

**TOWN OF ESOPUS
TOWN BOARD WORKSHOP
April 1, 2021 – Starting at 7:00 PM**

A regularly scheduled Town Board Meeting was held on April 1, 2021 in person at 1 Town Hall Way, Ulster Park in addition to being available via zoom and Live Streamed on the Town of Esopus’ Facebook page due to the ongoing pandemic. The following persons in attendance:

**Supervisor Jared Geuss
Councilman Kathie Quick
Councilman Chris Farrell
Councilman Evelyn Clarke
Councilman Laura Robinson**

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

PLEDGE TO THE FLAG

Public Comment:

Supervisor Geuss announced guidelines for public comment and asked speakers to respect the process in which the Board conducts business. Comments held to 3 mins, present public comment to Town Board only and no one else. No interruption of Board comment or public comment. Negative comments directed towards individuals in the audience whether Town employees, applicants invited by the Board or private citizens that are intended to publically question one’s motives character or personal well being will not be tolerated.

Judy Ellis, 81 Riverview – Shared insights and experience with Shannon Harris. When she met Shannon 4 years ago she wondered if she would be able to handle the job as Town Supervisor and she was glad to see she did and excelled at the job. Judy found her to be a leader, energetic, an excellent communicator and focused on relationships and not just the business. Judy said she was sad when she had to resign, but understanding that she needed to put family first. She said she heard about some concerns about the Assessor job and whether someone was losing their position but the position has been open. Shannon learned to do the Supervisor job really well and she bets she can learn it quickly, well and would benefit the town to still have her connected to the Town’s activities. I support her candidacy and her ability to learn what she needs to learn and has every confidence in her. Thanked the Board for listening.

Tony Marmo, 9 Valhank Dr. - Mentioned he sent an email to the Board on Tuesday supporting the candidacy of Shannon Harris. Her experience and educational background and previous employment including the time spent as Town Supervisor make her an excellent candidate for the position. For a period of time she temporarily oversaw the temporary Assessors job and has

knowledge of the Town's workings. Continuity building a team that functions well, with her experience adding to the Board and the other town employees I think that is what is needed to be successful. He was the CEO of Kingston Hospital 9 yrs; there 23 yrs. Important to have a sense of continuity and ability to speak to issues; management continuity is important. Thinks Shannon adds that piece to the well functioning Board that is already here. An addition we don't lose her in the town and he doesn't doubt that she will master the financial piece of the job. He supports Shannon Harris as Tax Assessor. Thanked members of the Board for all they do for the Town.

Craig Johnson, 187 Doris St said from his prospective she is one of the most productive Supervisors we ever had. When campaigning she did not tell him what she was going to do but asked what he thought should be done. Thought it was a refreshing change from a politician and has not let him down. Master plan, meeting what we think as a Town should be done. No doubt she can handle the job of Assessor and less hours than a Supervisor position. He would like the Board to consider her as the Town Assessor training then as Assessor itself.

Kathy Adin Gurney Street- Supervisor Harris has changed my view of what local government is supposed to do and has moved us in a great direction with the help of this Board. Esopus is in a much better place than when she moved here in 2000. She was disappointed to hear criticism of leaving the Supervisor position and looking for another job. Shannon loves Esopus has 3 young children who have not been in school for a year. As a single parent she has to provide for family but does not have to be 24 hours a day and can be a regular job. She has done a fantastic job as Supervisor so of course she will do a fantastic job as Assessor.

Roscoe Pecora 142 Broadway – He said he was a long time resident, former Ulster County Legislator, former Democratic Chairman in town. He has followed town government for years up and down. Huge progress has been made with Shannon Harris as former Supervisor. There was question of whether she would be accepted in community such a short time from but has proven herself and she has excelled in the job and moved the town forward. He understood her family situation. The Supervisor's job is a 24 hour job and the Assessor job is 35 hours a week and there is flex time on it. This would allow her to be close to home with reasonable hours, still serve the town residents, and in his opinion would say the majority of the town has been pleased with her services. She is a go getter; no doubt of her ability to learn the job rather quickly. Her knowledge of the demographic and community will lead to a positive outcome. He was disturbed at public comment at the last meeting on 4/22/2021 and the politicalization of the process that has taken affect. Roscoe said he feels people of the opposite party tried to taint this Town Board and every member on it by saying a deal has been made or there is something fixed; this is old fashion politics. We have a bipartisan arrangement on this Board working together and excelling in public policy. That is how he would like it to remain. Shannon will work with all of you and she will treat everyone that comes in the office with equitableness, kindness and customer service will be one of her mottos. She will also be able to tell you where there are problems and how it can be reorganized and improved. Roscoe said he

4-01-2021

is not worried about her credentials or her ability to learn. He prefers a local resident who knows the community to be in that position, she is a professional.

John Bauer- Stands behind Shannon 100%. Anytime he called she was there for him. She stood behind TEVAS and got them money; has no problem with her. He likes people coming to this town who want to do things in this town and he likes to see people from this town get hired by the town who want to do things for the town. He has seen so much improvement in this town, he hopes the Board will follow in her footsteps because she is wonderful.

Peter Relson 5 Rose lane Comment made via zoom Regarding Esopus Local Law No.10 of 2021, Peter said he felt that some of this replacement is not appropriate. It seems not to take into account that much of the Town of Esopus property is wooded.

The wording (section 96-9 item "f") includes "or other vegetation which exceeds an average height of 10 in. except that which is kept in a neat and orderly manner for human consumption". Perhaps the writers do not appreciate that "vegetation" includes trees (and those are unlikely to be "for human consumption". The current Town Code chapter 96 applies to lawn areas. For such areas, an average height might make sense. But a height limit does not make sense for an entire property that includes (or might even consist entirely of) wooded non-lawn areas, and the proposed local law does not accommodate such cases.

Having fire, health and safety hazards in mind for changes is of course good. He suggests that the Board try to limit the updates to cases where those are at the forefront.

Peter also wanted to point out that that item has a very long convoluted sentence which could be misinterpreted. He hopes it can be redone in a way that makes it clear what the writers want to convey.

SUPERVISOR GEUSS MADE A MOTION TO CLOSE PUBLIC COMMENT. THE MOTION WAS SECONDED BY COUNCILMAN QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

BOCES FISHING SCHOOL

The Board reviewed the request from Ulster County BOCES to use Freer Park to allow them to host a striped bass fishing training courses on-site. Supervisor Geuss asked the Board if they would allow the ability to schedule with the Town Clerk's office, April 26, 12pm – 2pm subject to weather and tides. No use of pavilion.

Councilman Chris Farrell said whenever we can cooperate with educational communities it can only be a positive thing.

SUPERVISOR GEUSS MADE A MOTION TO GRANT BOCES SPECIAL EXEMPTION FOR THEIR ADULT EDUCATION FOR THE USE OF OUR PARK ON SAID DATE. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. 4 AYE, 1 ABSTAIN

Vote: **Supervisor Jared Geuss AYE**
 Councilman Kathie Quick AYE
 Councilman Evelyn Clarke AYE
 Councilman Laura Robinson AYE
 Councilman Farrell Abstain*

***Councilman Farrell recused himself; he is President of BOCES Board of ED.**

SLEIGHTSBURGH SPIT

Supervisor Geuss gave an update on temporary signs which were put out and indicate that as of now the park is being opened by the Parks Department at 6 am and the Bailiffs are closing the gate at 9 pm. Hours are dawn to dusk. Supervisor Geuss is in the process of scheduling a pre-construction meeting with Dan Vedder, the gate representative and Liberty Security. After the meeting Jared said he would have a better timeline for moving forward with the installation of the automatic gate.

Councilman Quick reviewed the following rules.

SLEIGHTSBURGH SPIT PARK
RULES & REGULATIONS

GENERAL:

- 5 mph speed limit on entryway
- **Park Hours:** Dawn to dusk
- All pets must be leashed, and any pet waste picked up.
- **No:**
 - Alcohol • Littering • Deer poaching • Swimming
 - Open fires • Loitering • Trapping • Boats over 23' LOA
 - Crossing the Inlet • Camping • Motorbikes & • ATV's(added)

BOATING:

- No boats over 23' LOA.
- All boats must be out of the water by sunset. Violators will be locked out of the park or have their vehicle towed away.
- No ramp-blocking – rowers should use the soft launch.
- Hull & engine compartment must be clean prior to entering the Hudson River.
- Life jackets must be worn by children 12 and under.
- Parking in designated areas only.

END OF TRAIL:

- Strong currents & tides, with heavy growth of underwater foliage - extremely dangerous.
- Crossing is prohibited, violators will be fined.

HUNTING:

- Waterfowl Hunting & Fishing ONLY
 - Waterfowl Hunting Season: October – December, check with DEC for specific dates & times
- No deer hunting, trapping, or taking of wildlife except for waterfowl in season and fishing in season
- Waterfowl Hunting:
 - ONLY October – December for ducks, October – April for snow geese
 - No crossbow hunting
 - It is illegal to discharge a firearm or bow:
 - So that the load or arrow passes over any part of a public highway,
 - Within 500 feet (for a firearm) or 150 feet (for a bow) of any school, playground, or an occupied factory or church,
 - Within 500 feet (for a firearm) or 150 feet (for a bow) of a dwelling, farm building or structure in occupation or use **unless** you own it, lease it, are an immediate member of the family, an employee, or have the owner's consent.
 - You may hunt waterfowl with a firearm or bow, **over water**, within 500 feet of a dwelling or public structure as long as neither are within 500 feet (for a firearm) or 150 feet (for a bow) in the direction you are shooting.

FISHING:

- **ANGLING SEASONS:**
 - **Trout:** April 1 – October 15
 - **Striped Bass:** April 1 – November 30, size between 18"-28", daily limit 1
 - **Black Bass:** 3rd Saturday in June – November 30, minimum size 15", daily limit 5
 - **Hickory Shad:** August 1 – November 30, any size, daily limit 5
 - **Blue Crab:** March 15 – June 15, size limit: Hard crab: 4½ inches Soft shell crab: 3½ inches Peeler crab: 3½ inches, daily limit 10 per angler **OR** 50 per boat, whichever is lower
- **PROHIBITED CATCHES:**
 - Walleye, American Shad, American Eel (for American Eel, up to 25 catches per day between 9"-14" may be kept for bait, but none may be kept for food.)
- **NO NETTING:** except for Blue Crab during season
- **Anglers over 16 years old must be licensed to fish in the Hudson River**

Councilman Farrell is going to be sharing this information with the Sherriff, State Police and DEC, if there is a call they will have the rules in black and white.

Councilman Farrell said the Intention of this information is to be used as a hand out to give to hunters and fisherman.

Councilman Farrell – a question has come up regarding entry for non dawn to dusk hours; we have a few keys out. I think we need to be specific on what is going to be permitted and not permitted additionally in writing. Councilman Kathie Quick said the residents' main concern was with night activity not too many had issue with early morning activities. Nighttime was disruptive and noisy without people even trying. Lights shine in their house then the dog starts barking. The people do not seem to have issue with morning access. With the cameras we can see if someone is abusing the privilege, they need to follow the rules and respect the neighborhood.

Supervisor Geuss said the next discussion is keys. There are keys out there now and they have off hour access, they are still in possession of those keys. There are no more keys to be given out as of weeks ago. DEC was the last to pick up keys. Supervisor Geuss said moving forward with this item we need a designated time when we are going to allow any off hours? He questioned if we are allowing the current key holders for possibly a 4 am entry and nothing after hours? Are we going to have no access off hours? He repeated that Councilman Quick said the residents issues seem to be with the later access not necessarily the morning access. With being able to move on this adopting the rules and having an addendum for existing key holders for a possible 4 am entry as long as they open and close the gate with no piggy backing. We would need to reach out to them and go from there.

Councilman Farrell said he will still hear, "why do some get keys and others don't get a key. I'll have no answer because I don't see the logic in it". He said he thinks set a time and have no keys or set a time and have keys allowing anyone who wants a key to use the park for whatever purpose within the range of park rules. He said he had no opinion either way but should be a consistent rule for everyone.

Councilman Farrell said an additional issue came up about the trails in the park. Someone had mentioned the insurance company had recommended the trails be closed because of their condition; he wasn't sure if that was true or not. He would like to see if there is any documentation regarding that. If there is a liability, we need to be accountable for that liability. Councilman Kathie Quick said there has been conflicting comments and would like an up to date advisory from the insurance company. Councilman Farrell agreed, if we can rectify then we will, if we can't we will post it as no entry until it can be rectified. Supervisor Geuss said he will follow up with Paul Kessick from Marshall & Sterling. Councilman Evelyn Clarke said the Central Hudson trail is marked and should not be used; leads out to the crossing and is very dangerous. Councilman Kathie Quick said tire tracks from cars low enough to go under the chain and no one is supposed to be in there; Making horrible ruts in the trails. Councilman Farrell said the rules are lacking no motorbikes and ATVs and should be added to the list of prohibited. (added on prior page)

Determination of keys and hours:

Councilman Kathie Quick when we get the electronic gate and we have the cameras it will be clear on the entry way if someone abuses the privilege we will know about it and who had the vehicle in when they weren't supposed to be. Hoping the gate has card access with time stamp. Options are available on gate. It will save on man power for morning and night.

Councilman Kathie Quick said every other Scenic Hudson Park open dawn to dusk. If people really want to fish at night they can go to Rider Park at night, there is no charge, trickier boating.

Councilman Farrell said he has heard arguments on both sides and both make sense. Hunters want earlier access to be able to get set up or fisherman basing their access on the tides. We need to look at it from both ends. If I was a resident I would want a lot of people accessing it but if we had a limited number of hunters/fisherman we will provide access on yearly basis that would limit the traffic. With the electronic gate you can accomplish that, not with the keys. If we had a passcard to open the gate and hear a complaint we can access the video and hold people accountable. We have to have a drop dead time for after hours.

Supervisor Jared Geuss does not want to keep dragging on from both sides. Supervisor Geuss said do I think it's worth the trouble of extra keys for a half hour, no and I think anyone who wanted that access not worth it. Councilman Evelyn Clarke suggested a half hour before and after dusk, currently 5:30 am – 9:30 pm. Once the electronic gate is installed it can be changed with the time.

General access Chris Farrell said it's not going to make everyone happy and not going to be a complete success.

Councilman Evelyn Clarke said the only hunting allowed is water fowl anyway so that shouldn't be at night. Councilman Quick said that is early morning. Councilman Farrell said the feedback he has received from duck hunters is they like to go out early because it takes them time to set up and get situated before they start shooting. Councilman Kathy Quick said they can set up their blinds the day or so before.

Councilman Clarke said she was still in favor of a half hour before and after. Not everyone is going to be happy; we have to take all sides into consideration especially the residents. Supervisor Geuss confirmed general access ½ hr. before in and out.

Councilperson Farrell said in reality it is a public park and there is no perfect rule to satisfy everyone's desire. There are other places people can go to do those activities that may permit them at earlier times to do it.

Councilman Clarke said her greater concern is the hiking and getting the regulations and insurance feedback.

COUNCILMAN CLARKE MADE A MOTION FOR GENERAL ACCESS HALF HOUR BEFORE DAWN AND HALF HOUR AFTER DUSK. THE MOTION WAS SECONDED BY COUNCILMAN FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Town Hall is closed tomorrow and Town Clerk Holly Netter was instructed to contact all key holders by the end of business on Monday to inform them of the new access time.

Riverkeeper

The Board reviewed the resolutions memorializing the value of the Hudson River to the Town of Esopus and requesting NYSDEC to re-evaluate the impact level of discharges to the Lower Esopus Creek and authorizing the Town Supervisor to contact NYSDEC and share the memorializing resolution. This resolution was brought to the Board via legislator Laura Petite.

**RESOLUTION OF THE TOWN OF ESOPUS IN ULSTER COUNTY, NEW YORK
AUTHORIZING THE TOWN SUPERVISOR
TO SUBMIT A LETTER TO NYSDEC REGARDING EVALUATIONS OF IMPACT ON
NYCDEP RELEASES TO THE LOWER ESOPUS CREEK**

WHEREAS, the Town of Esopus relies on the Hudson River to supply safe and potable drinking water for our thousands of residents, and

WHEREAS, the Town of Esopus has previously joined the Hudson 7, a coalition of regional municipalities whose purpose is to ensure the continued availability of safe and potable drinking water, and

WHEREAS, Riverkeeper has advised the Town and other municipalities regarding its serious concern about New York City's discharge of turbid water from the Ashokan Reservoir into the lower Esopus Creek, which in turn flows into the Hudson River, and it has provided the Town with a sample resolution, by which the Town could express to the New York State Department of Environmental Conservation ("DEC") the critical importance of DEC carefully reviewing New York City's request for a SPDES permit to allow discharges of turbid water, and to request that DEC exercise its authority and responsibility to assure that any potential adverse environmental impacts from the proposed discharges will be avoided or minimized to the greatest extent practicable, including through the consideration and implementation of alternative processes, now,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Esopus adopts the resolution annexed hereto as Exhibit A and authorizes the Town Supervisor to transmit it, in substantially the form annexed, to the New York State Department of Environmental Conservation.

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

Councilman Laura Robinson	AYE
Councilman Evelyn Clarke	AYE
Councilman Chris Farrell	AYE
Councilman Kathie Quick	AYE
Supervisor Jared Geuss	AYE

DATED: Ulster Park, New York
April 1, 2021
HOLLY A. NETTER, TOWN CLERK

Exhibit A

**RESOLUTION OF THE TOWN OF ESOPUS IN ULSTER COUNTY, NEW YORK
URGING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION TO EXERCISE AUTHORITY OF LAW ENFORCEMENT ON RELEASES
TO THE LOWER ESOPUS CREEK IN ULSTER COUNTY, NEW YORK**

URGING, We, as representatives of the Town of Esopus in Ulster County, NY, urge the New York State Department of Environmental Conservation (NYSDEC) to exercise its authority and responsibility for enforcing the state and federal laws that protect water quality in our rivers and streams, and as the lead agency overseeing the State Environmental Quality Review (SEQR) process responsible for evaluating the impacts of New York City Department of Environmental Protection’s (NYCDEP) releases to the Lower Esopus Creek.

WHEREAS: The Esopus Creek is located in northern Ulster County where it travels sixty-eight miles (68) from the mountains of the Catskills to the Hudson River.

WHEREAS: In 1915, the City of New York completed construction of the Ashokan Reservoir by damming the Esopus Creek in Olivebridge. The Lower Esopus – the Esopus Creek downstream of the dam – flows through the towns of Olive, Marbletown, Hurley, Ulster, Kingston, and Saugerties as well as the City of Kingston, and the Village of Saugerties. The Upper Esopus watershed includes the Town of Shandaken and Woodstock.

WHEREAS: The Ashokan Reservoir is one of the largest sources of drinking water for the state of New York, providing up to 40% of the water for 9.5 million residents. In addition to New York City, many communities in the Hudson Valley are served by the Catskill Aqueduct, including the Village of New Paltz and the High Falls water district in Ulster County.

WHEREAS: The DEP constructed a “waste channel” designed to release water from its Ashokan Reservoir to the Lower Esopus, which for nearly a century was not used except for a short period in 2006 because of an emergency. DEP now calls the “waste channel” a “release channel,” though its function remains the same.

WHEREAS: In 2010, DEP instituted new operating procedures that called for releasing exceptionally turbid water from the reservoir into the Lower Esopus through the previously unused release channel, as it alone deemed “necessary.”

WHEREAS: Elevated turbidity after storms is a long standing problem in the Ashokan Reservoir, and will only be magnified in the future due to increased storm events due to climate change. The designers knew this and constructed the Reservoir with two basins to allow the turbidity to settle in the west basin before moving clearer water into the east basin to send down the Catskill Aqueduct for drinking water.

WHEREAS: In the past, whenever turbidity levels in both basins exceeded state and federal drinking water standards, the DEP treated the water with a chemical (alum) in the Catskill Aqueduct above the Kensico Reservoir in Westchester County to reduce turbidity by removing the suspended solids. Since 2013, the DEP has been required by state and federal law to reduce the amount of alum discharged to the Kensico Reservoir from the Catskill Aqueduct.

WHEREAS: With its 2010 procedures, the DEP made a major change to its operations, behind closed doors and without community input, environmental review, rules or permit modification regarding the waste channel’s operating parameters to release turbid water from the west basin into the Lower Esopus to prevent it from spilling into the east basin, potentially impacting NYC’s drinking water quality and requiring alum treatment.

WHEREAS: When a waterbody is turbid, the levels of light and oxygen within the water are reduced. This negatively affects everything living in the stream, from microscopic organisms and submerged plants to aquatic insects and fish. In particular, it stresses fish and impacts their ability to feed and see their food. Fine sediment also physically impacts the stream channel by filling in the natural voids and spaces in the streambed. This reduces habitat for aquatic insects and smothers fish eggs and larvae.

WHEREAS: The Lower Esopus valley has extensive agricultural production that depends on the creek for clean irrigation water throughout the year. Turbid water can clog irrigation equipment and potentially impair the quality of the irrigation water to the point where crops cannot be sold at market.

WHEREAS: The DEP’s actions have already impaired use and enjoyment of the creek for recreational activities, including kayaking and ice fishing. Continuing the pollution to the Lower Esopus throughout the summer could also affect bathing beaches along the creek, which must meet water clarity standards for safety.

WHEREAS: During extended turbid releases from the waste channel, the sediment plume from the Lower Esopus is clearly visible in the Hudson River, which is the drinking water supply for over 100,000 people. The Towns of Esopus, Lloyd, Poughkeepsie, Rhinebeck, Hyde Park, and the City of Poughkeepsie and Village of Rhinebeck draw municipal drinking water from the Hudson River downstream of where the Esopus empties into it. During major releases, the water treatment plants have recorded elevated turbidity, resulting in the need for increased chemical and electricity use for treatment, and increased production of sludge, all of which come at an increased cost.

WHEREAS: The increased volume of water sent by DEP into the Lower Esopus represents the single largest change to the Creek’s hydrologic regime (flow) since the completion of the reservoir.

WHEREAS: The frequency and intensity of storms has increased in recent years, and is projected to increase significantly in the coming decades. Under current conditions and operating procedures, these

storms will increase erosion, turbidity, and the resulting impacts.

WHEREAS: Periodically since 2011, the DEP has dumped millions of gallons a day of turbid, muddy water from the Ashokan Reservoir into the Lower Esopus Creek. DEP argues it has the authority to do so because of its Interim Release Protocol (IRP), which was put in place temporarily pending a full environmental review of the City's releases pursuant to an October 2013 Consent Order. DEC issued the Consent Order to settle an enforcement action it brought against the City with respect to the City's turbid releases in February 2011.

WHEREAS: The IRP is an inexpensive way for the DEP to preserve the quality of NYC drinking water, but the farmers, businesses and residents along the Lower Esopus have been forced to bear the consequences. The releases have had such negative impacts that in 2013 the U.S. Environmental Protection Agency placed the Lower Esopus on the NYS Impaired Water Bodies List for excessive turbidity.

WHEREAS: DEP has most recently discharged turbid water to the Lower Esopus Creek following storms during Christmas 2020, and continuing until today.

WHEREAS: The specific impacts of the current releases to the Lower Esopus are unknown, because DEP did not conduct or provide the county with a baseline assessment prior to initiating releases. A scientific study prior to the initiation of releases was necessary to set the baseline from which to accurately assess environmental impacts.

WHEREAS: As part of the aforementioned Consent Order, DEP was required to study all social, economic and environmental impacts of the releases and alternative methods to reduce turbidity in the Ashokan Reservoir. Alternatives to be considered included both structural and operational practices; however, DEP rejected all structural alternatives requiring construction expenditures and proposed instead only slight adjustments to the IRP as the preferred alternative.

WHEREAS: The DEC has released the Draft EIS for the Modification of the Catalum SPDES Permit and made it available for public review and comment. That Draft EIS concludes that the City's operation of the Ashokan Release channel pursuant to its IRP does not cause any significant adverse impacts to the lower Esopus Creek (ES 29), in the face of the high turbidity releases that communities along the Lower Esopus Creek have witnessed since they began in December 2020.

WHEREAS: The public currently has an opportunity to comment on DEP's Draft EIS, either through submission of written comments to DEC between now and 5:00pm on June 16, 2021.

NOW THEREFORE BE IT RESOLVED: The Lower Esopus is an important contributor to the social, economic and environmental quality along the creek's corridor. It cannot be the solution to NYC's turbid water problems.

BE IT FURTHER RESOLVED: The Hudson River is a critical regional drinking water supply for over 100,000 people in the Mid-Hudson Region. Protecting water quality in this drinking water source is an important regional priority. The current state of Ashokan releases is unsustainable and unacceptable. DEC must consider all the public comments to capture the concerns raised before making a decision about whether to approve or deny approval; and require revision and/or supplementation of the current DEIS. The input of the Town of Esopus on the adequacy of the current DEIS is very important to ensure the community's interests are protected. The potential and actual short-term, long-term and cumulative impacts on the downstream communities along the Esopus Creek and Hudson River must be recognized

and thoroughly studied within the DEIS, including impacts on other drinking water systems, the local economy, and the aesthetics of the area. In addition, the Town of Esopus calls for the incorporation of a hard look at a range of alternatives in the DEIS, including examining combinations of structural and operational alternatives. The DEIS must present a long-term plan to stop the mud, specifically accounting for climate change impacts.

TOWN SERVER

Supervisor Jared Geuss made a Motion to approve the estimate for MCS for upgrade to server based on satisfactory service to date in the amount of \$8,987.00. The Motion was seconded by Councilman Clarke. After discussion the MOTION WAS TABLED.

Councilman Farrell asked if we have been happy with the work MCS has provided. If we are looking to put more money into it we should know if we are happy with what we have to date. Evelyn said if you don't keep it upgraded, you will run into more problems. Councilman Farrell said there are other agencies that could keep us in line with our needs. A number of towns contract with Ulster BOCES. They handle all the IT services; it may be worth looking into to find out about it. Councilman Evelyn Clarke said It depends how essential the upgrades are. Supervisor Geuss said there have been issues and MSC has been rebuilding different parts of the server. Alex Dean talked to Nick from MCS and said it's important to do this but not critical. The parts are starting to fail; we have a couple of months or maybe a year before bigger parts of the system start to fall on top of that. We can fix it temporarily which is more affordable but replacing piece by piece may be more expensive in the long run and parts may not be available. We can look into other companies that can do a server setup.

ASSESSOR TIMELINE

Supervisor Geuss said the Town Board has gone above and beyond to find someone who will fit the needs of the position and reviewed the following timeline:

Assessor Timeline

2020

- **May** – Town Assessor Jo Anna Mignone submits notice of retirement.
- **June** – Town posts Assessor position, circulated to New York State Assessor's Association via the Ulster County Assessor's Association. Received 6 applicants.
- **July** – Town deliberates on Assessor candidates, considers 1.
- **August** – Town interviews candidate, begins negotiations to offer Assessor position. Position offered and applicant declines; stating salary is too low. Following counteroffer proposed by applicant, Town makes second offer, increasing salary & benefits and was declined again. Assessor Applicant/Trainee job description developed. Position posted on Facebook. Patty Smith appointed as Acting Assessor, 6-month term to expire February 2021. Numerous applications received.

- **September** – Town selects candidate for interview. Decides against appointment – applicant wanted to work for multiple Towns at once. Town believes this will be a detriment to the quality of work provided by the Assessor and an undue burden to the Assessor’s Clerk.
- **November** – Town hires Daniel Baker as a consultant to the Assessor’s Office to assist Acting Assessor/Assessor’s Clerk Patty Smith. Daniel Baker, Patty Smith and Town Supervisor Shannon Harris coordinate and handle SCAR hearings.
- **December:** Daniel Baker and Shannon Harris prepare the Assessment Report.

2021

- **January** – Daniel Baker provides the Town of Esopus Assessment Report. Facebook job posting for Sole Assessor/Trainee expires.
- **February** – Patty Smith’s Acting Assessor term expires. State requests an RP-3006 from Patty and that she begin required training within 30 days, not interested in the Assessor position.

KEY DATES:

- **May 1** – Filing of the Tentative Assessment Roll and Associated Items
- **May 24 – Grievance Day**
- **June:** Assessment Board of Review finalizes Assessment Roll
- **July 1** – Filing of Final Assessment Roll

Executive Session

EXECUTIVE SESSION A MOTION WAS MADE BY SUPERVISOR GEUSS TO ENTER INTO EXECUTIVE SESSION AT 8:11 PM FOR THE PURPOSE OF INTERVIEWING 3 CANDIDATES FOR THE ASSESSOR/ASSESSOR IN TRAINING POSITION. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

SUPERVISOR GEUSS MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 10:10 PM. THE MOTION WAS SECONDED BY COUNCILMAN FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

ACTION:

**RESOLUTION APPOINTING A NEW ACTING ASSESSOR
FOR THE TOWN OF ESOPUS IN ULSTER COUNTY, NEW YORK**

Councilperson Kathie Quick introduced the following resolution, which was **seconded by Councilman Chris Farrell**, who moved its adoption:

WHEREAS, following the resignation of previous Town Assessor Jo Anna Mignone in 2020, Assessor’s Clerk Patty Smith was appointed by motion of the Town Board as Interim Acting

Assessor for a six-month period to expire in February 2021 or until a new Town Assessor could be hired;

AND WHEREAS, Patty Smith's term as Acting Assessor has since expired and a new Acting Assessor is required;

AND WHEREAS, Shannon Harris has applied for the position of Acting Assessor and provided adequate evidence of her experience and criteria,

AND WHEREAS, Shannon Harris has received guidance from the New York State Office of Real Property Tax Services stating that she may be hired as Acting Assessor, provided that she maintain the educational requirements dictated by New York State's authority;

THEREFORE, BE IT RESOLVED:

That Shannon Harris is hereby appointed as Acting Assessor for the Town of Esopus effective immediately for a term expiring September 30, 2025, with an annual salary of \$42,500.00, and authorized to enroll in educational and training classes for her position as needed.

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

Councilman Laura Robinson	AYE
Councilman Evelyn Clarke	AYE
Councilman Chris Farrell	AYE
Councilman Kathie Quick	AYE
Supervisor Jared Geuss	AYE

Resolution duly adopted.

Council comments:

Councilperson Chris Farrell said he was glad they waited this period of time and interviewed 3 candidates. He said he thought all 3 candidates were excellent candidates. He said he felt their choice is an excellent choice based on the service Shannon can provide to the Town as measured by the support heard during public comment as well as the qualifications we have seen over her time served as Town Supervisor.

Supervisor Geuss thanked all applicants that submitted resumes and the candidates who were interviewed as well; everyone had their own skill set.

A MOTION WAS MADE BY SUPERVISOR GEUSS AT 10:14 PM TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A POTENTIAL LITIGATION MATTER. THE MOTION WAS SECONDED BY COUNCILMAN FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

SUPERVISOR GEUSS MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 10:18 PM. THE MOTION WAS SECONDED BY COUNCILMAN FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Action :

**RESOLUTION OF THE TOWN OF ESOPUS IN ULSTER COUNTY, NEW YORK
AUTHORIZING THE EMPLOYMENT OF OUTSIDE COUNSEL TO FILE
LITIGATION SEEKING INJUNCTIONS TO ENFORCE BUILDING AND ZONING
CODE VIOLATION**

WHEREAS, the law firm of McCabe Coleman, Ventosa & Patterson, PLLC (“MCVP”), along with the Building Inspector & Zoning Code Enforcement Officer (the “Building Inspector”), have been granted authority by the Town for prosecution of all violations of the Esopus Town Code, including Ordinances and Building code violations, to include all phases of prosecution through plea and/or trial, and representation of the Town of Esopus in prosecution and defense of appeals and Article 78 Petitions (“Code Enforcement”); and

WHEREAS, despite those prosecutions in connection with Code Enforcement, there remain certain ongoing violations of the Esopus Town Code at certain property locations; and

WHEREAS, the Building Inspector recommends that the Town provide him with the authority to employ MCVP as special counsel to seek injunctive relief in the Ulster County Supreme Court with respect to violations of the Esopus Town Code; and

WHEREAS, Town Law § 20 authorizes town boards to employ counsel to the town attorney in respect to any particular subject matter, proceeding or litigation, and Town Law § 65 authorizes town boards to authorize and direct any town officer or officers to institute, defend or appear, in any action or legal proceeding, in the name of the town, as in its judgment may be necessary, for the benefit or protection of the town, in any of its rights or property.

Now, therefore, be it RESOLVED that,

1. The Building Inspector is authorized to employ MCVP as counsel to seek injunctive relief and any other incidental relief on behalf of the Town for any violations of the Esopus Town Code.
2. The Town agrees that such employment and retention of MCVP shall be governed by the retainer agreement between the Town and MCVP concerning Code Enforcement.
3. This Resolution shall take effect immediately.

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

Councilman Laura Robinson	AYE
Councilman Evelyn Clarke	AYE
Councilman Chris Farrell	AYE
Councilman Kathie Quick	AYE
Supervisor Jared Geuss	AYE

Resolution duly adopted.

UPDATES

Summer Camp – this year’s Summer Camp at Ross Park will be organized and held by the Ulster County YMCA. For more information, visit our website and click the “Summer Camp” icon on our homepage.

Hiring Seasonal Employees – to assist in the Town Parks, Buildings & Grounds Department beginning April 26th. Email applications to outreach@esopus.com with the subject line “Parks Application”. For more information, visit our website.

Sketch plan 289 Broadway - housing proposal from Wright architect, LLC will be reviewed at the April 15, 2021 meeting

MISCELLANEOUS:

Town Clerk Holly Netter asked the Board for their thoughts on an application she received in her office for the use of the Community Center on May 22 for the purpose of a craft fair. The event would be limited and be controlled to allow no more than 50 people including vendors and guests at any given time. COVID protocols will be in place including masks, hand sanitizer, social distancing, temperatures and contract tracing. The Board gave approval.

ADJOURNMENT

A MOTION WAS MADE BY SUPERVISOR GEUSS TO ADJOURN THE MEETING AT 10:24 PM. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively submitted,

Holly A. Netter
Town Clerk, RMC