TOWN OF PLATTEKILL

REGULAR TOWN BOARD MEETING

December 18, 2024

Time – 7:00pm

SALUTE TO THE FLAG:

ROLL CALL:

The following Town Board Members were present:

Supervisor Depew

#### Councilman Fazio

Councilman Hoppenstedt

Councilman O’Flaherty

Councilman Castillo

PUBLIC HEARING:

1. Plattekill Comprehensive Plan Update- 2024

Supervisor DePew made a motion to open the Public Hearing at 7:01PM

Dan Theobald/Barton Loguidice.

This Comprehensive Plan was started in 2019 and split into 2 phases to make it more affordable for the Town and for grant funding. The first phases developed visions and goals for the Town. It was funded through the Hudson River Valley Greenway Grant. This phase of the project was funded through the Dept. of State Smart Growth Comprehensive Planning Grant. This developed objectives and projects that supported the visions and goals of the Town. We have had several surveys since 2019 and a few public meetings. The town also set up a committee that we have been working with. Since April 2024, we have been doing the second phase of the project. We have had several committee meetings. The general theme of the plan is to protect agricultural and low-density character of the majority of the town while trying to focus on business development and smaller lot sizes residential development towards the hamlet centers of the town. We have accomplished a lot of that. There are environmental goals, economic development goals, goals for the hamlet center of the town. We have developed 20-25 projects that could potentially get funding from other grant programs. The next step of the project would be doing the Zoning Code update to make sure that the Zoning code is in compliance with what we proposed in the Comprehensive Plan. There are some recommendations in the plan that are related to Zoning so they will have to updated in the Zoning Code.

The Public hearing opens this up for questions or comments regarding the plan.

* Frederico Crespino- Can you expand on this? You said smaller lot sizes? Would that be residential?

D. Theobald- Just directing more dense housing towards the center of town. And have larger lot sizes, lower density towards the agricultural areas of the Town. There is a category, rural residential right now in the Zoning so maintaining that. Currently, there is multi- residential housing allowed in rural residential right now so we would recommend to look into that.

F. Crespino- When you write the recommendations, who finalizes it?

D. Theobald- That would be a whole other project. There would be a committee established. It takes about a year to do the Zoning Code update. There would be other surveys, public meetings and opportunities to see the updates we are proposing.

F. Crespino- Manufacturing? Where does that stand right now? Where are they allowed right now?

D. Theobald- That is one of the recommendations in this plan, to have a better definition of what a warehouse is and specify the lot sizes. They are unclear now and should be more specific on where they are allowed.

* Mark Reynolds- Can the Comp. Plan go forth and be in use while the Zoning Plan is being worked on? My understanding is that those two really have to agree and if they don’t, that is an issue. Will this be used in the meantime? Do you know how old the present zoning code is now? How old is the last Comp. Plan?

D. Theobald- This can be used as a reference but it is not a legally binding document. The zoning code is what is legally binding. It is State Law that when you adopt a Comprehensive Plan, you do have to make sure the Zoning Code is in alignment with it. The Zoning Board and Planning Board can use this now as a guide. It is not binding. The last Comprehensive Plan is from 2003.

Supervisor Depew- This is a living document, the Comp. Plan. That document is up to us to delete and change things as time goes on. This is a guideline of the vision we want to see the Town go. What we have done, is file for the Grant in the next step which is Zoning. I’m not exactly sure how old the current Zoning Code is. There has never been a complete look at the Zoning and that is why we are doing that. Both of them need to be updated.

* Marilyn- The height of these warehouses, and blocking views. Has that been taken into consideration?

D. Theobald- That would be during the Zoning Code Update and that is part of the actions in updates we are recommending.

James Fazio- That should be part of the Planning and Zoning Board, height of buildings.

* Frederico Crepsino- So whatever stands right now with Zoning, will stay? Is that being all grandfathered? If someone owns a piece of property and currently can build commercial, will that stay commercial?

D. Theobald- Yes, I believe, you would have to check with the Town Lawyer. I believe when ownership changes, then the changes would take effect.

Supervisor DePew- If there is something already existing, it would be considering pre-existing. You cannot turn around and tell someone they cannot do something. It does regulate anything moving forward. If there is something already in the process, then it isn’t changed. You cannot change zoning to stop something already in process. You aren’t changing one piece of property, its areas you are changing.

* Marilyn- The Plattekill General Store, it is supposed to become a gas station and it was grandfathered in? Will it continue into the future?

Willie Castillo- That was approved through the Zoning Board with Geroge C. and when you do a determination through the Zoning Board, it goes with the property. It will always continue if something is passed. If they already have approvals.

Supervisor DePew- The Comprehensive Plan is a guideline that is made up with folks from the Town. Personally, I do not want to see Route 9. I don’t want to see that happen to our town. Some places you can regulate that because of the Zoning. It has to be reasonable. Its important to update this but even more important to update our Zoning.

* Mike Lembo- I have also been attending these meetings, wanting to keep our towns rural. Our agricultural properties should remain agricultural. Once you start developing these properties, they are gone forever. They are a food source and that land is dwindling. Agricultural land should be kept Agricultural.

Supervisor DePew- How would you do that? There are certain things you cannot do. People own land but they are doing things on their land that they are allowed to do.

Mike Lembo- You could pass laws and put something into the new Zoning updates. By eliminating these properties, they are gone forever. If it is in our zoning as protected, it is in our code. Now is the time to be looking into this.

D. Theobald- We will do a survey pretty early on that are specific to the town. There will be 2 public workshops during the life of the Zoning Code Update. Zoning Updates are more important than the Comprehensive Plan. We want as many people to come to these meetings as possible.

* F. Crespino- New Jersey offers grants for the State to purchase certain properties. Farms will disappear.

Supervisor DePew- We don’t have anything like that right now for our Town. The possibilities are there but nothing specific in Plattekill to do that.

Supervisor DePew- We can expect to hopefully hear next month about the grant for the next step. Roughly March to start the next phase. We want to move right into the next step.

* F. Crespino- I think if people saw what is going on currently with the Zoning Map, they would understand what is going on.

Supervisor DePew made a motion to close the Public Hearing on the Comprehensive Plan 2024.

Seconded by Councilman Fazio.

On the Vote: All Ayes

RESOLUTION #77

The Town Board hereby adopts the 2024 Town of Plattekill Comprehensive Plan Update and recognizes it as an official update to and replacement of the Town of Plattekill’s 2003 Updated Master Plan.

This resolution shall take effect immediately

Councilman Castillo seconded.

On the Vote: All Ayes

1. Continuation: Moratorium Prohibiting Review of Applications for Battery Energy Storage System (B.E.S.S.)

Supervisor DePew stated that the Public Hearing for this was left open for written comments only. The Town Board has not received any.

The Declaration was sent to Ulster County for a referral response. We have their response: “no County impact”

Supervisor DePew made a motion to CLOSE the Public Hearing on the Battery Energy Storage System Moratorium at 7:33PM.

Seconded by Councilman O’Flaherty

On the Vote: All Ayes

Resident- Can you be more specific what closing this means regarding this issue?

Supervisor DePew- We are closing the public hearing where everyone had the opportunity to write and speak on this. We close it and this is a moratorium for any review of applications for 6 months. It will let us look at this see how this fits into our community. Safety, environmentally, etc. This doesn’t stop it; it just stops it temporarily.

RESOLUTION #76 LOCAL LAW #3

Supervisor DePew made a motion to adopt Resolution #76/Local Law 3

Prohibiting Review of Applications for Battery Energy Storage Systems.

A Public Hearing was held on November 20, 2024. Public Discussion was heard.

Local Law, commencing upon the effective date of the local law and continuing for six (6) months thereafter, prohibit any Town Board, officer or employee from processing or reviewing any application involving a battery energy storage system (BESS).

Seconded by Councilman Castillo

On the Vote: All ayes

Hereby is adopted, Local Law #3.

MINUTES:

* Supervisor DePew made a motion to NOT read the minutes from the December 4, 2024 Town Board Meeting

Seconded by Councilman Fazio

On the vote: All Ayes

Supervisor DePew made a motion to ACCEPT the minutes from the December 4, 2024 Town Board Meeting.

Seconded by Councilman Hoppenstedt.

On the Vote: All Ayes

PUBLIC INPUT:

* Supervisor Depew made a motion to open Public Input at 7:36 pm.

Seconded by Councilman O’Flaherty

On the vote: All Ayes

1. Frederico Crespino- It is still a possibility that the Battery Storage can still go through?

Supervisor DePew- At this time, no opportunity for review of applications. Whatever the board finds at the end of this, we will follow the recommendations of the Board and the committee put forward. I will not say it will never come through. It might be regulated by area, amount, size, etc. If we do a law or a huge change, it will have to go through a Public Hearing

1. Kathy Beinkafner- I want to talk about the location about where the warehouse is being proposed. That warehouse has 2 Wells on it, they are on the far western side, closest to the road. When one well is pumped at 100 gallons per minute, the other well goes down 40 ft. There is a huge aquifer under there. I was trying to figure out how we can obtain that property. Modena Developers unfortunately bought the property. I was hoping that between the Town of Plattekill, Gardiner and the DEC we could raise funds to purchase the property. Someday we are going to need a public water supply. I was thinking for the future that would be a smart thing to do.
2. Mark Reynolds- Liberty View Farms, I know the Zoning Board made the determination to turn over to the Town Board. Do you have an idea of a time frame of when the Town Board will look at it?

Supervisor DePew- The letter will get sent to the applicant and I believe the applicant has 60 days to figure out what avenue they want to do next. I anticipate we should hear from them.

Mark Reynolds- If that were the case, does the ZBA comments stay on record?

Supervisor Depew- Their decision is part of the record.

1. Frederico Crespino- The Gas Station is grandfathered in by Huckleberry Tpke since it was approved at one time? I am concerned about the retaining wall in the back, they will expose gravesites. Who is going to watch these people and make sure they are following all the rules? I think the Town should get involved in maintaining that cemetery.

Councilman Castillo- Yes it was. They have not come back to the Zoning Board for their final items. The clerk sent them a letter to find out if they were going to continue and we haven’t heard back from them yet? I went to the Public Hearing and that was all addressed regarding the gravesites. That was all part of the Zoning questions that were answered at the meeting. The minutes are available with the Town Clerk. They will be watched by our Code Enforcement. They don’t get to do whatever they want; engineers and attorneys are involved in this.

Supervisor DePew- The DEC is close to this project too.

1. Mike Lembo- There was approval in the past by George C. regarding the gas station. There was already one approval for that, it just never got built. This isn’t something new. The Town Planning Board engineer is also reviewing this, this isn’t a one-sided review.

Councilman Castillo- That was approved. They were looking to put in another building but the approval was there. They have to do it right.

1. Marilyn- Does the Zoning Board or Planning Board review what type of wall they can build?

Supervisor DePew- That is designed specifically for that project. It doesn’t only get looked at by the applicants engineer, it also will be looked at by the Town engineer.

1. Fran Uhl- Do we know what is going into Laser’s old store?

Supervisor DePew- This is rumors of possibly a dress/costume design shop and a liquor store. That is not specific. The building is cleaned up very nicely.

Supervisor DePew made a motion to close public input at 7:55PM

Seconded by Councilman Hoppenstedt

On the Vote: All Ayes

ADDITIONS:

* Settlement Meeting

December 30, 2024 at 3:00PM

* Voucher/Resolution Meeting

December 30, 2024 at 2:00PM.

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 Fazio On the Vote: All Ayes

The following reports for the month of November 2024 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-

OLD BUSINESS:

* Award Golf Cart Bid

2004 Yamaha Golf Cart.

Monday, December 16, 2024 Bids were opened. 5 Bidders responded. Bid was award to the Highest Bidder at $751.51.

Terri Fazio.

Councilman Castillo made a motion to award the Golf Cart to the highest bidder.

Seconded by Councilman O’Flaherty.

On the Vote: 4 Ayes. Councilman Fazio recused himself.

* Swearing In Ceremony.

January 1, 2025. 12:00PM at the Plattekill Town Hall.

NEW BUSINESS

* ARPA Resolution 1 & 2

RESOLUTION #78: ARPA Resolution regarding remaining Funds

Supervisor Depew made a motion to approve the use of ARPA Funds as stated in this resolution. The Town of Plattekill received $1,046,150.70 in ARPA funds in the year 2021 and 2022. The Town has an unobligated balance of $978,946.90 which must be either spent or obligated in a formal contract by 12/31/2024. This resolution states the list of projects with some of the remaining funds.

Seconded by Councilman Castillo On the Vote: All ayes

RESOLUTION #79

Supervisor DePew made a motion to approved the use of ARPA Funds.

Increase expense line H4.1660.200 Central Storeroom/ARPA by $9,705.50, H4.1680.200 Central Data/ARPA by $48,571.20, H4.3120.200 Police/ARPA by $120,491.79, H4.1440.200 Engineer/ARPA by $77,750.00, H4.1420.200 Attorney/ARPA by $6,000.00, H4.1010.200 Town Board/ARPA by $48,444.25, H4.5130.200 Machinery by $112,961.20.

This is necessary to show expenses for the funds utilized through ARPA for the projects, equipment and supplies purchased. This will amend the 2024 General Fund Budget increase in these certain expense lines in the amount of $423,922.94.

Seconded by Councilman O’Flaherty

On the Vote: All Ayes

* Appoint Building Inspector

Supervisor DePew made a motion to appoint a new Building Inspector, Starting January 6, 2025. William Johowsky. Salary is $32,700 per/year.

Seconded by Councilman Fazio

On the Vote: All Ayes

* Interview Date & Time for Planning Board Members

Supervisor DePew would like to start interviews the next 2 Mondays.

Possibly 12/23 and 12/30. We have 1 opening now for Planning Board and should expect another opening as of January 1st.

* Truck Request- Highway Superintendent

Requesting approval to begin the process of purchasing 2 new highway trucks. One truck already had preliminary approval for the purchases but could not be delivered.

Using the NYS Mini-Bid process for the cab and chassis. Mini- Bid process will allow other dealers to bid the sale.

Once the cab(s) and chassis (s) purchases are approved. The board will be notified with bid options for the equipment. The Onondaga County Bid will be awarded soon for the equipment. Trucks would have to be ordered in January 2025 to get a build date.

Highway Superintendent states that the first truck was ordered in 2023. Truck couldn’t be supplied due to lack of materials. Prices went up in the meantime. I did get preliminary cost estimates on the cab and chassis, $155,000. Equipment is roughly $122,000. 2 plows, dump body and sanding parts and pieces. $277,000 per truck estimated.

Councilman O’Flaherty asked if this will get us in line for a truck, guaranteed?

Highway Sup. - They say 180 days for the cab and chassis but it is not guaranteed. The EV mandates are making this hard. This may have to be revisited in 2026 if we can’t get a truck and all the parts and pieces. Every year, that ratio to diesel to electric vehicle increases. The Mini- Bid process is new to us. We supply all the specs on a spreadsheet to NYS, they send it out. All the dealers on the mini bid system will reply. I would bring back to the Town Board to approve, once we get that approval, I would ask the board to also sign off on the plows and dump body so we can order them at the same time. When the cab and chassis get done, hopefully the dump body and plows will also be ready to go.

Then we wait for an assembly date.

The Cab and chassis would get delivered to the Town Highway department until we get a build date. That will also save us some money.

Supervisor DePew- What happens with the warranty

Highway Sup- Starts with delivery date of the cab and chassis.

Supervisor DePew- We could lose 10-20 months.

Councilman O’Flaherty- Or not have trucks. The more we wait, the more expensive It gets.

Highway Superintendent- The trucks we are replacing, are 17 years old. And might be another 2 years older, when we get delivery of the new trucks. The trucks will be auctioned off.

$68,000 increase since we bought our last trucks.

Supervisor DePew- This will be supported through the fund balance?

Highway Superintendent- Yes. We are looking at Western Star. Years ago, the Town Board authorized standardized equipment.

Councilman Fazio- He covered this pretty well in his notes.

Supervisor DePew made a motion to move forward and allow the Highway Superintendent to go out and purchases these 2 trucks.

Councilman Fazio- Seconded.

On the Vote: All Ayes

Councilman O’Flaherty- How quickly do you come back with the second step?

Highway Sup- I have a meeting tomorrow with a representative tomorrow of Campbell Freightliner. He already has the specs so they will assemble the mini bid, we will do our part and get submitted.

I would like to come back the second meeting in January so the Town Board can look at the bid price. If it is approved, the Town Supervisor signs the contract. This could span 2 budget seasons in reality. I don’t expect to have the trucks in 2025.

Councilman Castillo- Is it possible to give him the approval ahead of time. Can we make a motion to allow him to sign now so it makes the process move a little quicker?

Highway Superintendent- I don’t think it will happen that quick.

* Police Department ATV Request.

Purchase 2 ATVs for Off road use and Special Assignments

There is a class for certification for the safe use of vehicles and limitations.

1. During Special Events/Details, or special circumstances exist.
2. Conduct searches and surveillances
3. To respond to medical or emergency situations where regular vehicles cant access
4. Special Assignments and patrols

Councilman Castillo- How will they transport these?

Supervisor Depew- They did get price quotes for an enclosed travel trailer.

Our events are not getting smaller, they are growing.

Councilman O’Flaherty- There are so many questions to this. These are now maintaining assets, that are carrying costs to the Town. There are costs to maintaining, who is maintaining these? Do the Fire Departments have these? Is there overlapping coverage?

Supervisor DePew- I presented this to the Board. There is value in tabling this and having the chief come to the next meeting on December 30. I have questions that I want to ask too. To be fair, he should be here to express his concerns. He runs his department.

Supervisor DePew made a motion to table this and have the chief come to the next meeting.

Seconded by Councilman O’Flaherty.

On the Vote: All Ayes

TRANSFERS: NONE

VOUCHERS:

* Supervisor Depew reviewed the Voucher Detail report Dated December 18, 2024, which includes:

The A-General Fund amount of 36,894.85

The DA-Highway Fund amount of $30,140.68

The H1 Ban Bridge NY in the amount of ………………………………………$30,719.04

The H4- Misc. Supplies & Items in the amount of ……………………………..$6,065.70

The SA- Clintondale Lighting in the amount of………………………………. $964.41

The SB- Modena Lighting in the amount of ……………………………………. $1,759.38

For a grand total in the amount of **$106,544.06**

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 Castillo On the vote: All Ayes

Supervisor DePew made a motion to enter into Executive Session to discuss Personnel Matters. At 8:40PM.

Seconded by Councilman Castillo

Supervisor DePew made a motion to exit Executive Session at 9:10PM.

Seconded by Councilman Hoppenstedt.

No decisions were made.

ADJOURNMENT:

Councilman Castillo made a motion to adjourn the meeting at 9:12 pm.

Seconded by Councilman Fazio

On the Vote: All Ayes