

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING

May 6, 2015

Time: 7:00 PM

SALUTE TO FLAG

Supervisor Croce opened the meeting with a salute to the American Flag.

ROLL CALL

The following Town Board Members were present:

Supervisor Croce
Councilman Farrelly
Councilwoman Delgado
Councilman DePew

Councilman Putnam was absent.

MINUTES

* Supervisor Croce made a motion to dispense with the reading of the minutes from the April 15, 2015 Regular Town Board Meeting.

Councilwoman Delgado seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the April 15, 2015 Regular Town Board Meeting.

Councilwoman Delgado seconded.

On the vote: all ayes.

ADDITIONS

Supervisor Croce stated that he had one addition this evening. He wanted to thank the two Girl Scout groups who came to the Town Hall and met with Linda Byrnes from the Highway Dept. to plant flowers in front of the Town Hall. They did a wonderful job and he will be sending a Thank-you card to them.

PUBLIC INPUT

Mrs. Sis Morse, the Chairperson of the Veteran's Committee, stated that the Veteran's Committee Annual Golf Tournament was being held this coming Saturday and they were still taking donations and applications. It is being held at the New Paltz Golf Course.

Mrs. Morse continued stating that the Memorial Day Parade was also coming up on Sat. May 23, 2015 and there is still time to join in walking or come out and watch the Parade from the sidelines.

Supervisor Croce stated that the Parade starts at the Town Hall with lineup at 12:00 noon and step-off at 1:00 PM. There will be a short ceremony at the Town Park and then refreshments will be served.

Supervisor Croce stated that there is also another event sponsored by the Town PBA. They will be holding the Annual Bruce Loertscher Pig Roast on June 7th and tickets can be obtained at the Town Clerk's Office or from any officers. This year there will be entertainment along with the dinner. He stated that last year the PBA was able to sponsor four – five hundred dollar scholarships to High School graduates continuing education in either farming or criminal justice. It is a very worthy cause.

Mrs. Morse stated that the Modena Fire Dept. will also be hosting a free breakfast for Veterans on Sunday, May 24, 2015 and Aloha Homes, on South Ohioville Road, will be hosting a memorial service on Monday, May 25th, 2015 at 11:00 AM, for anyone who is interested in attending.

Mrs. Tara Fitzpatrick, a resident on Rt. 32 in Modena, stated that she wanted to follow up on what her husband had talked about at the last meeting about the noise ordinance and having the Town Board look into the accessory use at the Hurd Farm. She stated that she wanted to ask them again to look at the Chapter 110-Zoning about the Outdoor Amusement and Recreation in terms of the idea that there should be noise control and traffic control and when you look at items such as the bouncy pad and gem mountain and all the lighting that is directly along their property line. There is a lot of noise, dust, commotion and all this interferes with their quality of life on their own property and they were able to get a reduction on the value of their home from all of this. And now, since the time they are going to be open has been expanded, starting in July, this will limit the use of their backyard even more.

Mrs. Fitzpatrick stated that last year the Summer Camp utilized the Hurd Farm for a day trip and these facilities have not been inspected. There are electric lines in a trench to the compressor to run the bouncy pad that has not been inspected and neither has the gem mountain area. No permits were obtained to put any of these uses in and she stated that she felt the Camp should not use this facility until these things have been inspected and approved for the children to play on. She suggested that the Town Camp not use this facility until inspections are done. This is a liability to the Camp and the Town. Who knows if these things are safe? She stated that she did not feel the Town should be endorsing this facility by allowing the Camp to go there. She and her husband have been coming in and bringing these things to the Town Board's attention and they feel the facility should not be used until all the attractions have been inspected.

Mrs. Fitzpatrick went on to say that she did not feel that what the Hurds are doing is agriculture. They are advertising for camp fires and giving groups over 100 people a discount. All of this is on their website and she would encourage anyone to go on their site and see the amount of money that they are charging for an activity admission fee. They also refer to their farm on the website as a "farm party facility". They are not a farm anymore, they are an entertainment facility. She stated that there are a few farm activities and then the rest is for entertainment. She stated that when she and her husband purchased the property, the Hurds were into having apple picking and hayrides, but now things have changed. She stated that she and her husband have been coming in with all these concerns since last year and they only see the encroachment on their lives getting worse.

Mrs. Fitzpatrick stated that when she came in last year, it was said that the Town would have the Winter to Spring to review the situation and now it is well into Spring and there is no indication that there will be a decision or changes made to the facility. She stated again that she would suggest that

the Summer Camp not attend this facility until there are proper safety inspections done. She stated that she appreciates the Town Board listening to their concerns and is hoping to see some relief on the issues that she and her husband have brought up.

Supervisor Croce thanked her for her comments this evening.

Mrs. Carla Roberts, a resident of Church Street, wanted to request the use of the Town Park on June 21, 2015 for a fundraiser event for a disease called HHT (Hereditary Hemorrhagic Telangiectasia). She explained a little about the disease and stated that her child has this condition. She stated that she wanted to do a craft session where someone who is a painter would come and do a class. People would pay a fee for the class which would include a donation to the HHT Foundation. She stated that the Foundation has insurance to cover the event.

Councilman Farrelly questioned how much of the money would go to the HHT Foundation?

Mrs. Roberts stated that 100% of the money would go directly to HHT.

There was discussion that this date was Father's Day and whether this would hinder or help the event.

Mrs. Roberts stated that she thought maybe it would help her to get more people involved as they could do an adult & child session. She stated that the event would run approximately 12 noon to 3:00 PM.

Supervisor Croce stated that he thought this was a good idea and stated that he would not have a problem waiving the usual Park use fee.

* Councilwoman Delgado made a motion to allow the HHT Foundation to use the Town Park Pavilion on Sunday, June 21, 2015 for a fundraising event and to waive the fee for using the facility.

Councilman Farrelly seconded.

On the vote: all ayes.

Mrs. Roberts thanked the Town Board for their generosity.

Mrs. Patricia Miller stated that she lived at 314 South Street and she had a problem with the noise coming from a farm that is located near her home. She stated that there is music blaring until 2:00 AM in the morning. It is supposed to be a farm, but they have events, parties, weddings and loud music. She stated that the sound comes over the hill right into her yard.

Supervisor Croce stated that this has been an issue that the Town Board has been discussing for some time now. He stated that he was not sure she was aware that letters were sent to all parties involved letting them know that if they were to continue holding events that there could be injunctive relief taken by the Town or anyone else.

Mrs. Miller stated that she would call the Town and let them know the next time the noise was occurring.

Supervisor Croce explained that the Town Board has been out to visit the site and are all aware of the situation.

Mr. Castillo, the Chairperson for the Zoning Board, was present and stated that on June 11th someone from the Association of Towns and someone from Cornell University would be coming to the Town of

Plattekill to hold a class on these types of issues. Other area Town Officials will also be attending and we will be asking questions about these uses on agricultural properties.

Supervisor Croce stated that he did not want people to get the wrong idea, but this class on June 11th will just be for Town Officials. It is not a public forum. He stated that the public would be able to contact the Town Board after they attend the class to hear about what was discussed. We can only accommodate a certain number of people at this class. He stated that he wanted to assure everyone that they had nothing to hide; it is just that we have invited other Town Officials and this will be a learning experience for all of us.

Mrs. Fitzpatrick stated that she wanted to extend an offer to the Town Board also. She stated that any Town Board member was welcome to come to her house and stand in the back yard or look out her back windows to see what she and her husband are talking about. This business has impacted her family and they are looking for relief too.

Councilwoman Delgado stated that she did see what the view from the back yard of her house looks like and she feels for her. She now realizes that they are really on top of her property.

Mrs. Debra Doubrava asked about the letter the Town sent to Liberty View Farm?

Supervisor Croce stated that a letter was sent, because there has not been a decision, letting them know that if they have an event the Town or anyone else could bring an injunction against them. He stated that an injunction is a very costly and complicated process.

Mrs. Doubrava gave a copy of what Liberty View Farm has on its website. She stated that they are using two business names; Liberty View Farm and Hudson Valley Farm and Estate Weddings. They are describing themselves as an apple farm and a wedding venue.

Supervisor Croce stated that this was the first time he was seeing this new name.

Mr. Gilbert stated that if you go to the website, it is split into two sections; the farm and then the weddings.

Supervisor Croce asked if an event had taken place?

Mrs. Doubrava stated that she did not know of an event recently, but she does know that they had a candlelight-dinner party on the newly purchased Palazzo Lane property.

Councilwoman Delgado stated that maybe it was a dinner party for him and his friends.

Mrs. Doubrava stated that she could not be sure.

Supervisor Croce stated that they have had attorneys in to Town Board meetings and they have stated numerous different approaches to what they are trying to do. This is America and everyone is entitled to do, within reason, what they want to do on their own property that they own and pay taxes on, but when it disrupts the neighborhood, then we have to take a look at it.

Supervisor Croce introduced the new Town of Plattekill Assistant Recreation Director, Stephanie Doland. He stated that he had asked her to come in and give a report on the current programs that are up and running.

Ms. Doland stated that there is T-Ball starting tomorrow evening and going for 4 weeks, the Spring Soccer Program would be starting on Monday and she has made a lot of progress on summer camp.

She stated that they are currently taking applications for counselors and there have also been two sign-up days for children to attend camp. More sign-up days are scheduled and an open house.

Supervisor Croce stated that he wanted to commend Ms. Doland for stepping into the roll as Assistant Recreation Director and the Town Board feels that she is very responsible and organized. He stated that there are not a lot of records from previous years as to what programs existed, but she has done a great job of trying to research what was done in the past and what we will offer in the future.

Mrs. Coppola asked where someone might obtain applications for the counselor position.

Ms. Doland stated that the application could be picked up at the Town Hall and the person must be at least 16 years old with working papers.

Supervisor Croce thanked her for coming in this evening.

There were no further questions or comments from the Public.

* Supervisor Croce made a motion to close the Public Input Section of the meeting at 7:38PM.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 1 – AWARD MOWING BID

Supervisor Croce explained that the Town Board had gone out to bid for the Mowing of the Town Properties and the Haying of the Town Field. He stated that the Town had received two bids for the mowing; one from Hudson Hills Contracting for a total mowing of \$360.00 and J & N Stafford for a total mowing of \$449.00.

Supervisor Croce stated that he had received a memo from the Highway Superintendent stating that he would recommend the Town use Hudson Hills Contracting for the mowing.

* Councilman DePew made a motion on the recommendation of the Highway Superintendent to award the Mowing Bid to Hudson Hills Contracting.

Councilwoman Delgado seconded.

On the vote: all ayes.

Supervisor Croce stated that the Town did not receive a bid for the Haying of the Field and he suggested that the ad be put in the newspaper one more time.

There was some discussion on the Circus and if the Town had contacted them to see if they wanted to come back this year. The field would have to be hayed before they could use the field.

Supervisor Croce stated that he had not heard from the Circus, but he could look into whether they wanted to come back or not.

* Councilman DePew made a motion to re-advertise the bid for the Haying of the Field, to have them opened at 10:00 AM on May 18, 2015.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 2 – DOG CONTROL

Supervisor Croce stated that the Dog Control Officer, Andrew McKee, had requested to be on this evening's agenda, however he is not present.

Supervisor Croce stated that the Town Board would put this discussion off until the next meeting unless Mr. McKee should arrive later in this evening's meeting.

SECTION 3 – RUGBY – REQUEST TO USE TOWN FIELD

Supervisor Croce introduced Mr. Jim Robinson, President of the Hudson Valley Rugby Club. He stated that the Rugby Team has been using the Town Park for practice sessions and would like to continue to do so.

Mr. Robinson stated that the Rugby Club would like to continue to hold practice sessions and they would also like to hold several competition games. He stated that typically there is a spring and a fall season and they would like to hold two competition games in each season. They also would like to practice on Thursday nights.

Councilwoman Delgado asked if they had paid a fee to the Town for using the field and how much that fee was last year.

Mr. Robinson stated that they have paid \$500.00 per year, in past years.

Councilman DePew asked if they had another field they considered as their home field?

Mr. Robinson stated no, the Town of Plattekill Park is considered their home field. They do have another field that they can use in Kingston.

Supervisor Croce stated that he already has a copy of their insurance.

Mr. Robinson stated that all the players also sign off on an insurance waiver. He went on to explain how many members there usually are for a team and how the games are played.

There was a short discussion on whether the games would interfere with people renting the Pavilion or with the Soccer League. Also, there may be a car show on Labor Day weekend and we have the fireworks event in July and Plattekill Day in Sept. There was also some discussion on the Eagle Scout project to put in horseshoe pits.

Mr. Wager stated that he would meet with Mr. Robinson to make sure there would not be a conflict with the placement of the horseshoe pits or the installation of them.

Mr. Robinson stated that he would make sure weekend games would not conflict with Town events.

Supervisor Croce stated that he did not see a problem with them being at the field when other leagues were there. He stated that they have already been playing there. He stated that he would appreciate having a schedule of the games just so the Town will know when they are occurring.

Mr. Robinson stated that there was a game scheduled for May 9th, which was this coming weekend and he should know the schedule for fall by the middle of June or beginning of July.

* Councilwoman Delgado made a motion to allow the Hudson Valley Rugby/Football Club to use the Park at a fee of \$500.00 for the year 2015.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 4 – POLICE LETTER OF COMMENDATION

Supervisor Croce read a letter of commendation that the Police Chief, Joseph Ryan, was giving to Officer Robert Riley for completing 20 years of service to the Plattekill Police Departments DARE Program. He has taught the DARE Program in the Plattekill and Leptondale Elementary Schools and has touched the lives of so many children. A copy of the complete Letter of Commendation is attached to these minutes.

Supervisor Croce stated that he attends most of the DARE Program Graduation Ceremonies and he gets to see how Officer Riley makes a real positive impression on the children. This is a good program and this past year we received a \$5,000.00 grant from Assemblyman Cahill to keep it going. He stated that he felt the program should continue.

Councilwoman Delgado stated that she works in the school and you can see that the kids just love him. They are so excited to have him come to the school and take the time to be with them.

SECTION 5 – PASTOR FELIX ROBLES REQUEST

Pastor Felix Robles was present to explain that he and his church would be receiving a large truckload of food to be given out to those in need. He explained that the food was being donated by a program called Feed the Family. He stated that the truck would arrive on July 2nd and they would need a place to keep the truck and then give out the food on Saturday, July 4th. He was asking the Town Board if he could use the Town Hall parking lot or the parking lot at the Town Park.

Councilwoman Delgado asked if he had contacted the Catholic Church, Our Lady of Fatima, in the Plattekill area of Town. She stated that she thought Father Kevin would be willing to help and there are two buildings with access to additional parking at the Plattekill Elementary School.

Pastor Robles stated that he had tried to contact Father Kevin, but had not been able to speak with him yet. He stated that he had done this type of program last year and there were approximately 30 families from Newburgh and 150 families from the Plattekill area who were helped. He stated that he would be setting up a counseling area for people to come to pray and then they would be given food to take home with them.

A question came up about “counseling” people on Town property and it was suggested that the Town Board get an opinion from the Town Attorney to make sure this was an allowed use for Town property.

Supervisor Croce stated that there may be a valid concern about using Town Property for a church function and he would suggest trying to find somewhere else to hold this event.

Pastor Robles stated that he would follow up on contacting Father Kevin to see if they could use the Catholic Church facilities.

Councilman DePew suggested that he would like to wait to make a decision on allowing the use of the Town facilities as he would like to ask some questions and do some research. He stated that the Catholic Church may decide to help with this situation.

Pastor Robles stated that he would come back to the Town Board at the next meeting and let them know if he was able to find another venue for his event.

Supervisor Croce stated that he would also contact the Attorney to make sure there would not be an issue.

Mr. Albert Carballo stated that his father owns Campo Allegro and he was sure that his father would let them use his facility on Unionville Road if they could not find somewhere else to go.

Pastor Robles and the Town Board thanked him for his generosity.

Pastor Robles stated that he would contact Mr. Carballo if he could not use the Catholic Church.

SECTION 6 – HIGHWAY 284 AGREEMENT

Supervisor Croce stated that he has received an Agreement for the Expenditure of Highway Moneys from the Highway Superintendent, Robert Wager. He stated that the Town Board had approved the expenditure of funds, at a previous meeting, for the purchase of equipment and for the repair and improvement of Town Roads. This is an agreement that the Town Board is supposed to sign indicating that funds collected for these purposes are, and will be, spent for these purposes. This agreement is then filed in the Town Clerk’s Office pursuant to provisions of Section 284 of the Highway Law.

Supervisor Croce read the Agreement and then made the following Resolution:

- * Supervisor Croce made a motion to adopt the following Resolution:

TOWN OF PLATTEKILL
RESOLUTION
HIGHWAY – SECTION 284 AGREEMENT

Supervisor Croce made a motion to adopt the following resolution:

WHEREAS, the Town Board of the Town of Plattekill, Ulster County, NY has received, from the Highway Superintendent Mr. Robert Wager, the Section 284 Town Highway Law Agreement for the year 2015, and

WHEREAS, the Highway Department is charged with the repair and improvement of the Town’s Highways, and

WHEREAS, pursuant to Section 284 of the Highway Law, the Town Board of the Town of Plattekill, Ulster County, NY hereby endorses and approves the agreement for the expenditure of Highway Funds for said purpose,

NOW THEREFORE BE IT RESOLVED, that the said agreement shall be signed by the majority of the members of the Town Board, with one copy to be filed with the Town Clerk, and,

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to disburse moneys from the Highway Fund in accordance with said agreement.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 7 – VOUCHERS

Councilman DePew made a motion to pay the Voucher Detail Report dated 5/6/2015, which includes: the General Fund amount of \$56,001.37, the Highway Fund amount of \$33,668.69, the Clintondale Light District amount of \$668.24, the Modena Light District amount of \$1,219.11, the Drainage District amount of \$3,716.44, the Trust & Agency amount of \$1,031.01, for a total amount of \$96,304.86 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment. Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 8 – ADJOURNMENT

* Councilman DePew made a motion to adjourn the meeting at 8:36 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.