

**TOWN BOARD WORKSHOP MEETING
March 3, 2020**

A regularly scheduled Town Board Workshop Meeting was held on Tuesday, March 3, 2020 in the Town Hall, 284 Broadway, 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

Supervisor Shannon Harris called the meeting to order at 7:00 PM.

PUBLIC COMMENT

Town Resident Mike Mulligan asked if there were any further updates on the Lake Shore Villas's (LSV) incident from Friday night. Supervisor Harris said she was told that gas had been restored and the problem was resolved. Port Ewen Fire Department was on site for approximately 2.5 hours and some individuals needed to evacuate. Mike Mulligan said he called the emergency line for LSV and all he got was an answering machine. The Board questioned if LSV was keeping the promises they agreed to. Supervisor Harris will be following up with management to see what the end result was and ask if any residents were displaced and how it was addressed. She will remind them of what the Town asked them for and what they agreed to provide.

FEEDBACK FROM HAMLET REZONING MEETINGS

Councilman Geuss said there were approximately 35 members of the public at the rezoning meeting at the Esopus Firehouse held on 2/19/20 and 54 members at the Town hall meeting on 2/25/20. A summary of the meeting notes were shared.

Councilperson Geuss said there are 3 code changes that they are looking at proposing sooner than later. The codes deal with junk yards, regulating storage units and zoning out bus shelters. Many people have complained about the conditions and activities that are going on with the bus shelters. They are no longer where they once were and people have requested they be removed. The company that provides the advertisement on them sent a cease and desist order to the Town when they were attempting to take down the bus shelters in the past. The company claimed DOT granted them permission to be in the right of way. Over the years they have been moved and not maintained and do not abide by the existing code for setbacks, permits and inspections. If the Town passes the Law to outlaw the shelters from the zone code, DOT would support the Town's decision.

REPORT ON HIGHWAY DEPARTMENT

Councilmen Geuss and Chris Farrell met with Highway Superintendent Mike Cafaldo to review activities and plans for 2020. At this time Mike was unable to give an accurate list of roads that will be repaved this year because he does not know how much CHIP funding he will receive. In September he plans on dividing his work group; one will concentrate on paving and the other will be a stormwater crew. They will implement the GIS system.

FEEDBACK ON SOJOURNER TRUTH WALK AND PLANNING FOR NEXT YEAR

Supervisor Harris and Councilwoman Clarke reported the successful Sojourner Truth Walk. Although this was not a Town event, the Town plays an important part in this growing event. A list of notes and suggestions were made for next year's walk. A planning meeting will be requested. The first bus of people had 73 people on it and the second had 65. Ann Gordon, who played a major part in the committee responsible for the Sojourner Truth statue and park here in Port Ewen, gave a presentation. The Klyne Museum provided snacks and refreshments. The walk picked up momentum and crowds grew as they proceeded on the path to the Old Dutch Church.

DEBRIEF ON AOT TRAINING

Councilwoman Quick reviewed the 2020 Proposed Legislative Resolutions which were all unanimously supported by Towns delegate vote at the Association of Town Meeting in NYC.

- Preserve and Support Home Rule
- Support and Fund Local Roads, Bridges and Highway Operations
- Support Town Services and Operations by Increasing State Aid Authorizing New Local Revenues Sources and Evaluating Mandates
- Support the Expansion of Cellular and Broadband Services while Preserving Local Authority
- Amend and Fund Criminal Justice Reforms
- Share Potential Cannabis Revenue and Support Local Option
- Comprehensive Real Property Tax Reforms
- Support Optional, Town Initiated Justice Court Restructuring
- Support Municipal Recycling Programs
- Support Ways to Reduce Municipal Health Benefit Costs

Councilperson Quick said Towns can decide not to have cannabis in their Town. Revenue from the cannabis sales goes to the County not the Town. The Towns would like a share of those taxes. The Towns also felt repairs to bridges should not be included in the tax cap. Lobby Day is March 23, 2020 and they would like to have local officials present to talk directly with their Local Delegates.

WORKING GROUPS

Supervisor Harris asked for Councilpersons to volunteer in assisting in critical projects:

- A) Coronavirous – handle as a group
 - B.) Spectrum contract renewal negotiations, Chris Farrell
 - C) Employee handbook policy update, Evelyn Clarke & Kathie Quick
 - D) Plan to fix assessment equalization Chris Farrell
- Councilperson Geuss said he would help out wherever he was needed

NEW “COMMUNITY CLEAN UP” CAMPAIGN

Town Code Enforcement will be issuing citations to property owners not in compliance with the code. The intent of the community clean up is to grant a grace period from April 1–April 30, 2020 to allow residents to get their property in order. Details of the event are being worked out with our Transfer Station and Highway Department. There will be an Outreach Campaign 3/16, flyer distribution via post offices to home owners, local business & posting at Post Offices 3/23 Email blast to residents 3/31 Facebook posts Website announcement.

PUBLIC REFERENDUM REGARDING PORT EWEN FIRE DEPARTMENT

Supervisor Harris and Councilman Geuss had previously met with the PEFD regarding their desire to purchase the property located adjacent to the Town Hall to construct and move their fire house to the new location. The Port Ewen Fire Department will hold several public meetings to inform the residents of their intentions and explain why they feel the move is necessary and beneficial.

- **Mon, 3/16** Port Ewen Community Center Seniors meeting 1 pm, public welcome
- **Mon. 3/30:** Port Ewen Fire Department public meeting, 7 PM at PEFD Headquarters (old Moose Lodge)
- **Sat, 4/18:** Port Ewen Fire Department public meeting, 11 AM at PEFD Headquarters.
- **Tue, 4/21:** Port Ewen Fire Department public referendum vote, 6-9 PM at PEFD Headquarters.

DOT Letter

The Town received a letter in response to Town Board questions and request for a traffic study on Route 9W between Main Street and Black Creek Road. This letter was in response to the Resolution requesting NYS DOT for a traffic safety inquiry which was passed on 5/21/19. A copy of the response letter is attached.



Department of Transportation

Open with

UPDATE

ANDREW M. CUOMO Governor

#8

MARIE THERESE DOMINGUEZ Acting Commissioner

LANCE MacMILLAN, P.E. Regional Director

January 6, 2020

The Honorable Holly A. Netter
Town Clerk
Town of Esopus
Town Hall, 284 Broadway
PO Box 700
Port Ewen, NY 12466

Re: T19-141, Case 819-5650, File 51-08-9W
Traffic Study
Route US 9W Between Black Creek Rd. & Main St.
Town of Esopus, Ulster County

Dear Ms. Netter:

Thank you for your correspondence to the New York State Department of Transportation (NYSDOT).

NYSDOT has reviewed the list of traffic concerns as specified in the Town Board Resolution dated May 30, 2019. The answers to the questions are as follows:

- 1) The question regarding the "service rating" for this section of US 9W; It is unclear as to what the meaning of the term "service rating" is referring.
2) NYSDOT has not conducted any recent studies at this location.
3) The question regarding the "traffic metrics" for this section of US 9W; It is unclear as to what the meaning of the term "traffic metrics" is referring. Also, NYSDOT utilizes specific New York State Department of Motor Vehicles computer programs to access vehicle crash reports.
4) NYSDOT initiates new traffic studies as a result of requests from either a Town Board (through an Official Resolution) or a private citizen, depending on the type and scope of that request. The crash rate is one of the principle elements reviewed.
5) State, County, and local enforcement agencies are responsible for establishing emergency detours. Local law enforcement is responsible for incident management when crashes occur.

In addition, the crash history for the section of Route US 9W between Black Creek Road (south) and North Main Street has been reviewed. We found that the crashes that are occurring are generally of a random nature. These types of crashes are commonly caused by driver error or misjudgment. Crashes that occur randomly form no discernable crash pattern. Subsequently, it is difficult to determine what, if any, approved engineering countermeasures are available to effectively mitigate these types of crashes. However, we will review this section of highway to determine if there are any existing conditions where enhancements may be appropriate.

We trust this correspondence provides the Town with adequate information that pertains to all the questions outlined in the Town Resolution.

Thank you for your interest in traffic safety and for bringing your concerns to our attention. If you require further information on this request or any other traffic related concerns, please contact the Regional Traffic and Safety Group at (845) 437-3396.

Very truly yours,

Handwritten signature of Mark D. Morano

Mark D. Morano
Assistant Engineer



HISTORICAL AMERICAN LEGION DOCUMENTS

Town Clerk Holly Netter met with Legion Commander Vincent Adinolfi to determine an appropriate place to display the American Legion Post 1298 documents in the Town Hall Community Room. Arrangements have been made with County Clerk Nina Postupak to house the original documents in the Hall of Records for safe keeping. Copies of the originals will be framed and placed on display with a bunting as a tribute to the post members.

UCIDA Letter

Ulster County Industrial Development Agency (UCIDA) is requesting feedback on its Uniform Tax Exemption Policy and announcing a public hearing. A public hearing will be held Monday March 9, 2020 at 7 pm in the Common Council Chambers, City Hall Kingston. Board members were recommended to attend.

KEY DATES / EVENTS

Sun, 3/1: Taxable status and tax exemption filing deadline with the Esopus Assessor's office.

Mon, 3/2: Park pavilion rentals open for residents.

Mon, 3/9: Public Hearing for UCIDA Uniform Tax Exemption Policy at 7 PM in Kingston City Hall.

Th 3/12: ECERT meeting to develop rules, goals and a mission statement to be provided to the Board on 3/17 at the Town Board meeting

Mon, 3/16: Port Ewen Fire Department public information meeting, 1 PM at Esopus Town Hall (before the Esopus Senior's Group).

Thu, 3/26: Esopus Community Emergency Response Team (ECERT) Meeting at 3 PM at Esopus Town Hall.

Mon. 3/30: Port Ewen Fire Department public meeting, 7 PM at PEFD Headquarters (old Moose Lodge)

Wed, 4/1: Park pavilion rentals open for non-residents and monthly / seasonal kayak storage rentals open for all.

Thu, 4/2: Esopus Passport Night from 5:30 – 7:30 PM in Town Hall. NOTE: Passport applications can be picked up at the Clerk's Office or downloaded from Esopus.com.

Sat, 4/11: Esopus Children's Egg Hunt starting at 12:30 PM at Freer Beach Memorial Park. Gather up all the kids and get ready to hunt for prizes!

Sat, 4/18: Port Ewen Fire Department public meeting, 11 AM at PEFD Headquarters.

Tue, 4/21: Port Ewen Fire Department public referendum vote, 6-9 PM at PEFD Headquarters.

APPOINTMENTS – VARIOUS BOARD VACANCIES

A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK TO APPOINT THE FOLLOWING INDIVIDUALS TO FILL THE VACANCIES OF VARIOUS BOARD POSITIONS:

GLORIA VAN VLIET	ZONING BOARD OF APPEALS	TERM EXP. 12/31/2022
ELIZABETH TEN DYKE	ZONING BOARD OF APPEALS	TERM EXP. 12/31/2021
VINCENT COQ	WATERFRONT ADVISORY BOARD	TERM EXP 12/31/2021
FRED ZIMMER	ALTERNATE TO THE PLANNING BOARD	TERM EXP 12/31/2020

THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

DA DELEGATIONS

A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK TO SUPPORT SUPERVISOR HARRIS SENDING A LETTER TO ULSTER COUNTY DISTRICT ATTORNEY REQUESTING THAT THE ROLE AND FUNCTION OF PROSECUTOR BY THE DA BE DELEGATED AS FOLLOWS WITH RESPECT TO THE FOLLOWING MATTERS, IF PENDING IN THE JUSTICE COURT OF THE TOWN OF ESOPUS:

- A. SPECIAL PROSECUTOR MATTHEW JANKOWSKI, OR SUCH DESIGNATED ATTORNEY BY THE TOWN OF ESOPUS, FOR PROSECUTION OF VIOLATIONS OF VEHICLE AND TRAFFIC LAW ISSUED BY THE NEW YORK STATE POLICE, OFFICE OF THE ULSTER COUNTY SHERIFF, INCLUDING VIOLATIONS ISSUED BY THE NYS PARK POLICE AND DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
- B. THE LAW FIRM OF MCCABE COLEMAN, VENTOSA AND PATTERSON FOR THE PROSECUTION OF VIOLATIONS OF ESOPUS TOWN CODE, INCLUDING ORDINANCES AND BUILDING CODE VIOLATIONS, OR SUCH OTHER AUTHORIZED LAW FIRM OR AUTHORIZED PERSONS, INCLUDING THE BUILDING CODE ENFORCER OR HIGHWAY SUPERINTENDENT, AS DESIGNATED BY THE ESOPUS TOWN BOARD.

COUNCILPERSON CHRIS FARRELL SECONDED THE MOTION CONTINGENT UPON THE COURT JUSTICE APPROVAL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

**RESOLUTION OF THE TOWN BOARD OF
THE TOWN OF ESOPUS OPPOSING THE MERGER OF
THE NEW YORK STATE BRIDGE AUTHORITY INTO
THE NEW YORK STATE THRUWAY AUTHORITY**

Dated March 03, 2020

WHEREAS, the George Clinton Memorial Bridge (the “Kingston-Rhinecliff Bridge”) spans the Hudson River between the City of Kingston and Town of Rhinecliff; and

WHEREAS, the Kingston-Rhinecliff Bridge and other bridges across the River in the Mid-Hudson region operated by the New York State Bridge Authority serve as vital links for the lives and commerce of numerous residents and businesses located in the Town of Esopus who utilize the Bridge crossings of the River on a daily basis or even more frequently; and

WHEREAS, Governor Andrew Cuomo, in his 2020-21 budget address, has announced legislation to merge the New York State Bridge Authority, which presently operates five bridges across the River, including the Kingston-Rhinecliff Bridge into the New York State Thruway Authority; and

WHEREAS, the proposal would in fact abolish the Bridge Authority when all obligations to the holders of bonds have been paid in full or otherwise fully met and discharged and the Thruway Authority would absorb the Bridge Authority; and

WHEREAS, it has been reported that a federal law, passed in 1987, states that tolls collected on the Newburgh-Beacon Bridge can only be used to operate, maintain and repair the Bridge Authority’s bridges; and

WHEREAS, the Bridge Authority is run efficiently, the bridges are well-maintained and boast among the lowest tolls in the nation; and

WHEREAS, although the merger proposal has been justified by claims that it will result in operational efficiencies, a primary reason for the consideration of the merger is the NYS Thruway Authority’s announcement of budget deficits which are reported to be growing at an astonishing rate due largely to the costs of the new Mario Cuomo (Tappan Zee) Bridge; and

WHEREAS, the merger would likely in fact negatively affect the Bridge Authority’s Hudson River crossings and lead to our residents and businesses subsidizing the costs of the Thruway Authority’s improvements outside of our area through higher tolls.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Esopus in its capacity as governing body of the Town, does hereby oppose the enactment of the provisions in the Executive Budget of the State of New York for 2020-21 providing for the merger of the New York State Bridge Authority into the New York State Thruway Authority; and

BE IT FURTHER RESOLVED, that certified copies of the Resolution be delivered, by the Town Clerk to the Hon. Andrew J. Cuomo, Governor, the Hon. George A. Amedore, Jr., Senator for the 46th District, and the Hon. Kevin Cahill, Assemblyman for the 103rd District; and

BE IT FURTHER RESOLVED, that the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

OFFERED BY: Supervisor Shannon Harris
SECONDED BY: Councilperson Chris Farrell

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

ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.

** Councilperson Geuss abstained from the vote because he said he worked for the NYS Bridge Authority and wanted to give full disclosure of that fact.

The resolution was thereupon declared duly adopted. 4 AYE, 1 ABSTAIN

REQUEST FOR CHANGE OF ROAD NAME

Scenic Hudson has requested the name of 'Winding Brook Acres Road' to become 'Scenic Hudson Way'.

Councilperson Chris Farrell said he was not in favor of the name due to the displacement of the residents that lived on the road. Scenic Hudson demolished the homes on winding brook acres and there was no intention of allowing the public to drive on the road. He would consider a different name for the request. Supervisor Harris will contact Scenic Hudson and say the name may be sensitive to town residents and request an alternate suggestion. A few questions came up regarding the road being private and why the Town was being asked for the approval. They want to make sure there is no liability for the Town to maintain the road.

Supervisor Harris said Scenic Hudson is allowing the Town to have input on the amenities they are putting on the property. Scenic Hudson is making the property publically accessible where in the past it was private and not available to the community. However she understood Chris's concern. The matter was tabled until more research can be done.

LABERGE CONTRACT ADDENDUM 2019083-02

Laberge is requesting an addendum to their contract in the amount of \$5,000 for the Land Use Regulations update, Addendum #2 Schedule of Uses & Internal Committee Conference Calls. The Board does not have this planned in the Budget and was not part of the original contract. Councilperson Farrell said it should have been anticipated. Supervisor Harris said they have done a lot more work, but does not know where the money would come from. No motion was made on this request. Supervisor Harris and Councilperson Geuss will have a discussion with Laberge Group.

SLEIGHTSBURGH PARK

Supervisor Harris reviewed park hours of operation with the local authorities and asked the Board for approval to replace the signs that someone vandalized with graffiti. The Board agreed to the language of the proposed signs.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL AT 8:35 PM TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A FEW POTENTIAL LITIGATION MATTERS. SUPERVISOR HARRIS REQUESTED ONLY THE TOWN BOARD TO BE IN THE SESSION AND SHE WOULD TAKE NOTES. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE BY SUPERVISOR HARRIS TO COME OUT OF EXECUTIVE SESSION AT 9 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

NO ACTION TAKEN.

ADJOURNMENT

A MOTION WAS MADE BY SUPERVISOR HARRIS TO ADJOURN THE MEETING AT 9 PM AND WAS SECONDED BY COUNCILPEROSN CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively Submitted,

Holly A. Netter
Town Clerk, RMC

