TOWN OF PLATTEKILL

REGULAR TOWN BOARD MEETING

July 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

Councilman O’Flaherty

MINUTES:

* Councilman Depew made a motion to NOT read the minutes from the

June 26, 2024 regular meeting.

Seconded by Councilman Castillo

On the vote: All Ayes

Councilman Depew made a motion to ACCEPT the minutes from the

June 26, 2024 regular meeting.

Seconded by Councilman Castillo

On the vote: All Ayes

ADDITIONS: PLAYGROUND EQUIPMENT

* The Plattekill Library was offered and will be taking the playground from the park as we prepare for installation of the new park playground. They will start disassembling as soon as Summer Camp wraps up.
* Property Surveying:

Will be starting soon; this is the first step in putting together an RFP to have a needs assessment on the town hall and our highway department. The buildings were built back in approximately in 1973 and they are in rough shape. The needs assessment would identify renovations, modifications or possible replacements. It wouldn’t happen over night but it is a step in the right direction.

We will have an RFP put together soon then we can put out so we can have an engineering firm to come in and study the buildings and give us a full report.

* Letter from Amanda Lavelle- Deputy County Executive

Letter received today, a short update regarding the Landfill site

The county does not own the Hertel site nor does it have any plans for it. However, the County cannot take ownership without an agreement from the EPA. The EPA holds over 4.5 million dollars in liens from the superfund cleanup cost. The liens would transfer to the county unless the EPA releases them. In 2022, the County explored the possibility of installing solar panels on the site, this project is generally supported by the EPA for superfund sites. The feasibility of the solar project, study by Central Hudson, would mean over 2 million dollars in upgrades to support this project. These costs made the solar project nonviable; the County has no interest in pursuing the property.

* Comprehensive Plan Meeting #4.

August 14, 2024. 6:30PM at the Plattekill Fire House.

REPORTS:

June 2024 Monthly Reports are available at the Town Clerks Office.

Building & Grounds Report- Assisted with Town Hall Air Condition Unit, Supervisor Depew made the board aware that we may have to replace one or both units in the upcoming future. They are really old and basically on their last leg.

PUBLIC INPUT:

Supervisor DePew made a motion to open public input at 7:25PM.

Seconded by Councilman Fazio

On the Vote: All ayes

1. Annette Laskowsky- Can you explain the lithium battery storage is? Where it is and what they plan on doing?

Supervisor DePew- This project that we are being presented with, the company came in for a conceptual with the Planning Board. They wanted to site this project on 40 acres which would be subdivided from a larger trac of land off Camp Sunset Road. There is a high-power line, with a ton of power going through there. They draw the electric off the power lines, it gets absorbed into the batteries, it gets stored in the batteries and if the power goes out, they back feed it into the main line. They store the power and they can re-use it. We do not know enough about it. We starting looking at the different incidents that have happened.

The property in Warwick, the batteries are stored in shipping containers. Rather than jump and put a moratorium in place, we put a committee together and they are reading about it, reaching out to other municipalities and will come back with a report and see the path we are going to take.

Councilman Fazio- The state is trying to push ahead for battery storage.

Supervisor DePew- August 23, 6-8 pm at Clintondale Firehouse is a meeting by the company putting in the project.

1. Mike Lembo- The resolution on zoning updates and the vehicle and traffic law, what are they? I know once public input is over, we can’t ask questions.

Supervisor DePew- We are looking again at the Conceptual resolution and vehicle and traffic laws. We want the signs off the utility poles, stricter rules on property management laws. Parking in fire lanes, parking in handicap spots, these are enforcement laws requested by our police.

1. Wendy Sands- Please don’t change the zoning laws to allow the large warehouse to come into town.

Supervisor DePew- There will be a process similar to what we are doing with the Comprehensive plan, we invited people to do the surveys, we gather the information and make a plan. We are in the second phase right now which will be the conclusion to the Comprehensive plan itself. We had a meeting this past week and hoping it finalized in December. The public will have the opportunity to express their opinion even stronger.

Supervisor DePew made a motion to close public Input at 7:42PM

Seconded by Councilman Castillo

On the Vote: All ayes

NEW BUSINESS:

* Park Rental/Olympics:

Letter from Donna King, Southern Region DCOP.

They serve adults with Intellectual Disabilities.

Week long Olympic Games set to coordinate with the World Olympics in Paris.

The park rental would be Tuesday, August 6- Thursday, August 8.

Councilman Castillo questioned if there would be a bathroom attendant with that many people at the event?

Supervisor DePew responded that he will work it out with the event coordinator.

Supervisor DePew made a motion to allow the park rental 8/6-8/8 along with not charging them a fee to rent the facilities.

Seconded by Councilman Castillo

On the Vote: All ayes

* Employee Reinstatement

Greg Hermance/Fire Inspector Letter Dated July 15, 2024.

Formally requesting to be reinstated on August 5, 2024 to his position.

Supervisor DePew made a motion to reinstate his position.

Seconded by Councilman Castillo

On the Vote: All Ayes

* RESOLUTION #55- Zoning Code Update

Supervisor DePew made a motion that the Town of Plattekill is apply to the Department of State Smart Growth Zoning Grant for a project entitled “Plattekill Zoning Code Update”

The Town has secured a grant of up to 10% ($8400) of the total project cost. This resolution allows the Town of Plattekill to approve and endorse the application for the grant.

Seconded by Councilman O’Flaherty

On the Vote: All Ayes

* RESOLUTION #56- Planning Board Conceptual Fees

Supervisor DePew made a motion to adopt this resolution and collect a Conceptual Fee of $300.00 to take effect September 1, 2024.

Seconded by Councilman O’Flaherty

On the Vote: All Ayes

* Sign Law:

The Sign Law is basically to start enforcing property management codes as far as keeping signs off light poles, utility policies as to avoid distractions.

We will present a resolution and more clearly define what that law is as it develops as we move forward.

* Littering Law:

This will also be more clearly defined than what we have in existence now and established.

* Vehicle & Traffic Law:

This was requested by our Local Police Department

We will look into this more as well.

OLD BUSINESS:

* Mark Ryder- (Executive Director of Ulster County Resource Recovery Agency) Update Landfill Report - Presentation on June 27, 2024

About 1.5 years ago, the agency contracted with an engineering firm, Cornerstone to do a landfill feasibility study for an Ulster County Landfill. They were to do a review of the Hydro quest study that was done years prior that identified the properties, investigate whether the old landfill properties in the county could be remediated and reactivated as a landfill and to look at any grouping of parcels that equaled 100 acres + of usable landfill. Cornerstone presented their report and then I presented a full report on June 27. The report identified 5 sites that were feasible in Ulster County. 2 were the Plattekill sites that were previously identified in the Hydro Quest study.

After reviewing the report, I was tasked to prioritize 2 sites. I selected the sites in the town of Warwarsing as the sites and further studies. I recommended we take a pause on the Plattekill sites. Plattekill sites meets the criteria but they are on the smaller side along with environmental concerns. Residents are outside the threshold to allow for a landfill, some are in close proximity. The Board authorized me to do an RFP for further investigation in the Warwarsing sites and are in that process now to draft it. We will prioritize certain studies.

Its about a 10-year process to site a landfill from beginning to end.

Supervisor DePew is asking about Flow-Control in Ulster County meaning garbage produced in Ulster County remains in Ulster County. But I am understanding that we receive garbage from Dutchess County.

Mark Ryder- Yes you do. Haulers have to move waste somewhere. If we do further diligence and find our Warwarsing is off the table, the reality is, is that we have to find somewhere for a landfill. We have to spend money studying different sites.

Supervisor DePew- I would like Plattekill eliminated as a choice and not even considered in the future.

Mark Ryder- I will bring that back to the board.

Mike Lembo- Years ago, my property was selected for a county wide landfill and it didn’t go through because of the soil. With all the new technology, why aren’t they concentrating more on recycling? More can be done with recyclables, after so many years, once a landfill is filled, you will have to look again. Sullivan and Greene County are a lot more vast and more open space than here to have a landfill. We are a more densely populated. I think landfills are a bad idea and we can do away with landfills when we focus more on recycling. The agency should be looking into that.

Mark Ryder- Landfill siting study and the agency under my watch, we are prioritizing diversion as much as possible. By 2050 with the NYS Solid Waste Management plan which came out in December 2023, they are calling for 85% of waste in NYS to not go to a landfill. That still leaves 15% of waste that has to go somewhere. We are down to 160 million tons of overall compacity at 26 active landfills that exist in NYS. There isn’t a landfill in region 3 that is active. Even recycling has residue.

Supervisor DePew- There are also possible grants for composting?

Mark Ryder- Yes, the agency already removes 5,000 tons of waste through composting. We requested a permit modification through DEC and asking for 7500 tons of food waste. When County Executive Metzger came into office, Executive Order #1, Ulster County will be diverting 100% of organic waste by the year 2030. We are working with the County on a 2 million dollar grant to increase resources in the town to take on their own compost collection in each town.

* Battery Storage Moratorium:

Committee consisted of Councilman James Fazio, Building Inspector Ed Diller and Planning Board member Rich Dymtry. The Board should research and discuss so we have information to make a decision.

The committee took a ride last week to Mahopac since they have something similar. We are all trying to cover our basis.

* Cross Landscaping- Patty Brooks

Cross Landscaping is proposing a site plan on a parcel they own on the westerly sign on Route 32/opposite Patura Road. Part of the site plan process is installing a sidewalk (Property is in the BD-60 Zoning District) The property does have some constraints, it extends from 500ft S of Patura Road all the way to the old railroad crossing. There is approximately 400ft of road frontage that is within the wetlands or within the buffer, it is not feasible to construct sidewalks through the entire road frontage of the property- roughly 1040ft in frontage.

The applicant is proposing and supported by the Planning Board via letter, that the Town Board accept the sidewalk to be constructed from the southerly bounds of the property to the north side of Patura Road which would lead across the street to the Town Park Property.

Supervisor read a letter from the Planning Board dated March 13, 2024.

They are proposing a 3200 square foot commercial building. The Planning Board made a motion to recommended sidewalks from the driveway location to the north side of Patura Road.

The property is slightly under 10 acres. When it was purchased, it was entirely in the sidewalk district. There was a subdivision done with a small house.

Supervisor DePew is clarifying with Patty Brooks that they are asking to not put an entire sidewalk in, and putting money in an account? In the future, if needed, we can use those monies to build out the sidewalk.

Cornerstone Medical by Old Firehouse Road did not need to put a sidewalk in based on the topography of the property.

Patty Brooks- Were proposing it from the southerly boundary line.

Supervisor DePew- Okay, so from the southerly spot, to the north side of Patura Road. BD-60 requires 60,000 square feet to build a home. 8.7 acres is left after they subdivided the other piece of property.

Patty Brooks- The property that is being developed right here is the only part of the property that can be developed. The rest of the property is either state regulated wet lands or the 100-foot buffer. It is not sub dividable. There is no water or sewer there. Less than an acre (110x260= triangle) is remaining, and you would have to fill a well, septic and a building, not sure it could ever be built on.

Supervisor DePew- There is nothing preventing them from filling that in, excavating it?

Patty Brooks- Of course there is, its regulated wetlands.

Our proposal is to run from the property line all the way up to the north side of Patura Road. The other issue that you brought up, is that this is the last property in the BD-60, from here southerly is totally residential. The proposed use on this property is not a retail use, it’s a whole sale business. There will be no retail business there, no people there. It is a warehouse, its his facility to hold his equipment.

Councilman O’Flaherty- Are you concerned about the sidewalk not being able to go far?

Supervisor DePew- The sidewalk district law states there would be a sidewalk all the way from one end of their property to the other but they are looking for concessions since there are other things involved.

Councilman O’Flaherty- So the Triangle usable in the future?

Patty Brooks- I cannot state at this time, someone would have to come up with a plan. If it’s a separate lot, it would need to have its own well and septic which would be difficult to achieve. Can this applicant in the future say I want to have a second business on here, absolutely. But anything other than what we are proposing right now, would trigger site plan review in front of the Planning Board.

Supervisor DePew- They are going for a whole sale use, if it would change designation during the next site plan, they need to go back in front of the Planning Board.

Councilman Castillo- They want to put the money in Escrow.

Patty Brooks- No. The pedestrian walkway law in the town is not very descriptive. It does not say that it needs to be the entire frontage.

(Reads the Law)- It says layout design consideration, the Planning Board shall consider the layout of the pedestrian walkway so that the walkways are continuous with pedestrian walkways on adjacent parcels (There are none in this case). The Planning Board shall require all site plans in the business district to provide an easement that’s if you can’t build in the rite of way (in this case, you can) and should such walkways not be immediately provided all site plans should provide for an easement as required.

No where in here does it say that it needs to be for the entire frontage of the property if there is not a pedestrian walkway that you are carrying up to.

Supervisor DePew- In all fairness, it doesn’t say that its not.   
Patty Brooks- Either way.

Supervisor Depew- When you look at this project, there is a provision in our law, that the Town Board can say, there can be concessions. If there in an extenuating circumstance that they don’t want to put the sidewalk in at all, if it’s approved for reasons, there can be an account establish.

Patty Brooks- Monies in lieu of pedestrian walkways, The Planning Board determines that suitable pedestrian walkways are not immediately required, because of inadequacy or lack of connecting sidewalks adjacent to or in proximately to the lot, the Planning Board may waive the requirement of pedestrian walkways on the condition that the owner or applicant deposit a cash payment with the Town Supervisor in lieu of constructing pedestrian walkways. Such payment shall be placed in a trust fund to be used exclusively for the construction for pedestrian walkways in the business district, the amount of such payment shall be determined from time to time by resolution from the Town Board.

Supervisor DePew- There is no monetary value that is in there; by using the Escrow of the applicant, we would go to the Towns engineer and he would come up with an approximate estimate, reasonability cost.

Patty Brooks- I want to be clear on our request, which is, the Town Board accept that length of sidewalk, we were not asking to put additional money into Escrow. I want to make sure my Ask is clear to the Board.

Councilman Fazio- I just looked at the whole idea of sidewalks, and when you start leaving gaps, how will they connect in the future?

Patty Brooks- Each one needs to be looked at independently, it is physically impossible to construct a sidewalk on this. We would never get the permits to do it. Each site is unique. That is why we have zoning variances. The park is across the street so it makes more sense, that if you have pedestrians, that you want them to walk along park lands and not a steep embankment going across wetlands.

Councilman Fazio- I am going to stop by there tomorrow and get a better look at this.

Councilman Castillo- If you put the sidewalk that goes up to Patura Road and you are not going to go any further, are you going to put the handicap crossing?

Patty Brooks- Yes you have to. The regulations state you have to put the ramps in and the bumps so the wheelchairs know they are heading towards the road.

Councilman Castillo- Along the park, we should have a sidewalk as well. There is always a bridge you can put across the wetlands.

Supervisor DePew- The two letters I have are very vague, I would like something written specific. Next meeting, you can present this and we can make a decision.

Patty Brooks- I will show the proposal to the Planning Board and then they can review and write a letter to the Town Board.

TRANSFERS: NONE

VOUCHERS:

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

The A-General Fund amount of $35,207.21

The DA-Highway Fund amount of $29,598.67

The H-Capital Project in amount of …………………………………… $42,417.40

The SA- Clintondale Lighting in the amount of ……………………..$838.38

The SB- Modena Lighting in the amount of……………………………..$1,514.14

The SD- Drainage in the amount of ……………………………………………$248.26

For a Grand Total amount of …..$109,824.06

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 O’Flaherty

On the vote: All Ayes

ADJOURNMENT:

Councilman Fazio made a motion to adjourn the meeting at 8:25 pm.

Seconded by Councilman Fazio

On the vote: All Ayes