TOWN OF PLATTEKILL

REGULAR TOWN BOARD MEETING

January 17, 2024

Time – 7:00pm

SALUTE TO THE FLAG:

ROLL CALL:

The following Town Board Members were present:

Supervisor Depew

#### Councilman Castillo Jr.

#### Councilman Fazio

Councilman Hoppenstedt

* Supervisor Depew made a motion to proceed with the public hearing of the proposed local law prohibiting motor vehicle racing. Leaving public hearing open for written comment only until February 7, 2024.

Seconded by Councilman Castillo Jr.

On the vote: All Ayes

MINUTES:

* Councilman Depew made a motion to NOT read the minutes from the January 3, 2024 Re-organizational meeting.

Seconded by Councilman Hoppenstedt.

On the vote: All Ayes

Councilman Depew made a motion to accept the minutes from the January 3, 2024 re-organizational meeting.

Seconded by Councilman Castillo Jr.

On the vote: All Ayes

* Supervisor Depew made a motion to NOT read the minutes from the special town board meeting on January 10, 2024.

Seconded by Councilman Castillo.

On the vote: All Ayes

Supervisor Depew made a motion to accept the minutes from the special town board meeting on January 10, 2024.

Seconded by Councilman Castillo Jr.

On the vote: All Ayes

ADDITIONS:

* Website- The Town is getting a new Town website. It is in the works. Want to thank Ed Diller and Sarah Nelson.

Supervisor Depew made a motion for the cost of the website, first year cost is $366.46 and each additional year is $299.50. This also includes 25 emails to use.

Seconded by Councilman Castillo.

On the vote: All Ayes

PUBLIC INPUT:

* Supervisor Depew made a motion to open Public Input at 7:05 pm.

Seconded by Councilman Fazio

On the vote: All Ayes

Anyone wishing to speak, please sign in at the table in the back.

1. Pat Laffin- Last time I came to the meeting, I talked about why I thought the drag strip was good for the community and good for the young kids, a safe place to have a hobby. The Town Board was very clear that we weren’t here to discuss that, we were here to discuss the law. I felt that the Town Board put us off. I want to talk about the law that you are wanting to put into effect. The law very broadly outlines that motor vehicles create noise, fumes and odors and potential environmental concerns. This law can be interpreted any way. You also applied this law to bed and breakfasts, professional services, parks, schools, and moratoriums- the only thing not on here is liquor stores. You stated this adversely affects all of these things. You also went on to add what a Motor vehicle is, which you stated that it is any vehicle that is propelled by an internal combustion motor and can either be street legal or not. You excluded a few zoning areas where that was a law so basically when I look at this, what you have done is that what you’ve written here, a vehicle with a combustible engine, you can’t even drive on a public street or any zoned area in the whole town or by any school or by any office in the town. You should not vote this law in and put the town at risk of being sued. You highlight, this racetrack or this sport is going to negatively impact all of the town’s businesses. I was not able to find any research to prove this. I went out on the internet and found economic analysis that proved the opposite. This will generate income on the local level. I am for the race track.

Provides the Town Board with a binder of the economic research.

1. Mark Ricco- I have come to a few of these meetings and what I cannot understand is the stringent requirements you are asking. We have other businesses in town that bring cars in and out of their parking lots all day. Were they asked to do these studies? Were they put under the same scrutiny? More cars come here with these new businesses, more exhaust. If they were not put under the same stringent requirements, then this is plain wrong. Any commercial business that will be developed, you are going to have cars and trucks. It is a commercial property for commercial business. If you didn’t ask other businesses, how dare you ask TJ.

Dean Depew- I will say that there is a process to all of these things you mentioned and they are addressed with the planning board.

Mark Ricco- What I am seeing is that you are almost making this a popularity contest, whether people want peace and quiet or a race track on a commercial property. This should be about the law. If the law says this commercial property can be used for that, you can’t change the law after someone buys the property. This shouldn’t matter if people like it or not, if you live next to a commercial property and they decide to build, it shouldn’t matter, its allowed. The Zoning wasn’t made by anyone here, this zoning was made by the Zoning board. Zoning means certain things.

1. Peter Brunet- I am a long-time resident. You (Supervisor) said something in the last meeting that has been bothering me, it was in regards to voting, whether the people want something or not; If 51% of people want it and 49% don’t want it, there are other things that need to be considered.

What are those other things and who makes those decisions? I thought this was a democracy and majority rule.

Supervisor Depew- I am going to clear this up. My comment was this, in a weighted vote; We are leaving the public hearing open because we are still receiving letters pertaining to the racing law. In my opinion, if I were to do a weighted vote, I don’t think it would be to anyone’s advantage to make a decision on who sent the most letters or who talked the longest. It would be ignorant on our part to make a decision on something so crucial because there is a lot at stake. We are leaving this open until February 7, so we can gain more information. We are giving every opportunity possible to make the best educated decision because this affects people’s lives. This will have years of ramifications. We want to see what the good and the bad is. When we do vote, everyone should vote clearly educated and with a clear conscious. This may seem like it is taking forever and that is not our intent.

Pat Laffin- You should also consider how you have that law written. You can interpret it anyway you want.

Peter Brunet- This project was able to move forward for 3 years. This project was coached through this process.

Supervisor Depew- I am not understanding.

Peter Brunet- What I mean by that, the proposal was laid out. It was explained to TJ that they have to comply with A, B, C, and you can move forward. They did that but each time they complied, there is a cost associated with it. Now if they get to this point of the process and you change the law, now they can’t do what they planned, is there any legal recourse?

Supervisor Depew- I can’t answer that.

Peter Brunet- It is a rhetorical question, how do you coach someone through a process, then change everything on them.

Supervisor Depew- Again, I can’t answer that.

Peter Brunet- Hands letter to the board.

1. Micheal Bennett- I am a retired police officer from Poughkeepsie and currently work for the National Federation of Independent Businesses. I would like to say, that I travel and visit independent businesses in the 4 counties in the Hudson Valley, people that own race cars are generally business owners. They are people with money, race cars are expensive. A day at the track, takes a lot. People are traveling well out of the area to race, spending money. As a Police Officer, I can tell you that street racing happens, racing happens and it is a matter of, if you don’t provide a place for it, people will do it everywhere. I can also tell you that it is fine to write all the laws you want, but enforcing them is a different animal. Racing is already illegal in NYS on public roadways and they do it. What if you could be the place that could make a positive impact? Invest their money in this town because they will spend. Let us have a reason to come to Plattekill other than to pick an apple.
2. Connie Dirago- We have been going through this for a really long time and I just don’t understand, it’s not like they are putting in a nuclear power plant. You have laws already here, addressing noise. You have laws in place for just about everything. They have already dealt with the DEC. You worry about traffic and they have a plan for that- the want to hire off duty police officers to disperse traffic. There are laws that are circling all around what they are putting together. I don’t understand why the Town Board is so against the project. Why after 20 years, are you deciding to look at the law and trying to change it after they submitted their proposal? If they already had intact the stuff the Town Board is worried about. The race track is going on in the middle of 50 acres, if there’s fumes from the cars, they are giving the trees a job. Nothing will affect anyone around them. The Thruway runs next to it, that noise exceeds the noise ordinance in effect to begin with but no one addresses any of those issues. Every time they turn around, there is a reason; what is your reason? What is the big reason why they shouldn’t be moving forward with this?

Supervisor Depew- We are not going to address any reasons. The board is tasked to do a job and we are doing it to make an informed decision.

Connie Dirago- All of these people that are for this, are irrelevant?

Supervisor Depew- We are tasked with a job and finding out as much information as we can.

1. Nick Torres- I am here for the drag strip and I am in favor of it. My kids race junior dragsters and it would be nice to not have to travel so far. I hope the Town Board actually looks at the binder from the first gentlemen and show the rest of the public that is a little weary.
2. Tim Anderson- We are all looking forward to something to do around here. Plattekill is so boring.
3. Gary Boell- I am in favor of the Drag strip and support it.
4. Mark Vitek- 90% of the people in this room are parents. Would you rather have your child race on the street where it is unsafe, and someone is backing out of their driveway. Or would it be more cost effective and safer, for the racers to have an actual place. I would rather have my children race on a track than on the street. Orange County had a chance to build a race track and they turned it down. Now you have people racing on the streets. Route 84 is a drag strip. You have airplanes and the thruway going on right near TJ’s property and no one says anything.
5. John Fazio- The town should start looking at, there is bigger issues than what is going on here. We know we are having problems with trucking companies trying to come into the town and they are spread out all over the town because we do not have an industrial area. The town Board should look at stuff and say let’s try to make this work for TJ and the Town. Mr. Libolt bought 200 acres of the Lembo Land, we should talk to him and see if he would be interested in doing an industrial park here, there is lots of land. Now the town will have an area. At the back of the industrial area, TJ can enter through the industrial park for his Raceway. Maybe we can talk to the state and get the state to give us an exit off the Thruway and anytime you have an exit off the Thruway ups the value of every home and business. It doesn’t hurt anybody. It ups the value of everything. The town should do research and make it work. It seems like every time a local comes in to start a business or try something, the Town Board which is fairly new, the Town Board opens their books to stop us instead of opening their book to see how they can help us. I have never seen any of the board open a book. The town is growing, lets make it work. Let’s open an industrial park so we don’t have trucks, here and there. Its in one spot. Especially with a Thruway exit and then we will get rid of 2 junk yards that we see. Make our town grow and make our town look like something.
6. Annette Laskowsky- You have listed a public hearing tonight. When did you decide to close verbal comments?

Supervisor Depew- We didn’t close public input, tonight we made a motion to close the public hearing but keep it open for written comments only.

Annette Laskowsky- You could have indicated that a lot clearer and better when you put the agenda out so that all of these people didn’t travel so far an get annoyed that they couldn’t talk. I don’t think there is anything bad about it, but there has to be a place for it that doesn’t interfere with peoples lives.

1. Robert Jackson- The COVID money, do you have a plan for it? Did we lose it?

Supervisor Depew- No we did not lose it and yes we do have a plan for it. We are looking at 3 different options right now.

Robert Jackson- Do you have this plan in writing?

Supervisor Depew- Over the next week, I do have a meeting to talk to someone about it. Keep in mind, that I just came into office. I just pulled all the information out and hopefully shortly a plan for it.

Robert Jackson- Resolution #7 in the Re-Org Meeting, when is the last time this has been updated? This town has not had a first aid unit or an ambulance core in many, many years if we ever had one. But the agreement, what is the actual agreement?

Supervisor Depew- I have to look to give you an accurate answer, I don’t have it in front of me.

Robert Jackson- There are 3 ambulances run by two different departments in this town. They are not cores, or units. In that resolution, it says a unit or a core.

Supervisor Depew- I am not going to comment because I don’t want to be inaccurate. I do know that there was a point and time, that Modena was a core.

Robert Jackson- But my question is, what is this agreement?

Supervisor Depew- I will have to read it but I believe it is a mutual aid pack. I believe it is an agreement that one community will respond mutual aid if another department needs. I could be wrong and want to read it and be accurate.

Robert Jackson- It says if the community needs assistance from the town?

Supervisor Depew- That would be if the fire department needed assistance from the highway department, for example a plow truck plowing a clear path or salting the road. Or chainsaws to remove trees.

Robert Jackson- is this agreement actually in writing?

Supervisor Depew- No, it is done by resolution, and it makes it legal. I don’t think there is a contract. We can utilize our towns assets to help if needed.

Robert Jackson- Covid money, you should have an answer next month?

Supervisor Depew- In the next few weeks.

1. Luke Sukunda. I am for the racetrack. It will bring a lot of money into the town and there is a lot of research being done. I hope the Town Board will look at it.
2. Tristen Mazzone- My biggest question is, what is the precedent of this law? What caused this law to be brought up in the first place?

Supervisor Depew- You should read the law.

Tristen Mazzone- The law is vague, there is nothing clear about it. What the board is using at their excuse to introduce law in the first place, is the project at hand. I would like some clear answers since it is obvious where the law came about.

Supervisor Depew- Regardless, the board is taking everything into consideration.

1. Bill S.- This local law prohibiting Motor vehicle racing, take away the race track part of it, I own 40 acres and have 3 kids. You aren’t going to put two kids next to each other that don’t race. I am for the race track and I am definitely against the law like this.
2. Leon Royce- How much knowledge doe the town board have about drag racing? Who has been to a drag race?

Joseph Hoppenstedt- I have been to Englishtown.

Leon R. Then you know what it takes to do this.

1. William Decker- What about the campgrounds? They bring it plenty of revenue during the camping season. But we don’t talk about the fires, the smog from the campers, the generators and everything else, the noise, the traffic on the background. Why aren’t we shutting campgrounds down?

Supervisor Depew- I totally understand.

Is there anyone else that any questions or comments on anything else besides the racetrack? You have time to put letters into writing before February 7.

1. Mark Ricco- With everything said, this has been going on for months, can you assure us by February 7, you will have an answer for us?

Supervisor Depew- I cannot, I will not make that commitment. My anticipation, that we should be able to move forward but I will not commit to that. I understand the frustration.

Mark Riccio- This has been 3-4 months. You should have enough information. You have to realize; these people are paying taxes on a property they cannot do anything with.

1. Connie Dirago- Will it be an open meeting on February 7?

Supervisor Depew- It will only be open for written comment. The verbal comments are done.

Connie Dirago- So if we have to be done, why aren’t you make a decision. What will happen on February 7th?

Supervisor Depew- Written comments only.

* Supervisor Depew made a motion close public input at 7:50pm.

Seconded by Councilman Castillio Jr.

On the vote: All Ayes

REPORTS:

* Supervisor Depew made a motion to not read the monthly department reports and noted they are all available at the Town Clerk’s Office upon request.

Seconded by Councilman Castillo.

The following reports for the month of December were available.

Plattekill Police Monthly Report

Dog Control Monthly Report

Buildings & Grounds Monthly Report

Building Department Monthly Report

Assessor Report Monthly Report

Recreation Department Monthly Report

NEW BUSINESS:

Return Title Search Fee- Letter from Building Inspector, Edward Diller, to return fees from a municipal search. We did not go out and do inspection. Funding fell through for the buyers. Return of $125.00 for title search, Check 19870.

Supervisor Depew made a motion to return those funds and the work was not performed.

Seconded by Councilman Fazio.

All ayes on the vote.

* Driveway Permit Fee’s- Our fees currently are $50.00 for the inspection process and the driveway application and $500 bond to be used if the roads were damaged. Our fees are outdated.

Supervisor Depew made a motion at this time, to raise the application fee from $50 to $150.00 and the returnable bond from $500 to $1,000.00.

Seconded by Councilman Castillo.

All Ayes on the vote.

* Appoint ZBA Member:

Supervisor Depew made a motion to appoint Robert Egan to the ZBA.

Seconded by Councilman Fazio.

On the vote: All ayes

* Annual Justice Audit:

This comes up every year and something we do in conjunction with out two town justices.

Supervisor Depew appoints Councilman Castillo and Councilman Fazio to conduct the audits. There is a time that it needs to be done by. I will leave it up to the two councilmen to get it done.

OLD BUSINESS: No old business.

TRANSFERS:

* RESOLUTION #29 A-Fund Transfers

Supervisor Depew made a motion to accept Resolution #29 for the A-Fund Transfer. The Town Supervisor has requested to transfer $3,000.32 from A.1110.100 & $5,000.00 A.3620.100 to A.1410.100, A.1620.100 and A.3120.400. This Transfer is necessary to cover payroll for the 2023 year (this payroll was paid in 2024 however the expense was for the year 2023.)

Seconded by Councilman Castillo

On the Vote: All Ayes

NOTICE OF TRANSFER

Supervisor Depew made a motion to transfer funds in the amount of $3,000.32 from A.1110.100 Justice Personnel and $5,000.00 A.3620.100 Safety Inspection Personnel to A.1410.100 Town Clerk personnel in the amount of $115.08, A.1620.100 Buildings and Grounds Personnel in the amount of $76.43 and A.3120.100 Police Personnel in the amount of $7808.81.

Seconded by Councilman Castillo.

On the Vote: All Ayes

VOUCHERS:

* Supervisor Depew reviewed the Voucher Detail report Dated January 17, 2024, which includes:

The A-General Fund amount of $116,956.64

The DA-Highway Fund amount of $61,606.72

The H- Capital Projects in the amount of……………………………………………… $12,697.00

SA Clintondale Lighting amount of $1,726.65

SB Modena Lighting amount of $1,564.60

For a Grand Total amount of $194,551.61

Supervisor Depew made a motion to accept the vouchers, recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Seconded by Councilman Fazio

On the vote: All Ayes

EXECUTIVE SESSION-

* Supervisor Depew made a motion to enter into executive session regarding personnel matters at 8:00PM.

Seconded by Councilman Fazio

On the vote: All ayes

* Supervisor Depew made a motion to end Executive Session at 8:45pm.

Seconded by Councilman Fazio.

On the vote: all ayes

ADJOURNMENT:

Supervisor Depew made a motion to adjourn the meeting at 8:47 pm.

Seconded by Councilman Castillo Jr.

On the vote: All Ayes