

**TOWN BOARD WORKSHOP MEETING
June 4, 2019**

A regularly scheduled Town Board Workshop Meeting was held on Tuesday, June 4, 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.

PLEDGE

PUBLIC COMMENT – None

UPDATES

1. **New NYS Election Law** – NY Election law Section 3-110 has been amended to allow employees time off to vote on Election Day if unable to do so outside of working hours. Arrangements need to be made 2 days prior to the election through the payroll officer to arrange the benefit.
2. **Quarterly Sales Tax and Mortgage Tax** – Sales Tax for the first quarter of 2019 was \$39,123.24 which is \$649.35 more than last year. Mortgage tax was \$66,989.25 which was from Oct 2018 - March 2019; down \$3,793.45 from last year.
3. **Water Infrastructure** – Judge Gilpatrick has been assigned the case for the Eminent Domain proceedings for the water storage tank. The notice was published for 10 consecutive days in the Daily Freeman as required. The Affidavit posting was mailed 5/30 but we still have not received it.
4. **Lakeshore Villas** – Response from E&M Management regarding the Town's request for emergency plans. Work is progressing and all tenants have returned to their homes.
5. **Esopus Passport Day** – Ulster County Clerk's office to come to Town Hall June 6th from 5:30-7:30 PM to help residents apply and renew their passports. Town Clerk Holly Netter and Deputy Erin McNierney will assist Nina and her staff.

6. **Dyno Nobel / DEC Clean Up meetings and notice** – Upcoming Public Workshops on June 27th (2-4 PM and 6-8 PM) and July 18th (2-4 PM and 6-8 PM) at Esopus Town Hall. Supervisor Harris shared her draft letter to the residents regarding the upcoming sessions. The Board suggested Supervisor Harris revise her letter and try to keep it to one page so people would be more likely to read it.
7. **Esopus Riverfront Access and Connections Project** – Recreation, outdoor, marinas and waterfront property stakeholder focus groups will meet on June 5th to discuss what should be incorporated in the DEC Hudson River Estuary Public Access grant.

AGENDA ITEMS

CLAY ROAD STORMWATER CONCERNS

Jeffrey Hogan, attended the meeting with property owner Mr. Ruggieri to discuss a project which is before the Planning Board for a subdivision of 7 homes on 7.5 acres off of Clay Road. The Planning Board suggested they come before the Board to see which option on how to handle the storm water drainage the Town would like them to proceed with. Jeff Hogan gave each Board member maps showing the existing conditions and utility plan with the proposed storm water management area and subdivision map indicating the 7 lots. He said they have done a drainage study and have designed the development in such a way that the amount of stormwater remains equal to the current conditions by the use of the detention pond. A detention pond is a low lying area that is designed to temporarily hold a set amount of water while slowly draining to another location.

The long term maintenance of the storm water detention pond can be structured in three different ways. The Planning Board suggested option one where the detention area would be dedicated to the Town and the Town would own it and be responsible. Option two would form a storm water district where the property would be maintained by the Town and the cost charged to the district on their taxes to recoup their expenses. Option three which is the owner's preference, would have the detention area be mapped to either parcel #6 or #7 and shown on the map as an easement instead of a separate lot. The owner of the lot would be responsible for the maintenance. A sample of a Stormwater Control Facility Maintenance Agreement was shared from the Town of Bolton to give the Board an idea of arrangements that can be made for the long term maintenance and continuation of the storm water control measures. This agreement would be between the Town and one owner.

Councilperson Van Vliet said she was not in favor of the Town maintaining the property. The Property owners prefer to keep it as part of one of the lots, either number 6 or 7 and the owners of that lot would be responsible for maintaining it and contract with the Town. Mr. Ruggieri mentioned it most likely will be his daughters' lot that would be the one in which the detention pond would be located on. Councilperson Farrell said he would like the

maps to be shared with Tighe and Bond who are currently working on the storm water issues in the Town. All members of the Board want to encourage the development in the area but want to ensure it will not compound the existing storm water issues in that area.

Tighe and Bond will be given the maps and the sample agreement will be shared with our attorney to see which option is in the best interest of the Town.

SLEIGHTSBURGH SPIT

Supervisor Harris shared the new proposed signage for Sleightsburgh Park which is tentatively scheduled to go into effect on July 1st. The signs indicate the new rules and operating hours.

PEDESTRIAN SAFETY

The issue of lowering the maximum speed limit on Town roads in thickly settled neighborhoods to curb speeding and ensure pedestrian safety was discussed. Although they are Town roads, Ulster County and the State DOT have to approve it. Bowne and Salem Streets will definitely be looked at. The Outreach Coordinator will put a social media campaign online to get residents' input on other streets that may require a change.

PROPOSED CHANGES TO TOWN CODE

Displaced Residents

The Town Board had a discussion about revising Town Code for multifamily dwellings that would require landlords to provide emergency accommodations for displaced residents impacted by negligence and maintenance failures. New Paltz currently has a code in place dealing with this subject. Supervisor Harris will talk to the Town and the Red Cross and look into any liability issues that may need to be addressed.

Currently all displaced residents of Lake Shore Villas are back in their homes.

Fines for illegal dumping

Fines for illegal dumping (Chapter 98) in Town are now at \$250. Supervisor Harris proposed raising the fine to \$500. An amendment to local law 85-5 will need to be drafted. This is currently the maximum that can be charged to have the charge remain a misdemeanor.

Faster due process

Code Enforcement Officer Salvatore Morello and Supervisor Harris are recommending revisions to Town Code 123-26 B (2) to expedite compliance with building codes and have

faster due process in court. Supervisor Shannon Harris and Building Inspector Salvatore Morello will work with Attorney Kyle Barnett to make sure Sal has the authority to expedite matters and rectify matters more expeditiously.

Land use table – The Town Planner and the Planning Board suggest revisions to the land use table regarding special permits for events. The Board agreed there needed to be updates made to the table prior to waiting for all of the zoning updates from the Comprehensive Plan. The table needs to address wedding venues. They will use the Towns of Coxsackie and Rhinebeck as models while ensuring that the changes will not have any negative impact on existing businesses.

Tourism Kiosks

Ulster County will provide two free kiosks which are 9 feet high and 4 feet wide for the purpose of displaying local business brochures, travel guides, tourism information, accommodations and regional promotional materials. Approval from the MHVFCU to place one kiosk near the Gazebo has been granted. The second location was recommended for the Hamlet of Esopus near/at the Dollar General site. Perrine’s Bridge in Rifton is an alternative location.

TOWN OF ESOPUS RESOLUTION
TO PROVIDE SEQRA NOTICE OF INTENT TO SERVE AS
LEAD AGENCY FOR THE ADOPTION OF THE
TOWN OF ESOPUS COMPREHENSIVE PLAN

Be it Resolved, by the Town Board of the Town of Esopus, in the County of Ulster, State of New York the following:

Whereas, the Town of Esopus Town Board has identified the need to review and update their existing 1994 Comprehensive Plan to properly plan for growth and development in Town;

And whereas, the Town Board assigned the task of reviewing and updating the 1994 Plan to the Town of Esopus Comprehensive Plan Committee (CPC);

And whereas, the CPC has drafted an updated Comprehensive Plan with the assistance of planning consultant, Laberge Group, Albany, New York, and has solicited input from the community via two surveys, open house events, workshops, stakeholder meetings and public hearings pursuant to Town Law 272-a;

And whereas, the CPC has submitted the Draft Comprehensive Plan dated May 21, 2019 to the Town Board of the Town of Esopus for their consideration;

And whereas, the Town Board is initiating the adoption process per Town Law 272-a;

And whereas, adoption of the Draft Comprehensive Plan (the "Proposed Action") pursuant to Town Law 272-a has been determined to be a Type I Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617.4;

And whereas, the Proposed Action will not require permits and approvals from any other local, regional or state agency prior to adoption of the Draft Comprehensive Plan and a coordinated SEQRA review is not required;

And whereas, the Ulster County Planning Board is required to review the draft plan and this review is considered an advisory opinion under SEQRA and the agency is not considered eligible for lead agency status in this action.

THEREFORE, BE IT RESOLVED, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, the Town of Esopus Town Board concludes that it is the appropriate agency to serve as, and declares itself Lead Agency for the environmental review of the Proposed Action;

AND RESOLVED, that the Town of Esopus Town Board hereby directs Laberge Group to prepare the Full Environmental Assessment Form (EAF) pursuant to the requirements set forth in SEQRA 6 NYCRR Part 617;

AND RESOLVED, that this resolution shall take effect immediately.

RESOLUTION OFFERED BY: COUNCILPERSON JARED GEUSS
SECONDED BY: COUNCILPERSON KATHIE QUICK

Councilperson Gloria Van Vliet	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

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

SET PUBLIC HEARING DATE (COMPREHENSIVE PLAN DRAFT 5/21/19)

A MOTION WAS MADE BY SUPERVISOR HARRIS TO SET THE PUBLIC HEARING FOR THE COMPREHENSIVE PLAN DRAFT DATE OF MAY 21, 2019 ON JUNE 18, 2019 AT 7:30 PM AT 284 BROADWAY PORT EWEN, NY. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Town Clerk Holly Netter to post the Public Hearing Notice in the Daily Freeman.

**TOWN OF ESOPUS
RESOLUTION OF SUPPORT
FOR THE JOHN BURROUGHS BLACK CREEK TRAIL PROJECT
Consolidated Funding Application**

WHEREAS, The Scenic Hudson Land Trust, Inc. (Scenic Hudson), in partnership with the John Burroughs Association and the Town of Lloyd, is preparing a New York State Consolidated Funding Application (CFA) to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund (EPF) and the Recreational Trail Program (RTP) for the John Burroughs Black Creek Trail Project, part of which is to be located along the Black Creek between the Town Boundary and the Hudson River, a site located within the territorial jurisdiction of this Board; and

WHEREAS, the Town of Lloyd unanimously passed a Resolution of Support for the John Burroughs Black Creek Trail Plan on April 26th, 2017; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located"; and

NOW, THEREFORE, be it resolved by this august body that the Town of Esopus Board hereby does approve and endorse the application of Scenic Hudson, in partnership with the John Burroughs Association and the Town of Lloyd, for a CFA grant from the Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund (EPF) and the Recreational Trail Program (RTP) for a park and trails project known as John Burroughs Black Creek Trail Project and located within this community.

RESOLUTION OFFERED BY: COUNCILPERSON GLORIA VAN VLIET

SECONDED BY: COUNCILPERSON KATHIE QUICK

Councilperson Gloria Van Vliet	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

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

MISCELLANEOUS

Supervisor Harris said she would not be available for the July 9th meeting, Deputy Supervisor Kathy Quick will run the meeting.

EXECUTIVE SESSION

A MOTION WAS MADE AT 8:55 PM BY COUNCILPERSON GLORIA VAN VLIET TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PARTICULAR EMPLOYEE'S EMPLOYMENT HISTORY. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION AT 9:40 PM BY COUNCILPERSON CHRIS FARRELL. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ACTION: POSITION FOR A CUSTODIAL WORKER WILL BE POSTED.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 9:42 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively submitted,

Holly A. Netter
Town Clerk, RMC