

**TOWN BOARD MEETING
Tuesday April 21, 2020**

A regularly scheduled Town Board Meeting was held on April 21, 2020 in the Town Hall, 1 Town Hall Way, Ulster Park, NY with the following persons in attendance:

**Supervisor Shannon Harris
Councilperson Evelyn Clarke
Councilperson Jared Geuss
Councilperson Kathie Quick
Councilperson Chris Farrell**

Administrative Recorder: Holly A. Netter, Town Clerk, RMC

THIS MEETING WAS TELEVISED LIVE ON CHANNEL 23 PUBLIC ACCESS and LIVE-STREAMED ON “TOWN OF ESOPUS” FACEBOOK PAGE FOR PUBLIC COMMENT: call (845) 328-0483 to leave a voicemail or email outreach@esopus.com for assistance.

PLEDGE

**PUBLIC COMMENT
via voicemail:**

Mike D. – Parks down there, most people are able to keep 6 ft but it is difficult obtaining 6 ft distancing when launching boat while there are people fishing on the dock. Younger kids fishing really don't understand the concept of the 6 feet. Parking parallel to Rondout allows about 8 vehicles with trailers, most cases just fine. If they park north to south there are only 4 spots.

Doug Mains-- Not being open when should be; should be open 24/7 not closed. Should send a letter out to tell people to stop harassing those using the Spit with key or without. Thought this was straightened out in February.

Rich Lettus – Governor lifted the ban launch, like it to be opened. Town Board let's get something done.

Tom Fisher – definitely need the launch open its fishing season.

Clark Mains- lived here for 56 years, requesting the launch be open for striper fishing and other recreation, ban has been lifted should be opened.

Andrew Vanderpool – concerned and not sure what is going on with the gate at the Spit. Seems shameful that 1 – 2 neighbors in the area want to dictate policy for a public access ramp, appreciate a call back. Very concerned and thought it was resolved, seems like we are back to square one.

Jim Rouse – understand the boat launch will be closed and not open for striper season, a lot of people use the ramp.

Tom Watzca – heard from someone they are considering permanently closing Sleightsburgh park ramp. Concerned, he used it for duck hunting for generations would not like to see it closed.

John Lancer-calling to see if the ramp will be open for duck hunters.

Joseph Mains – would like Boat launch back open.

unidentified woman - In favor of gate opened for fishermen and hunters. Thought this was settled in February.

unidentified man - In favor open fishing and hunters; thought this was settled in February.

unidentified man - Need to have the gate open for hunting season, uses it to launch his boat.

Sean Whiter – should be open to sportsmen all year round.

Dan Shinoble – Against closure of the launch. He has used it for 20 years fishing and water fowl hunting , past 11 years have used kayak and canoe with family.

Lenny Peterson – boat launch should be available to sportsmen, able to use all times of the year should not be closed.

Kathy Latin – do not feel boat launch should be locked.

Sue Van Vliet – asked for locked overnight for the safety of the residents; not special hours for special people, one set of rules for everyone.

Trish Miliken – Has to go behind house to get to the dock. A lot of boats are too big. Has no problem with fishermen, has problem with fires, drinking and parties. If open all the time needs police to monitor. Does not want to spoil fishing fun; she lives there.

Unknown male - no one wants the park closed permanently, wants hours to be set. A couple of the fishermen wanted the gate installed so they could have it to themselves. He went Hunting/Fishing for years but forced out by hunters and now all the fishing spots are gone because everyone goes there. It's real bad late at night and early morning, wants hours, not closed permanently said people are doing drugs there.

Mike Pagnotta - letter was submitted earlier and read. Numerous meetings on the topic, thought it was resolved. Taxpaying citizens who have been using for years are abiding by the Governors ordinance of social distancing. Mandate to close has been lifted as of April 18th, gate

still not opened. Never been an issue for years, now a handful of residents are complaining it should be closed.

Supervisor Harris proposed moving ahead to item 5 relating to the Sleightsburgh Spit on the agenda since residents were concerned. Councilperson Quick was in favor of that. Councilpersons Geuss and Farrell said the first four items shouldn't take long and suggested proceeding with the original agenda since the topic will take some time. The meeting continued as originally ordered. Further public comment was given during that portion of the meeting.

COVID-19 COSTS

Supervisor Harris provided updated figures for 6 laptops, 4 tablets, associated warranties, software leases and labor. The price is \$1,466 for Assessor, \$733 each for Court Clerk, Town Clerk, Building Inspector and Bookkeeper, and \$1,972 for the Town Board. Estimate for walk-up window is \$4,852.

SUPERVISOR HARRIS MADE A MOTION TO APPROVE THE PURCHASE OF TECHNOLOGY \$6,370 LOOKING FOR SALES AND DISCOUNTS WHERE EVER WE CAN AND TO ORDER THE WALK UP WINDOW \$4852. COUNCILPERSON JARED GEUSS SECONDED THE MOTION. ALL MEMBERS WERE IN FAVOR.

The walk up will be necessary to assist people during this closure and help with the long term goal to utilize a welcome window to guide residents efficiently through Town Hall and help staff operate more efficiently. Supervisor Harris said they will seek reimbursement for the window as a COVID expense. The pricing for the vestibule and internal modifications will come at a later date.

ZOOM BOMBING INCIDENT DRAFT LETTER

Supervisor Harris shared a letter she drafted to Attorney General James requesting investigation into a "Zoom Bombing" incident that occurred on March 30, 2020 on behalf of the Town Board. Councilperson Evelyn Clarke requested the second sentence in paragraph 2 to be omitted.

A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPROVE THE EDITED VERSION OF THE LETTER AND MAIL IT ON BEHALF OF THE BOARD. THE MOTION WAS SECONDED BY COUNCILPERSON KATHY QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

REAL ESTATE – RECREATION GARAGE "THE HUTT"

The Town owns a 1-acre piece of property at 160 Station Road (SBL 56.19-3-5.20). This property had been used by the Parks and Recreation department for storage for years and is no longer needed because the new building at Town Hall is near completion. The Board held a discussion

of possibly selling the property and getting it back on the tax rolls. The sale would be a long process and would be subject to Permissive Referendum and Public Hearing. Supervisor Harris recommended getting an evaluation of the property to find out what it is worth and have a Title Search done. Councilperson Geuss said it was a good idea but some steps may have already been done a few years back. Research will be done to see if a public auction or listing the parcel would bring a higher value. Councilperson Geuss said if done by public auction the cost of title and research is on the prospective buyer. Supervisor Harris said it would be a good a faith gesture. She will investigate possibility for a public auction and advise the Board on the next steps based on the recommendation from a real estate specialist.

SPECTRUM

Supervisor Harris said we have rekindled our franchise negotiations with Spectrum. Public Access has been more important in this time of COVID-19. We have a revised contract with Altice, which services the homes in the southern end of town. We have also been talking to them about the need for upgraded equipment. Radio Kingston reached out and would like to use Channel 23 to broadcast public information relating to the health crisis pandemic. It was determined our equipment was too old to broadcast and stream. Supervisor Harris talked to Spectrum to discuss improving the equipment for public access TV. Spectrum is an essential service and working. Supervisor Harris said they will look into the availability of funding or a PEG grant (Public education and government funding) to provide for an upgrade. We can go into partnership with Radio Kingston which would allow them to reach different forums throughout the area. Spectrum will get back to Supervisor Harris. If there is funding available she asked that it was not born by solely the Town of Esopus but shared among other municipalities within the broadcasting area. Other municipalities would have to look at their franchise agreements as well.

PUBLIC COMMENT - INTERIM POLICY

Sharron Jones – resident 40 years her home overlooks opening to the Spit ramp. She said no one is trying to shut down the ramp, fishing or hunting. What the neighbors want is some kind of control. The night activities are too much for the people who live here. No reason for a lot of night activity down there. She said during striper fishing she understands because of the tides. She can also understand during duck hunting as well, all of the other times of the year no. Not safe at night for people to walk their dog or a nature buff to walk around to see what is out there. There needs to be management down there. They need gate closed at night. She suggested charging for use of the ramp to pay for someone to be there to monitor size and number of boats going in and people coming from outside the Town. The “out of towners” are taking it up. Every road has cars, trucks, dirt bikes at night. She said we are asking for security, help and management so everyone can enjoy it safely. She said it was for duck hunting not year round hunting- fish all year round.

Tracey Sweeney – Asking when it will be open, wants to see gate open. Waits all year for such a short window of time to get out there and enjoy themselves; hopes that it opens soon.

Doug Mains – Wanted to comment on the person who said the gate was requested by hunter/fishermen. The gate was installed by the late Supervisor John Coutant to remedy a problem of illegal dumping at the Spit. The sportsmen did not request it. “Wanted to set the record straight’.

Unknown male- not so much a handful of neighbors as much as the whole neighborhood but somehow they are afraid of retaliation. After he had left his message tonight brown truck drove by wailing on the horn; unable to get license plate. Requests gate be locked at night, open in the morning.

Unknown male - Request ramp open year-round for sportsmen, reasonable pursuit even within the social distancing requirements, wants gate open.

Supervisor Harris said they did not learn for a couple days after that the Governors Executive Orders had been lifted; the same as the closure. She said the Board is looking to reopen the launch with scrutinizing the executive order and ensure social distancing. She clarified the park was closed but fishing and hiking has been open the whole time, (available by walking in).

Supervisor Harris said it was brought to her attention that the deed – dictates open dawn to dusk and signs have been redone to reflect this. All of us support hunting/fishing and other activities that go on and know there is a lot of tension on this topic.

Supervisor Harris made a suggestion due to legal concerns around the deed and the requirement of the Town to take reasonable steps to enforce the conservation easement. She added this is not a normal town park and is a deeded town park that has requirements stated in the deed. For now there is a desire to see the launch reopen Dawn to Dusk.

Councilperson Kathie Quick said no need to be there at night, years ago they had squatters until the code enforcement had to tell them to leave. They were way back in the woods where you couldn't see them from the launch. Can't allow people to make noise and to have parties at night. Should be shut at night and open at dawn.

Councilperson Chris Farrell said open dawn to dusk for now and suggested may not be necessary once duck season starts on Oct 5th. He said he doubts there is much traffic other than hunters going down there, too cold people will not be hanging out. He suggests that would eliminate the issue of whether the hunters could gain access at whatever time in the morning they choose to go to take their boat out hunting. Gates open Oct -5 to beginning of March when the weather starts getting warmer have it locked up again.

Kathie quick said you would leave it open all winter, it is not plowed. Farrell said people could go at their leisure to bird watch, duck hunt etc but that is a whole other subject. Supervisor Harris said it may not be legally advisable to go against what the deed states about the park closure; Dawn to dusk. Immediately open the gate tomorrow at 6am and follow the legal

guidance that is written in the conservation easement to operate dawn to dusk. Lock the gate at night and continue to explore the long term policy of Sleightsburgh Park, considering the different users.

Councilperson Geuss said, he felt for the neighborhood, the sportsmen and launch users. As a Town we are trying to promote the waterfront and bring people to town; we are bringing people in. It is a catch 22 because it was nice when it was a secret but we want to invite people to the Town and it gets overload. We have these trickle down problems which are probably not from the local sportsmen, probably by the outsiders who don't care. We went from fall completely locked to the total opposite direction in spring; we saw the extremes of both sides. It is good that everyone is engaged and may be able to find a median. Tonight will not find the final solution. Our goal is to make resources available and protect people and keep them safe.

Councilperson Farrell commented on research he had performed relating to park access with launches. Sleightsburgh Park is unique. It is one of the most isolated launches he found in his research. It is pretty close to the Hudson River but is more remote with a single lane road access; most have a paved parking lot. He suggested each year we mark out/paint spaces where people can park their boats and standard parking for others to indicate where parking is allowed and to control the space.

A lot of discussion needs to be held to have a strong policy for the best interest for all participants in the park.

SUPERVISOR MADE A MOTION TO SET AN INTERM POLICY FOR SLEIGHTSBURGH SPIT AND IMMEDIATELY OPEN THE LAUNCH AT 6 AM ON 4/22/2020 WITH DAWN TO DUSK DEEDED HOURS OF OPERATION. MAKING SURE WE ARE LEGALLY TAKING ACTION TO PROTECT OUR DEED, RESIDENTS AND CLOSE THE GATE AT DUSK THROUGH THIS COVID SITUATION. JARED SECONDED THE MOTION. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Jared Geuss: at this point, based on legal counsel and still looking at the easement and many more issues we are going to look at; best option for now. It will get sportsmen back, yes there is a time on it but it will also let the neighborhood settle down as far as them feeling safe and they know the Town is doing their job. There are many more issues but best we can do in the interim.

Kathie Quick: Not permanent, interim and a lot to digest with legal advice for future.

Councilperson Chris Farrell: Good temporary interim solutions there are a lot more regulatory requirements for the park.

Councilperson Evelyn Clarke – asked who is going to be unhappy with this? Who will be locking the gate? Opening will be done by the parks and recreation personnel, closing has options. Councilperson Chris Farrell said there will be people who are happy and not happy.

Supervisor Harris said her long term vision is to have an electronic gate that would manage the flow and allow people to leave. They can go in before it closes and leave after hours but no new people can enter the park. It would give flexibility to park participants. Councilperson Chris Farrell asked if the deed prohibited them from requiring a permit to be issued to launch the boats. She was unsure; the deed in a sense has its own set of rules and will be further researched.

LABERGE CONTRACT ADDENDUM

Laberge had performed additional work for the zoning update which included revision of the usage table and additional calls with the Planning/Zoning Board to review the items line by line. They wanted a tailored table specific to their needs which would enable easier use. This was a change in scope on our end. Councilperson Farrell asked if Laberge Group should have said this was beyond their scope and warned of additional cost. Councilperson Geuss explained this is work that was unforeseen when the original contract was made, which included a standard usage table. Laberge had requested payment of \$5,000 and through negotiation it was reduced to \$2,500. Moving forward there will be additional charges for meetings, conference calls, Public Hearing expense and submitting to the County. Money for the expenses is in the budget and Councilperson Geuss said expenses should be done by the end of summer. Once the code is passed the Town will be eligible for \$10,000 in Greenway Assistance. The \$2,500 will bring the Town current and Supervisor Harris will get further clarification on the future costs.

SUPERVISOR HARRIS MADE A MOTION TO PAY LABERGE THE AMOUNT OF \$2,500 AND AUTHORIZE SUPERVISOR HARRIS TO SIGN AN AMENDED ADDENDUM TO REFLECT THE AMOUNT CHANGE AND NOT THE FUTURE MEETINGS PORTION. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

DRAINAGE AND ILLEGAL DUMPING

Supervisor Harris said she received a few emails asking the status of our drainage project. Barbara Clark on Tilden Street experienced a mini landslide. The Town investigated to see if it was at all the Towns' liability and it doesn't at all seem to be a cause on our part. Heavy rains seem to have an effect in the area, there are steep slopes. It is not secured by deep rooted shrubs and mostly clay. It is also happening in other steep slope areas.

Supervisor Harris wanted to bring information to the Board's attention; CHIPS money can be used for certain drainage projects as it relates to the road. Supervisor Harris said she wanted to understand better what CHIPS money can be spent on. She was told on a call earlier today some work could qualify under the CHIPS funding and it is not a use or lose situation. Funds can be banked and rolled to the next year. We need to be very cautious on how money that has been budgeted and is spent because revenues are projected to be at least half of what was anticipated.

Illegal dumping is occurring on River Road. Tires are being dumped and it is a serious issue. Supervisor Harris said now that we have our illegal dumping laws in place we need to be proactive and enforce maximum fines. Councilperson Quick took pictures of the tires. Councilperson Farrell suggested installing a camera to catch the perpetrators. Supervisor Harris will call the County to report it to see if anything can be done.

RESOLUTION AUTHORIZING PAYMENT OF BILLS APRIL 2020

BE IT RESOLVED, by the Town Board of the Town of Esopus, County of Ulster as follows:

WHEREAS, the Town of Esopus has been presented with vouchers for payment and these vouchers have been examined and approved by the Town Board,

THEREFORE, BE IT RESOLVED, that the following vouchers be approved for payment:

GENERAL FUND	201151 -201190	\$ 49,253.01
HIGHWAY FUND	202064 - 202084	\$ 41,072.80
STREET LIGHTS	206002	\$ 5,655.03
PORT EWEN SEWER FUND	203045 - 203057	\$ 7,744.24
PORT EWEN WATER FUND	204064-204084	\$ 16,646.69
Capital <small>(30)</small>		
TOTAL		\$ 120,371.77

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Councilperson Chris Farrell
SECONDED BY: Councilperson Jared Geuss

Councilperson Evelyn Clarke	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

ALL TOWN BOARD MEMBERS VOTED IN FAVOR. MOTION CARRIED.

EXECUTIVE SESSION

A MOTION WAS MADE BY SUPERVISOR HARRIS TO ENTER INTO EXECUTIVE SESSION AT 8:35 PM TO HAVE AN ATTORNEY CLIENT MEETING REGARDING LITIGATION AND EMPLOYEE HISTORY. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO COME OUT OF EXECUTIVE SESSION AT 9:12 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

ACTION:

"The Board upheld the Supervisor's directive to instruct all 'Essential' staff to return to work at full capacity in compliance with the NY Pause Extension. Employees should maintain appropriate social distancing, including wearing masks during group projects and in public. All 'Non-Essential' administrative staff will continue working remotely as necessary, logging in via laptops (with new laptops being ordered). Any in-person work at Town Hall is limited to critical or necessary work and must occur between the hours of 10-2."

Non-Essential Administrative Staff	Essential Staff
Policy: Continue to work remotely / at home as necessary logging in via laptop (new laptops being ordered). Any in-person work at Town Hall is limited to critical or necessary work and must occur between the hours of 10-2. One staff person per room/office. Wear masks in Town Hall.	Policy: Work regular full-time hours (or PT if contracted as part time) while maintaining social distancing during projects and when in the shop or water plant. Keep safe wearing masks and gloves. Always wear masks working in public areas.
1. L. DeKoskie	1. M. Cafaldo
2. M.A. Wells	2. F. Banks
3. A. Dean	3. D. Brown
4. S. Harris	4. J. Brown
5. D. Kain	5. A. Jansen
6. P. Gallo	6. C. Lortz
7. B. McNierney	7. C.J. Marx

8. K. McDermott	8. B. Osterhoudt
9. J. Mignone	9. A. Otayek
10.P. Smith	10. B. Peterson
11.B. Jankowski	11. T. Stevens
12.E. McNierney	12. S. Valentini
13.H. Netter	13. M. Weinberger
14.D. Greenberg (floater Bldgs/Gds)	14. E. Clark
15.J. Boris	15. D. Vedder
16.M. Jaffee	16. S. DeGroat
17.S. Morello	17. T. Byron
18.R. Valentine	18. M. Dauner
19.L. Mance	19. D. Kiernan
20.K. Mains	20. K. Soloas

ADJOURNMENT

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 9:12 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Respectively Submitted,

*Holly A. Netter
Town Clerk*