHEREAS, the Relay for Life dedicates its annual event to the celebration of life for cancer survivors, and

WHEREAS, the Relay for Life provides an opportunity to honor and remember those who have passed, and

WHEREAS, each year more than 100 participants are part of the Luminaria Ceremony and the overnight event that attract hundreds to Cantine Field, and

WHEREAS, without the enthusiastic support of so many research, education, advocacy and service programs could not move forward,

THEREFORE, Gregory Helsmoortel, Town of Saugerties Supervisor and Robert A. Yerick, Village of Saugerties Mayor do hereby proclaim May 5<sup>th</sup> and May 6<sup>th</sup> as “Relay for Life Days” in Saugerties, New York.

Upon a roll call vote, the vote is as follows:

Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilwoman Campbell	voting	Yes
Supervisor Helsmoortel	voting	Yes

Motion made by Councilwoman Campbell, seconded by Supervisor Helsmoortel to approve the following resolution, as read, adopting Local Law #2 of 2007 to impose a Residential Moratorium.

### **RESOLUTION**

WHEREAS, the Town of Saugerties has recently experienced increased growth and development of residential subdivisions and multifamily developments requiring site plan, special use and other approvals, all of which place severe pressure on open spaces, water usage and distribution, infrastructure and the character and natural resources of the Town; and

WHEREAS, the Town Board has recently formed a Conservation Advisory Committee and engaged a consultant as a Town Planner to gather information and to make recommendations with respect to the Town’s Comprehensive Plan and current Zoning Law, Land Subdivision Regulations and Local Laws, in an effort to create and adopt necessary amendments to the foregoing; and

WHEREAS, the Town Board believes that it will take at least six (6) months to conduct a thorough and responsible review of the Town of Saugerties Zoning Law, Land Subdivision Regulations, Local Laws and Comprehensive Plan, and to formulate recommendations concerning the same; and

WHEREAS, the Town Board wishes to maintain the *status quo* during the review period in order to enable the Town to focus on crafting and implementing a strategy that achieves appropriate planning objectives; and

WHEREAS, the Town Board does not wish to discourage appropriate commercial or residential development, but is mindful that such development must be consistent with the Town’s planning objectives; and

WHEREAS, the Town Board believes that the best and least restrictive method to accomplish its purposes would be to institute a moratorium concerning proposed projects

on a single site in excess of four (4) lots or dwelling units pursuant to Zoning Law Section 5.2.4.4 and major subdivisions, as defined in Section 200.15 of the Land Subdivision Regulations, of residential land, affecting applications that have been submitted subsequent to the May 1, 2007, for a period expiring October 31, 2007, subject to a one-hundred eighty (180) day extension by resolution, if necessary; and

WHEREAS, pursuant to Article 8 of the State Environmental Quality Review Act of the Environmental Conservation Law (“SEQRA”) and 6 NYCRR §617.5(30), the adoption of a moratorium on land development or construction is a Type II action, and is not subject to SEQRA review; and

WHEREAS, the Town Clerk duly caused to be published notice of public hearings in the Saugerties Post Star and posted said notices on the Town’s sign board, and held public hearings pursuant to the notices on April 4, 2007, at 5:30 p.m. and April 24, 2007, at 5:30 p.m., at the Greco Senior Citizens Center, and accepted comments and input from the public; and

WHEREAS, the Ulster County Planning Board received a copy of the proposed local law (Referral No. 2007-086) on March 14, 2007, reviewed the same on April 4, 2007, and provided a non-binding recommendation for disapproval to the Town on April 5, 2007; and

WHEREAS, the members of the Town Board have had the proposed local law to adopt the moratorium since March 1, 2007; and

WHEREAS, the respective chairpersons of the Planning Board, Zoning Board of Appeals and the Comprehensive Planning Committee have had the proposed local law since March 1, 2007 and have been provided the opportunity to comment on the proposed local law; and

WHEREAS, the Saugerties Town Clerk has had the proposed local law since March 1, 2007 and has made the same available to the public.

NOW, THEREFORE, it is resolved that, after due deliberation, Local Law No. 2 of the year 2007 of the Town of Saugerties, known as the “Interim Development Law for Major Residential Subdivisions of the Town of Saugerties, a copy of which is attached hereto and made a part of this Resolution, is hereby adopted; and be it further

RESOLVED, that the Town Clerk is hereby directed to enter said Local Law and the minutes of this meeting and in the Local Law Book of the Town of Saugerties, and give due notice of the adoption of said Local Law to the Ulster County Planning Board with a statement of the reasons for such action contrary to the non-binding recommendation of the Ulster County Planning Board and to file the same with the Secretary of State of the State of New York.

Upon a roll call vote, the vote is as follows:



Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilwoman Campbell	voting	Yes
Supervisor Helsmoortel	voting	Yes

Motion made by Supervisor Helsmoortel, seconded by Councilman Campbell to increase Claudette Zinkow's Building Department employee salary by \$1.25 per hour effective April 1, 2007.

Discussion: Councilwoman Campbell commented that Claudette is totally self-motivated; wealth of information. Supervisor Helsmoortel added that she is a very valuable employee.

Vote: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Supervisor Helsmoortel to accept and approve Stephen Tuomey's Dispatcher for the Police Department employment status from full time to part time dispatcher effective May 14, 2007.

Discussion: Councilman Costello noted that Steve received a better opportunity; hopefully, he will be able to help out at times.

Vote: Adopted – 5 Yes

Motion made by Supervisor Helsmoortel, seconded by Councilman Costello to approve ordering software for the accounting department per the request of the Town Accountant, Gary Newkirk, for monitoring the town's procurement policy and making sure that funds are budgeted and available for purchases.

Vote: Adopted – 5 Yes

Motion made by Councilman Leighton, seconded by Councilwoman Campbell to approve the proposal from the Chazen Engineering & Land Surveying Company for professional services to the Town of Saugerties dealing with Water Demand Analysis.

Discussion: Councilman Leighton read the following points: the Town of Saugerties has two municipal water districts – Glasco and Malden. The water source for the two water districts is contract purchase of up to 600,000 gallons per day (gpd) from the Village of Saugerties. The Village of Saugerties water source is the Blue Mountain Reservoir. Water is conveyed from the Blue Mountain Reservoir to the Town Water Districts by way of Village watermain. During peak usage (summer), Glasco Water District currently uses approximately 360,000 gpd and Malden Water District uses approximately 60,000 gpd. This totals approximately 420,000 gpd. Within each of the two water districts, there is the potential for additional development. The town has obtained grant money for a new water district on Kings Highway, which may produce additional water demand of 25,000 to 40,000 gpd. The town wishes to identify the likely water demand for buildout within each of the two water districts. The town wishes to also identify some likely

additional water demand from projects contemplated in close proximity to the two Town Water Districts or the Village watermain. The town is primarily focused on understanding water demand.

Vote: Adopted – 5 yes

Motion made by Councilman Leighton, seconded by Supervisor Helmoortel to approve the following resolution:

WHEREAS, the Town of Saugerties is a municipality within the New York City Watershed; and

WHEREAS, the Town of Saugerties is a signatory to the Watershed Memorandum of Agreement (MOA); and

WHEREAS, said MOA required historic recreational uses be authorized on any lands the City of New York purchases in the watershed; and

WHEREAS, the City of New York has failed substantially to honor that essential commitment; and

WHEREAS, that failure has diminished tourism and economic development in the watershed; and

WHEREAS, the City of New York has opposed economic development projects within the watershed; and

WHEREAS, it is difficult for local officials to work with the City of New York on various projects, specifically, it is often difficult to review a clear answer from the City without multiple meetings or telephone calls; and

WHEREAS, City personnel need to recognize that local officials are part-time officials who typically hold down other full-time, non governmental jobs and do not have the time to visit the same issues over and over again like the city, with its employees have the ability to; and

WHEREAS, localities within the watershed have commented on the FAD and those comments have largely not been incorporated into the proposed FAD; and

WHEREAS, the city has not properly maintained their dams in the past, and such failure has caused an emergency repair job at the Schoharie Reservoir – thereby shifting billions of gallons of water into other waterways, and has caused flooding; and

WHEREAS, the simple fact is this municipality believes a 10 year FAD, no matter how much acreage the City of New York acquires, will lead to an arrogance on the part of the City and a significant and sharp deterioration of the relationships the City has, as of late, been working to develop with the municipalities of the watershed; and

WHEREAS, it is strongly believed that a balanced relationship requires a review of the FAD at least every five years; Now therefore be it

RESOLVED, that the Town of Saugerties strongly and unequivocally opposes the EPA's proposed 10 year FAD and demands the EPA reduce the FAD to a term not to exceed five years; and further demands that the EPA:

1. Incorporate into the FAD those comments made by municipalities within the watershed with respect to those municipalities.
2. Hold hearings on flooding within the watershed and in adjoining areas;
3. Require the City of New York to open up its lands within the watershed for recreational purposes on par with the lands owned by the State of New York, except for land which should be protected as a result of legitimate security/public safety concerns;
4. Require the City of New York to create voids within its reservoirs to take into account the effects of rain and melting snow;
5. Require the City of New York to fund the Coalition of Watershed Towns in an amount adequate to establish an ombudsmen program run by the Coalition so advocate for municipal needs; be it further

RESOLVED, that the Town of Saugerties hereby requests that United States Senators Schumer and Clinton, along with Congressmembers Hinchey and Gillibrand introduce and secure the passage of legislation to prohibit the EPA's granting of a FAD for a term greater than five years and take action to administratively oppose the EPA's 10 year FAD proposal; be it further

RESOLVED, that a copy of this resolution be transmitted to:

Governor Eliot Spitzer  
ATTN: Judith Enck, Deputy Secretary  
Executive Chamber State Capitol  
Albany, New York 12224

Senator Charles Schumer  
United States Senate  
Washington DC 20510

Senator Hillary Rodham Clinton  
United States Senate  
Washington DC 20510

Congresswoman Kristen Gillibrand  
120 Cannon House Office Building  
Washington DC 20515

Congressman Maurice Hinchey  
2431 Rayburn House Office Building  
Washington DC 20515

Senator John Bonacic  
NYS Senate  
Room 815 LOB  
Albany, New York 12247

Upon a roll call vote, the vote is as follows:

Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Abstain
Councilwoman Campbell	voting	Yes
Supervisor Helsmoortel	voting	Yes

Motion made by Councilwoman Campbell, seconded by Councilman Costello to amend the dates of the Public Hearing for Local Law #3 Article 8 Planning Board, Site Plan Review, Special Use Permit, as read in the following resolution:

WHEREAS the Board desires to hold a public hearing with respect to the adoption of this local law;

NOW THEREFORE, be it resolved that public hearings be held by this Board with respect to the adoption of this proposed local law at 6:00 p.m. on June 6, 2007 and at 5:30 p.m. on June 21, 2007 at the Frank D. Greco Senior Citizen Building, Market Street, Saugerties, New York; and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of the hearing to be given as provided by law.

Upon a roll call vote, the vote is as follows:

Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilwoman Campbell	voting	Yes
Supervisor Helsmoortel	voting	Yes

Motion made by Supervisor Helsmoortel, seconded by Councilwoman Thornton to adjourn Town Board Meeting, carried.

**NEXT SCHEDULED MEETINGS:**

**Wednesday, May 16, 2007**

**Public Hearing**

**5:30 p.m.**

**Historic Property Tax Exemption**  
**Pre-Board Meeting** 6:00 p.m.  
**Town Board Meeting** 7:00 p.m.

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Town Clerk