

**TOWN BOARD WORKSHOP MEETING  
April 2, 2019**

A regularly scheduled Town Board Workshop Meeting was held on Tuesday, April 2, 2019 in the Town Hall, 284 Broadway, Ulster Park, NY with the following persons in attendance:

**Supervisor Shannon Harris  
Councilperson Gloria Van Vliet  
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 –**

**Joan Burroughs** asked the Board for a letter to support the John Burroughs Association's application to the Hudson River Valley National Heritage Area for a Heritage Development Grant to fund the construction and installation of entrance gates for the two entrances to the John Burroughs Nature Sanctuary in West Park. The project will create an inviting first impression that will enhance an eco-tourism resource of the Town and generate economic benefit. Joan shared pictures of the proposed signage and gates.

Upcoming events for John Burroughs Nature Sanctuary:

Slabsides Day, Unveiling of new signs May 18, 2019 at noon

Gala Luncheon Sunday June 9, 2019 noon – 3 pm at Slabsides, West Park, NY

**RESOLUTION IN SUPPORT OF A GRANT APPLICATION  
BY THE JOHN BURROUGHS ASSOCIATION**

**BE IT RESOLVED**, THE TOWN OF ESOPUS, COUNTY OF ULSTER, STATE OF NEW YORK IS IN SUPPORT OF A GRANT APPLICATION FOR THE JOHN BURROUGHS ASSOCIATION TO THE HUDSON RIVER VALLEY NATIONAL HERITAGE AREA FOR A HERITAGE DEVELOPMENT GRANT TO FUND THE CONSTRUCTION AND INSTALLATION OF CEDAR ENTRANCE GATES FOR THE JOHN BURROUGHS NATURE SANCTUARY AS PART OF THE ASSOCIATION'S GATEWAY EXPERIENCE PROJECT.

THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO SIGN A LETTER IN SUPPORT OF THIS GRANT APPLICATION.

**Resolution offered by: Councilperson Kathie Quick**  
**Resolution seconded by: Councilperson Chris Farrell**

<b>Councilperson Gloria Van Vliet</b>	<b>AYE</b>
<b>Councilperson Jared Geuss</b>	<b>AYE</b>
<b>Councilperson Kathie Quick</b>	<b>AYE</b>
<b>Councilperson Chris Farrell</b>	<b>AYE</b>
<b>Supervisor Shannon Harris</b>	<b>AYE</b>

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

**UPDATES**

**Albany DEC Meeting Dyno – Nobel**

On April 3<sup>rd</sup> Supervisor Harris, Dean Sommer Environmental Attorney representing the Community of Churches, and Dan Michaud will attend a meeting in Albany with Michael Ryan, DEC Central Division Director of Environmental Remediation, DEC Central legal staff and Kelly Tuturro, DEC Division 3 Director from New Paltz regarding Dyno Nobel clean up. The goal is to obtain a 90 day extension which will allow review of foiled documents to ensure proper clean up. No one is sure why the State is so adamant not to grant the extension. If the extension is denied, there will be a Public Meeting on April 9<sup>th</sup> in the community room at 6 pm and the DEC will be invited to address the public's concerns.

**WATERFRONT ADVISORY BOARD**

There has been a recommendation from the Waterfront Advisory Board to move forward with Tea Town Lake project and would like to place a Steward at the Sleightsburgh Park boat launch during the 2019 season. The Steward would be located there for 8 hours on a Friday, Saturday or Sunday from May – September. The Stewards will be trained to do voluntary boat

inspections before the boats enter and after they exit the water. They would also teach basic plant identification and answer any questions boaters, anglers and recreational users might have. The primary goal is to educate users about aquatic invasive species and how clean boating practices can minimize their spread. The agreement would give permission to place a watercraft inspection steward at the Sleightsburgh park launch 1 – 3 days each week Friday – Sunday from May – September for 2019-2022. The Stewards will be respectful and will not harass boaters or anglers. The Steward’s task is to provide free, voluntary boat inspections, answer any questions about aquatic invasive species and provide educational materials to boaters who would like more information.

Councilperson Van Vliet asked if they will provide a waiver that covers the Steward and names the Town of Esopus as an additional insured. Waterfront Chairperson Mercedes Ross will be asked to find out about Tea Town providing insurance for the Steward and adding a line to the agreement to allow the Town to sever the agreement if there are any issues. Contingent of those issues being clarified, the Board agreed Mercedes could sign the agreement.

### **EMERGENCY RESPONSE**

Supervisor Harris provided an update on the meeting held last Friday, March 29, which discussed **steps** towards building an emergency response capability in Esopus. Members of local fire departments, TEVAS, Building and Fire Inspectors attended. We need a strong team to come together who know the resources and can work well with a leader in an emergency situation. In addition to the natural disasters, Sean Brandt said there have been 30 opiod overdoses since the beginning of the year and 10 fatalities. Many statistics are not shared between agencies. Esopus is the highest in Ulster County. Sean said there is funding available for prevention. As part of our Emergency Response Plan we need to partner with Senator Amedore, the Sheriff’s department and other agencies to fight this opiod epidemic. There will be further discussion relating to the Emergency Response Plan.

### **CHANGE IN VOTING PLACES – KINGSTON CITY SCHOOL DISTRICT**

New voting times and places were reviewed. All Esopus residents previously voted at Robert Graves School. This year the voting will be held at Miller Middle School for Town of Esopus residents living in district 1. Districts 2, 3, 4, 5, 6 & 7 will vote at Bailey Middle School. The new voting time is 3:00 pm – 9:00 pm.

### **AGREEMENT BRINNIER AND LARIOS, PC AND THE PORT EWEN WATER DISTRICT**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO AUTHORIZE SUPERVISOR HARRIS TO SIGN THE AGREEMENT WITH BRINNIER AND LARIOS, P.C. TO PROVIDE ENGINEERING SERVICES FOR CONSTRUCTION OF A WATER STORAGE TANK NOT TO EXCEED \$157,000. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**EMINENT DOMAIN PROCEEDING FOR WATER STORAGE TANK –**

**A MOTION WAS MADE COUNCILPERSON CHRIS FARRELL TO AUTHORIZE SUPERVISOR SHANNON HARRIS TO SIGN THE DETERMINATION AND FINDINGS IN CONNECTION WITH THE PROPOSED ACQUISITION OF REAL PROPERTY FOR THE WATER STORAGE & DISTRIBUTION PURPOSES WHICH THE PUBLIC HEARING WAS HELD ON MARCH 19, 2019. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**DETERMINATIONS AND FINDINGS  
OF THE  
TOWN OF ESOPUS  
IN CONNECTION WITH THE PROPOSED  
ACQUISITION OF REAL PROPERTY  
FOR WATER STORAGE & DISTRIBUTION PURPOSES**

The Town of Esopus conducted a Public Hearing on March 19, 2019 in connection with the proposed acquisition of .562 acre of certain lands as shown on the Land and Tax Map of Ulster County as Section 64.1, Block 1, Lot 20, and known as 625 Broadway, Esopus, New York.

The property is further described and set forth on a vesting map drawn by Brinnier & Larios, P.C., consulting engineers and surveyors dated October 24, 2014.

The vesting map was introduced into evidence as Exhibit “1” at the hearing on March 19, 2019.

The Town heard an evaluation from Donald Kiernan, Head of the Port Ewen Water District.

The Commissioners of the Town have considered the proposed taking, there was no written or public comment made at the hearing, and other matters related to the prospect of litigating the acquisition of the subject property.

The Town accepts and adopts the testimony of Donald Kiernan submitted at the Hearing. The Board further highlights certain of our determinations and findings as expressed in that report which the Town hereby affirms in its entirety.

1. As to the public use, benefit, and purpose to be served we find:
  - a. The Town requires the construction of a new water storage tank for the Port Ewen Water District to serve the needs of the Town's residents.
  - b. The proposed acquisition of .562 acre of 625 Broadway would help solve these problems by providing a location immediately adjacent to the current water storage tank to construct the new tank.
  - c. There are no viable alternate locations for this project, as the Town does not maintain any other facilities which could be expanded to meet the needs of the Town, and the property proposed to be condemned is located right next to the water tower and is, therefore, uniquely situated to meet the Town's needs.
  - d. The Town has determined there are no adverse impacts on the environment or the Town's residents that will result from the water main project.
2. For all the reasons stated in this document and the testimony from the March 19, 2019 hearing, the Town hereby determines that:
  - a. It is in the best interest of the Town, the Town residents, and the properties under protection of the Town that the Town acquire through Eminent Domain, for water storage and distribution purposes, the property shown on the vesting map, Exhibit "1" at the hearing prepared by Brinnier & Larios, P.C., dated October 24, 2014 and showing Lot 20 in Block 1 of Section 64.1, also known as 625 Broadway, Town of Esopus, New York; and
  - b. Special counsel is hereby directed to have said vesting map titled "Map of Lot Line Revision Between Town of Esopus and Lands of Renee D'Anna" filed in the Town of Esopus Clerk's Office.

**TRAINING FOR PLANNING BOARD SECRETARY –**

**A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPROVE THE TOWN TO SPLIT COSTS WITH TOWN OF HURLEY FOR PLANNING SECRETARY LISA MANCE TO ATTEND THE 81ST ANNUAL NY PLANNING FEDERATION CONFERENCE ON APRIL 28 - 30 ; APROXIMATELY \$220. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**BQ/CENTRAL HUDSON PROPERTY OWNER CONSENT FORM** –

Per the signed Option to Lease on file with BQ, this document attests to the Town Board's consent to allow the interconnection between BQ Energy's solar generation facility and Central Hudson. This form had been signed previously but did not specifically mention the Central Hudson project number.

**A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET TO AUTHORIZE THE SUPERVISOR TO SIGN THE UPDATED PROPERTY OWNER CONSENT FORM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**EXECUTIVE SESSION**

**A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO ENTER INTO EXECUTIVE SESSION AT 7:55 PM TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL AND TO DISCUSS THE APPLICANTS WHO INTERVIEWED FOR VACANCIES ON THE WATERFRONT ADVISORY BOARD. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. KRISTIN MCDERMOTT WAS INVITED INTO A PORTION OF THE SESSION. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO COME OUT OF EXECUTIVE SESSION AT 8:40 PM THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**Action:**

**A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPOINT KRISTIN MCDERMOTT TO THE POSITION OF FULL TIME FIELD ASSESSMENT WORKER AT A RATE OF \$15.50 PER HOUR. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPOINT PATTY SMITH TO THE POSITION OF PART TIME FIELD ASSESSMENT WORKER AT A RATE OF \$15.00 PER HOUR. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPOINT JIM BANKS TO THE WATERFRONT ADVISORY BOARD AND AS A LIAISON FOR THE ZBA WITH A TERM TO EXPIRE 12/31/19. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**SUPERVISOR RESPONSIBILITIES AND DUTIES**

During the March 5<sup>th</sup> and March 19<sup>th</sup> Town Board meetings there were discussions about the responsibilities and duties of the Supervisor. Councilperson Van Vliet had provided an opinion on an incident as well as a portion of the law and distributed the information to Board members at the March 19<sup>th</sup> meeting. *The Town Board acts as body of the Town as a unit. No one member has any more or less authority than the other and cannot unilaterally act on behalf of the Town Board. No single member can act for or commit the Board as a body to any particular program or policy according to the law.* Councilperson Farrell asked for the topic to be discussed at tonight's meeting. He suggested when emergency matters pertaining to fiscal or personnel issues arise; the Supervisor should make a phone call to each Board member prior to moving forward on the issues. There are five members who are equally responsible for conducting business. He asked that everyone be kept in the loop; no one likes surprises. Supervisor Harris said she heard the advice and was trying to make a change. The Councilpersons recognized her recent change and their inclusion. This sets the procedure for the future.

**ADJOURNMENT**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 8:45 PM AND WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Respectively Submitted,

Holly A. Netter  
Town Clerk, RMC