

RESOLUTION OF INTRODUCTION

COUNCILPERSON JARED GEUSS, SECONDED BY COUNCILPERSON KATHIE QUICK, introduced the following proposed local law, to be known as **Local Law No.1 of 2020, entitled, **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF THE EASTERLY PORTION OF 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE LOW INDUSTRIAL (LI) DISTRICT TO THE GENERAL COMMERCIAL (GC) DISTRICT.****

WHEREAS, the initial zoning map amendment to this parcel received a Negative Declaration under SEQRA on December 3, 2019; and

WHEREAS, this amendment is required to address an oversight in Local Law # 6 of 2019 that intended to rezone the entire parcel (Tax Parcel Number 63.2-2-1) to General Commercial (GC), but only specified the portion of the parcel in the Heavy Industrial (HI) district.

BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended as follows:

Section 1. The Zoning Map established under Section 123-7 of Chapter 123 of the Esopus Town Code is amended to change the zoning district designation of the following:

The Portion of 161 Ulster Avenue (TAX PARCEL NUMBER 63.2-2-1) currently in the Low Industrial (LI) District to the General Commercial (GC) District.

Section 2. If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 3. This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Ulster County Planning Board and to the Town Planning Board for review and recommendation.

WHEREAS, the proposed amendment is consistent with section ED-6, ED-7, and NR-13 of the Comprehensive Plan of the Town of Esopus adopted on July 9, 2019, and **Councilperson Jared Geuss** advised the Town Board that, pursuant to (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Sections 123-51(A) and (B), it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. He offered the following resolution which was seconded by **Councilperson Kathie Quick**, who moved its adoption:

WHEREAS, Councilperson Jared Geuss has introduced this local law for the Town of Esopus, to be known as Local Law No. 1 of 2020, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF THE EASTERLY PORTION OF 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE LOW INDUSTRIAL (LI) DISTRICT TO THE GENERAL COMMERCIAL (GC) DISTRICT.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall at 284 Broadway Ulster Park, NY 12487, New York on February 18, 2020, at 7pm, Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that such notice shall be in the same or similar following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on **February 18, 2020 at 7:00 pm**, on Local Law No. 1 of the Year 2020, **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING THE ZONING MAP OF THE TOWN OF ESOPUS TO CHANGE THE ZONING DISTRICT DESIGNATION OF:**

☐ 161 ULSTER AVENUE (TAX PARCEL NUMBER 63.2-2-1) FROM THE LOW INDUSTRIAL (LI) DISTRICT TO THE GENERAL COMMERCIAL (GC) DISTRICT.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested, and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Harris	Absent
Councilperson Evelyn Clarke	Aye
Councilperson Geuss	Aye
Councilperson Quick	Aye
Councilperson Farrell	Aye

**DATED: Ulster Park, New York
January 21, 2020**

RESOLUTION

COUNCILMAN JARED GEUSS, seconded by **COUNCILMAN CHRIS FARRELL** introduced the following proposed local law, to be known as **Local Law No. 2 of 2020**, entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 34 OF THE TOWN CODE TO ADD A NEW SECTION 34-10 TO ESTABLISH ALTERNATE PLANNING BOARD MEMBER POSITIONS.**

WHEREAS, the Town Board concludes that this local law is a Type 2 action under SEQRA.

BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 34-10 is added to the Town Code as follows:
34-10. Alternate Members.

The Town Board may appoint up to two (2) alternate members, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of planning boards, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted for to make determinations. The minutes of the Planning Board shall reflect the meeting at which the substitution is made.

Section 2. Pursuant to the Town's authority under the Municipal Home Rule Law, this local law amends and supersedes any inconsistent provisions of statute, including with specificity the provisions of Section 271(15) of this state's Town Law.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

COUNCILPERSON JARED GEUSS advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. He offered the following resolution which was seconded by **COUNCILMAN CHRIS FARRELL**, who moved its adoption:

WHEREAS, on January 21, 2020, **COUNCILPERSON JARED GEUSS** has introduced this local law for the Town of Esopus, to be known as entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 34 OF THE TOWN CODE TO ADD A NEW SECTION 34-10 TO ESTABLISH ALTERNATE PLANNING BOARD MEMBER POSITIONS.**

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on February 18, 2020, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on February 18, 2020 at 7:00 o'clock, p.m., on Local Law No.2 of the Year 2020, to establish alternate Planning Board member positions.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284

Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York
January 21, 2020

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Harris	Absent
Councilperson Evelyn Clarke	Aye
Councilperson Geuss	Aye
Councilperson Quick	Aye
Councilperson Farrell	Aye

RESOLUTION

COUNCILPERSON JARED GEUSS, seconded by **COUNCILMAN CHRIS FARRELL**, introduced the following proposed local law, to be known as **Local Law No. 3 of 2020**, entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE TOWN CODE BY AMENDING SECTION 123-39, ARTICLE VIII. BOARD OF APPEALS.**

WHEREAS, the Town Board concludes that this local law is a Type 2 action under SEQRA.

BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 123-39 is amended to add a new subsection (D) to read as follows:

(D) Alternate Members. The Town Board may appoint up to two (2) alternate members, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of Board of Appeals, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted for to make

determinations. The minutes of the Board of Appeals shall reflect the meeting at which the substitution is made.

Section 2. Pursuant to the Town's authority under the Municipal Home Rule Law, this local law amends and supersedes any inconsistent provisions of statute, including with specificity the provisions of Section 267(11) of this state's Town Law.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

COUNCILPERSON JARED GEUSS advised the Town Board that, (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Section 123-51(A) and (B) , it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. He offered the following resolution which was seconded by **COUNCILMAN CHRIS FARRELL** , who moved its adoption:

WHEREAS, on January 21,2020, **COUNCILPERSON JARED GEUSS** has introduced this local law for the Town of Esopus, to be known as **entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 "ZONING" OF THE TOWN CODE BY AMENDING SECTION 123-39, ARTICLE VIII, BOARD OF APPEALS.**

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on February 18, 2020, at 7 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on February 18, 2020, at 7 o'clock, p.m., on Local Law No. 3 of the Year 2020, to establish alternate Board of Appeals member positions.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway,

Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York
January 21, 2020

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Harris	Absent
Councilperson Evelyn Clarke	Aye
Councilperson Geuss	Aye
Councilperson Quick	Aye
Councilperson Farrell	Aye

RESOLUTION

COUNCILPERSON JARED GEUSS seconded by **COUNCILMAN CHRIS FARRELL** introduced the following proposed local law, to be known as **Local Law No. 4 of 2020**, entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 25, MEETINGS OF THE ESOPUS TOWN CODE BY AMENDING SECTION 25-11, ATTENDANCE AT MEETINGS.**

WHEREAS, the Town Board concludes that this local law is a Type 2 action under SEQRA.

BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Subsection (B) of Section 25-11 of the Esopus Town Code is amended to read as follows:

(B) In the event that a member misses three consecutive meetings duly called by the Chairman or Secretary, without just cause (or 25% of the meetings in any given year), that member's term shall automatically expire, and the Town Board may remove said member and appoint another person to fill the vacancy created for the remainder of the deposed person's term.

Section 2. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 3. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

COUNCILPERSON JARED GEUSS advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. He offered the following resolution which was seconded by **COUNCILMAN CHRIS FARRELL**, who moved its adoption:

WHEREAS, on January 21, 2020, **COUNCILPERSON JARED GEUSS** has introduced this local law for the Town of Esopus, to be known as entitled **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 25, "MEETINGS" OF THE ESOPUS TOWN CODE BY AMENDING SECTION 25-11, ATTENDANCE AT MEETINGS.**

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 284 Broadway, Ulster Park, New York, on **February 18, 2020, at 7 o'clock p.m.**, Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 284 Broadway, Ulster Park, New York on **February 18, 2020 at 7 o'clock, p.m.**, on Local Law No. 4 of the Year 2020, **A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 25, "MEETINGS" OF THE ESOPUS TOWN CODE BY AMENDING SECTION 25-11, ATTENDANCE AT MEETINGS.**

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 284 Broadway, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York
January 21, 2020

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Harris	Absent
Councilperson Evelyn Clarke	Aye
Councilperson Geuss	Aye
Councilperson Quick	Aye
Councilperson Farrell	Aye

****A total of 4 public hearings will be held on February 18, 2020 beginning at 7:00 pm and will be held consecutively immediately following the closing of the first public hearing.**