

**TOWN BOARD MEETING  
April 23, 2019**

A regularly scheduled Town Board Meeting was held on Tuesday, April 23, 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 7:30 PM.**

**PLEDGE**

**PUBLIC COMMENT**

**Susan Van Vliet**, Sleightsburgh resident provided a public opinion petition requesting specific operational hours for the Sleightsburgh Spit from 6 am – 9 pm. The reasons given for the request were to avoid damage to personal property, language, dumping of garbage, launching of oversize boats, illegal fires, nightlife and illicit activities. Susan has volunteered to open and lock the gate.

**Trish Milligan**, 35 North Broadway agreed traffic was an issue and is a dangerous situation. The speed limit is too fast for the narrow streets; she is concerned with children playing and dog walkers. She said drugs are being sold in the spit area and they place a car on the top of the hill to look out for the cops so they can call them to clear out before police can arrive.

**Sharron Jones**, 18 North Broadway expressed her concerns. Park sign says park is open sun up to sun down. She said she has called the sheriff's and there response was don't call us call Town Hall and they can call the State Troopers. She said bonfires have been built on top of the gas lines. Boats 25 ' - 30' long are launching from the spit and are causing damage to property and wires. When asked by a Councilperson what is the maximum size that should be allowed, she responded 23' and under. Sharron suggests the Town change the rules and has also volunteered to open and lock the gate.

**Bob Santiago**, resident of Second Ave and Parsell Street for over 40 years. He also owns property on River Road. He agreed with the previous speakers and he can see the car lights at all hours going in and out of the spit. He has called the State Police several times regarding situations that the general public does not know about. He said the gate does not stop people from entering by waterway. He suggested joining forces with the Kingston Police and forces on

the water to jointly monitor the area. There are environmental issues as well because it is a sensitive area. Cooperation from law enforcement and a long term plan are needed to help this be successful.

**Patricia Lewis** – Parsell Street. She supports her neighbors and agrees the speed of the traffic is a safety concern. There are a lot of children under 10 in the neighborhood and the bus turnaround is right on North Broadway.

#### **UPDATES:**

**Master Plan – Hamlet of Esopus Community meeting** is scheduled for Wednesday April 24, 2019, at the request of numerous residents wanting to take a more proactive approach to planning the future of their hamlet. The meeting will be held at 7pm at the Esopus Fire House.

The **Rifton Community meeting** was well attended on April 8<sup>th</sup>. The community talked about concerns regarding illegal dumping, access to sturgeon pond, what to do with the Anna Devine School and whether there can be public access to the playground. Rifton residents would like to add to existing common ground to make a new one.

**DEC Estuary Water Access Grant** – On April 24 the Waterfront Advisory Board residents and our consultants will conduct site visits for properties to be included in the Hudson River access study.

#### **Old Rondout Creek Bridge – Don Kiernan**

Don Kiernan, Water Superintendent discussed the feasibility of reestablishing an emergency pipeline on the Rondout Creek Bridge. 2007 damage to the water plant from a storm, FEMA money was 1.7 million put a 4 inch emergency line to city of Kingston on the bridge sidewalk. A Civil Defense Pipe was borrowed from Queensbury and we were fortunate that we did not have to use it. We would have to design a pipe pump station hydraulic study to see if it would work. As the State DOT prepares to do major rehab to the Rondout Creek Bridge the Town contemplated putting pipe under the bridge to carry water in the case of an emergency. Supervisor Harris asked Don for his recommendation. Don said the cost is estimated to be 2 million dollars for the emergency pipe and is prohibitive at this time: may never be used. There is no guarantee without an extensive study that Kingston would be able to support the demand.

He said at some point it would be great to have a line going to Kingston. Perhaps in the future the Town could do a directional bore under the Rondout Creek, put a sewer line and hook to a large main that runs along the strand. There would also be a need for a pump station and chlorination station. The cost would fall solely on the Water district resident.

Kiernan said he predicts in the future there may be a Regional Water Authority between Kingston, Ulster and Port Ewen. Dutchess County has already done this. Storage Tank Eminent

Domain waiting period has almost ended and the new tank project can move forward and will be completed by next year.

**DEC/Dyno Nobel Meeting** – The meeting held in Albany on April 3<sup>rd</sup> was successful. Supervisor Harris said they were able to persuade DEC to hold 2 Public Availability meetings; dates to be determined. On May 13 at 2 pm there will be a strategy meeting with the DEC to figure out how to structure and confirm the dates for the Public Availability sessions in June and July. Former Dyno Nobel employees and residents will be invited to share history about the property. Dyno Nobel will also be invited. June 27 and July 18 are tentative dates for the Public Availability sessions.

**State DOT.** A resolution was sent to the State to do several traffic studies and the State is working on them. They will also be addressing the dead trees that were planted on the 9W corridor as well as re-milling crosswalks this year. Supervisor Harris asked for assistance working on pedestrian safety on the crosswalks. Images were sent of best practices from other towns and asked if they could deploy the tactics in our area.

**Stormwater** Tighe & Bond are planning site visits to approximately 40 residences who registered their property for consideration as a priority for the drainage study.

### **Surveillance Roemer Wallens**

In response to an article that ran in the Daily Freeman, Supervisor Harris got a written opinion from the Roemer Wallens Gold & Mineaux, LLP on the legality of the installation of the surveillance equipment in certain areas.

The Town of Esopus is installing video cameras in four locations in the Town. The locations are: (1) at the Town's Transfer Station at a cashier location staffed by non Town employees;(2) the park entrance at the Sleightsburgh Park;(3) the public pavilion at Ross and Freer Beach parks where illicit drug activity has been known to occur. All of these areas are accessible to the public and are not work stations of unionized employees. The intended purpose of the video cameras is to provide safety and security and to ward off drug or other illegal activity.

The question raised by the Town's installation of video cameras is two-fold: First, whether the installation violates a persons' reasonable expectation of privacy under the Fourth Amendment of the United States Constitution or the law. Second, whether the installation of video cameras must be negotiated with the unions representing unionized Town employees.

Short answer: Video recording in public is not prohibited by law or the U.S. Constitution. Park entrances and pavilions are not areas that prohibit video cameras such as restrooms, locker rooms showers, fitting rooms or areas designated for employees to change their clothes.

The Transfer Station location is an open workspace as this is the office where receipts are taken in and is accessible to the public.

## **PARKS**

Supervisor Harris said throughout the Comprehensive Study the public voiced their concerns regarding the parks being ADA accessible. They want the parks to present well to the public and safe for the children. Supervisor Harris talked to other Town Supervisors who have put in Recreation Centers for their youth and major improvements to their parks. In order to receive a grant for the improvements to the park it needs to tie into economic growth/tourism. The Parks could be designed as destinations and connect with venues we already have in Town. The Town needs to explore the possibility of a major grant around the parks. Supervisor Harris said she has been warned that typically you are turned down the first year you submit, but are successful the second year. Councilperson Geuss said we have a decent advantage since we have incorporated the parks into the Comprehensive Plan of the Town and gained public input. An internal comp plan is already being developed with the head of Building and Grounds/Park and Recreation. The grants could also focus on water access points such as Freer Park and Sleightsburgh Spit. Roxanne Pecora, who sits on the County Planning Board, said the County was impressed with the Town and noted they were unique in incorporating the parks in the Comprehensive Plan.

**Jim Banks**, Facility Director of the YMCA gave handouts to the Board on the Y camps. He said they can help build on a great program; “we are not trying to take away from the Town program but to add to it”. The Y has a lot of resources available such as extended hours, financial aid, fundraisers, scholarships for those who can’t afford it, busing and classrooms. Programs can be tailored to the Towns desires. The program has been implemented at New Paltz and people are happy about it. Good community outreach program. Questions such as, will it create new jobs?, What would happen to current staff? and the comment of Bigger is not always better was also made. Lori Nordstrom, YMCA Camp Director, will attend the workshop on May 7<sup>th</sup> to answer questions from the Board.

## **Victoria Van Wagenen – Rieker Park, Connelly**

Victoria Van Wagenen plans to refurbish Rieker Park in Connelly as her Girl Scouts Gold Award Project. She will get donations and hopes to make a new sign, flag pole and little flower box for the Park. She plans on involving the Connelly community to see if they will sponsor picnic tables to honor loved ones and a plaque with their family name will be secured to the table. She will have fellow scouts and local people help bring the project together. When it is complete she will hold an opening ceremony and have a field day where everyone can attend. Victoria will need to submit a site plan with samples of the signs and get approved by the Town Board prior to the work beginning.

**Sleightsburgh Spit**

Many of the residents from the Sleightsburgh Park area made public comments earlier in the evening. Some safety measures are already being taken; security cameras are being installed. A meeting between the Town and all law enforcement agencies including Urgent, State and Sheriff Offices will need to be arranged. The Town needs to find out what wording should be used on the signs to allow them to enforce the rules. Councilperson Chris Farrell was not sure if locking the spit at 9 would limit boaters. Councilperson Chris Farrell also questioned why law enforcement is not taking action on the issue. Other Supervisors and Board members have also tried dealing with the issues and have been equally frustrated. Police cooperation is needed. Councilperson Farrell offered to sit in on the Law Enforcement meeting with Supervisor Harris.

**Zoning – Nichols**

Property owner Nina Nichols bought a home in Connelly to refurbish. The home has been on the property since the 1800's. A lot line adjustment is needed because the home is 9 inches over the line; 19.77 square feet.

**A MOTION WAS MADE BY CHRIS FARRELL TO AUTHORIZE A LOT LINE ADJUSTMENT OF 19.77 SQ. FT TO THE NICHOLS AT THE EXPENSE OF THE OWNER AND WAIVE THE PLANNING BOARD FEE FOR THE LOT LINE ADJUSTMENT. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**BUDGET ADJUSTMENTS**

**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 budget adjustments and the adjustments have been examined and approved by the Town Board.

**Therefore, Be It Resolved,** that the following budget adjustments be approved for payment:

**BUDGET ADJUSTMENT FOR APRIL 2019**

<b>AO. 0599.000 Fund Balance To</b>	<b>AO 1220.200</b>	<b>\$ 883.48</b>
	<b>Supervisor Equipment - Computer</b>	
	<b>AO.1620.436</b>	<b>\$ 53.00</b>
	<b>Peak Power Generator</b>	
	<b>AO 3311.400</b>	<b>\$ 40.00</b>
	<b>Kingston Creative Signs</b>	

**A MOTION WAS MADE TO APPROVE THE BUDGET ADJUSTMENTS.**

**OFFERED BY:** Councilperson Chris Farrell  
**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.**

**RESOLUTION AUTHORIZING PAYMENT OF BILLS APRIL 2019**

**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:

<b>GENERAL FUND</b>	<b>191148 - 191212</b>	<b>\$ 61,097.78</b>
<b>HIGHWAY FUND</b>	<b>192068 - 192106</b>	<b>\$ 95,411.10</b>
<b>STREET LIGHTS</b>	<b>196002</b>	<b>\$ 5,277.48</b>
<b>PORT EWEN SEWER FUND</b>	<b>193033 – 193053</b>	<b>\$ 126,445.36</b>
<b>PORT EWEN WATER FUND</b>	<b>194066 - 194097</b>	<b>\$ 62,785.15</b>
<b>Capital</b>	<b>000018 - 000020</b>	<b>\$ 9,374.21</b>
<b>TOTAL</b>		<b>\$ 360,391.08</b>

**A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.**

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

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.**

**EXECUTIVE SESSION**

**A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK TO ENTER INTO EXECUTIVE SESSION AT 8:50 PM FOR THE PURPOSE OF DISCUSSING THE EMPLOYMENT HISTORY OF PARTICULAR INDIVIDUALS. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GUESS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**A MOTION TO COME OUT OF EXECUTIVE SESSION WAS MADE BY COUNCILPERSON CHRIS FARRELL AT 9:22 PM. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**ACTION:**

**A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPOINT PATTY SMITH FULL TIME ASSESSMENT FIELD WORKER AT A RATE OF \$15.50/HR AND KRISTIN MCDERMOTT AS PART TIME ASSESSMENT FIELD WORKER 21 HOURS PER WEEK AT HER PREVIOUS HOURLY RATE. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

**ADJOURNMENT**

**A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ADJOURN THE MEETING AT 9:22 PM AND WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Respectively Submitted,

Holly A. Netter  
Town Clerk, RMC