

**TOWN OF ESOPUS
TOWN BOARD MEETING
June 20, 2024, 7:00 PM**

A regularly scheduled Town Board Meeting was held on June 20, 2024 in person at 1 Town Hall Way, Ulster Park. Meeting. The following persons in attendance:

**Councilman Laura Robinson
Councilman Evelyn Clarke
Councilman Kathie Quick
Councilman Jared Guess
Supervisor Danielle Freer**

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

4 WAYS TO GIVE PUBLIC COMMENT:

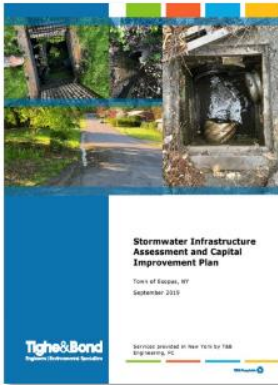
- 1.) **In-Person – Attend the Workshop**
- 2.) **Phone in: Leave voicemail on 845 331 0676 prior to the meeting**
- 3.) **EMAIL – lreynolds@esopus.com with the subject line “Public Comment”**
- 4.) **MAIL – mail written comments to:
*Town of Esopus, P.O. Box 700
Port Ewen, NY 12466***

Supervisor Danielle Freer called the meeting to order at 7pm.

PLEDGE TO THE FLAG

UPDATE: PLANTASIA CREEK / MILLBROOK FLOOD MITIGATION UPDATE

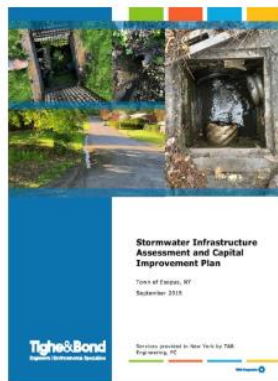
Given recent concern around the stream clean-up work in connection to the Community Update release by the DEC regarding the delayed Hercules Inc./Dyno-Nobel Site, the Town Board wanted to provide the public with an outline of what has occurred and what next steps will be. Former Supervisor Shannon Harris – who played an integral role in both the facilitating clean-up conversations with Hercules Inc./ Dyno Nobel and, separately, in the development of the Town’s Stormwater Infrastructure Assessment and Capital Improvement Plan developed in 2019 – was in attendance to present the following presentation.



Flood control work

- Engineering survey of flood zones in 2018-2019
- Flooding hydraulic analysis of over 54 sites
- Completed 10-year flood control plan w/ annual budget
- Professional engineering recommendations based on hundreds of interviews with impacted residents, Town officers, and Town environmental board
- More than five (5) public meetings + to gather feedback from the public and Town environmental board
- Scheduled implementation of repairs through 2029

1



Why necessary?

- Esopus is an MS4 community (See: The DEC oversees communities who encompass designated areas which are part of the “Municipal Separate Storm Sewer Systems (MS4s),” which Esopus is part of)
- Town has a legal obligation and responsibility to prevent flooding pollution (See: Town Code Chapter 106 Stormwater Management and Erosion and Sediment Control, Article II Stormwater Control)
- Flood pollution includes litter, construction chemicals, construction debris
- Flooding impacts residents, prevents emergency access, damages property if not managed

2

Families who were flooded provided input into plan

Section 3 Flooding Capacity Analyses

Tighe+Bond

3.6 Lindorf Street Capacity Analyses

The Lindorf Street area of the stormwater system consists of the watershed that contributes stormwater to the piped drainage system on Lindorf Street. Runoff from properties on Lindorf and Rogers Streets is collected in a piped drainage system on Lindorf Street and is conveyed to a discharge point on Mountain View Avenue that feeds into a naturally formed stream. The existing drainage system runs through multiple private properties. A drainage easement exists for the installed portions of the existing drainage system on private property. Figure 3-4 shows the extent of the portion of the stormwater system for which the capacity analysis was performed.



Figure 3-4 Lindorf Street Modeling Extent

Section 3 Flooding Capacity Analyses

Tighe+Bond



Figure 3-5 Clay Road Modeling Extent

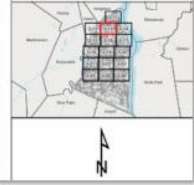


ESOPUS STORMWATER SYSTEM INVENTORY AND EVALUATION

LEGEND

- ▲ Outfall
- Drainage Manhole
- Catch Basin
- NYSDOT Catch Basin
- Roadway Culvert
- Driveway Culvert
- Swale
- Drain Pipe
- NAACC Culvert
- Waterbodies
- Watercourse
- Parcel Boundary

LOCUS MAP



3

Flooding conditions – Robert Graves parking area

Also Highway Dept route which is needed for emergency access during storms



4

Flooding conditions – North

Residents backyards



5

Flooding conditions – South

Residents backyards



6

----- Forwarded Message -----
 From: Drumm, Brian R (DEC) <brian.drumm@dec.ny.gov>
 To: 'esopushhighway@aol.com' <esopushhighway@aol.com>
 Sent: Thursday, June 29, 2023 at 11:51:06 AM EDT
 Subject: Clay/Mountain View Roads

“The stream has an overaccumulation of brush and debris is a Class “C” so a stream disturbance permit is not required at this location.” - Brian Drumm, the DEC

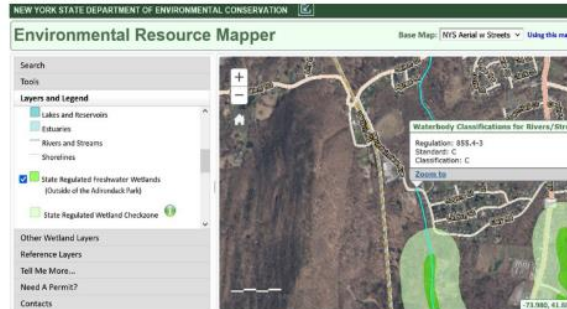
To: Mike Cafaldo

I attached a screenshot of the location we discussed at Clay and Mountain View Roads. The stream that has an overaccumulation of brush and debris is Class “C” so a stream disturbance permit is not required at this location. I didn’t think to check when we were on the phone but please be aware that there is a state regulated wetland to the South of Clay Road. The checkzone extends to about Clay Road. If you are down south of Clay Road and the soil is wet then that is probably regulated wetland.

Generally removing woody debris and trash for a stream with equipment staged adjacent to the stream reaching in or people with chainsaws in the stream does not require a permit even for streams that are jurisdictional. The link below will bring you to information on ‘Woody Debris Removal’.

<https://www.dec.ny.gov/lands/92418.html>

Brian Drumm
 Biologist II
 Bureau of Ecosystem Health
 NYSDEC Region 3
 21 South Putt Corners Road
 New Paltz, NY 12561
 845-256-3091
brian.drumm@dec.ny.gov



“Removing woody debris and trash for a stream with equipment staged adjacent to the stream reaching in or people with chainsaws in the stream does not require a permit even for streams that are jurisdictional.” - DEC

7

Timeline

2023

June 20-29 – Town consults with DEC to request permit and brief DEC on scope of work related to flood control
June 29 – DEC confirms no permits were needed, clears the Town to do work. DEC representative does NOT provide any info to the Town about sampling

2024

March 7 – Flood control work discussed and approved at Town Board workshop with Highway Department

April 15 – Work begins in this area

May 2 – Internal discussions about erosion control and rehabilitation begin (UC DPW hydroseeder, Highway quotes, Tree & Plant Taskforce visit)

May 17 – Riverkeeper wrote email to DEC but Town never received email due to incorrect address

May 21 – [DEC email](#) to town, asked for erosion control measures to be taken

May 22 – DEC site visit, first mention of sampling by DEC

May 24 – All erosion control measures in place by EOD

June 6 – Town Board Workshop: Public comment RE: Riverkeeper email

June 7 – FOIL received, first time Town learned of Riverkeeper email

June 14 – DEC issues [Community Update](#)

8



Our community relies on the DEC

- DEC has exclusive jurisdiction
- No public update since 2019 and 2020
- Reasonable basis to rely on DEC clearance
- No communication by DEC as to off-site sampling by Dyno-Nobel until AFTER town did flood control work
- New DEC update, 4 years later, “low level” off-site metals
- Town seeking environmental legal assessment. New language by DEC / DOH must be clarified, quantified, and explained to public and the Town
- **Bottomline:** Town has renewed demand for DEC to order Dyno Nobel to immediately clean up metals

PUBLIC COMMENT

Diane Dintruff Minturn St. Attended the 5/20/24 Greenway Advocacy Summit and encouraged /asked that the town board show support of those bills that will help with implementation and funding of Esopus’ Local Waterfront Revitalization Plan, such as Safety and Design Standards, Bicycle and Pedestrian Access on Bridges, Recreational Use Status through private property, and Power Line Trails, if they haven’t done so already. Some of the Bills have already gone through most of the legislative process and are close to becoming law. Others like the bill to treat bicyclists like pedestrians on trail crosswalks are just starting the process.

FYI...although I support 6 of the 7 bills, I personally do not support the crosswalk bill (A8272, S8210). There are currently too many blind spots where some of the trails cross public highways, and electric bikes can now travel close to 40mph. Electric bike status remains a confusing, grey area...man-powered or motorized/electric.

I provided similar comment at the 6/18/24 AgeWell meeting suggesting that comments be made that would improve trail design standards for seniors.

In the interest of time, Diane will stop by the Supervisors office tomorrow to discuss a few more items.

Mercedes Karabec – Poppletown Rd. mentioned her concerns of fire safety on Hudson Lane at prior meetings. She has attended several different meetings, and no board has been addressing the concern. She asked if fire safety was not important in the town. Supervisor Freer said she would bring it to the Planning Boards’ attention.

She also questioned construction vehicles traveling on Union Center Road at 10:30 at night.

Joann Mead asked for clarification of when the town was notified by DEC ** Supervisor Freer referenced the timeline on the presentation; May 21st the email from DEC was received regarding erosion control measures and DEC came to visit the site on May 22nd.

Steve Cerini – 257 Mountainview Ave.

Tonight, we heard concerns about public safety and health issues. He questions how many items we are not aware of in town. He asked if the parks which predate 1978, have been tested? Farmers markets where fruits and vegetables are being sold, are they grown in contaminated soil? Are they being tested to know if their soil is contaminated. There are a lot of issues we are not aware of until something happens.

Rob Hare, Carney Rd served as Planning Board member for 7 years and was also a board member of the Walkkill Valley Land Trust for 15 years. He recently became aware of the campground project proposed on Hudson Lane. Based on his knowledge he said they have at least 5 major issues that would prevent this project. He stated that any Board that he was on would have thrown it out. Meanwhile neighbors and applicants are spending money on lawyers. The Boards are going in circles. Somehow this has to be expedited. The situation does not help the town or applicant.

A MOTION WAS MADE BY SUPERVISOR FREER TO CLOSE THE PUBLIC COMMENT. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

CALL-TO-ACTION: EPA SERVICE LINE INVENTORY FOR PORT EWEN WATER DISTRICT

In 2021, the US EPA published revisions to the Lead and Copper Rule that are intended to better protect children and communities from lead exposure risks and support efforts to remove lead from drinking water. The revisions require all Public Water Systems to complete an inventory of all service lines connected to their distribution system and develop a Lead Service Line Replacement Plan. The inventory must include the pipe material and other information for both the system-owned and customer-owned portions of the service line between the water main and a structure. The Inventory and Replacement Plan must be submitted by October 16, 2024.

Between now and October 2024, Port Ewen Water District will be reviewing records, distributing a survey for customers to provide information on their service pipe near the water meter inside their home/business.

The Port Ewen Water District is committed to providing clean, safe drinking water to all customers and regularly conducts sampling for lead in accordance with all federal and state requirements. Information regarding lead in drinking water is provided in the Water Department's Annual Water Quality Report.

Councilman Jared Geuss reviewed a letter that will be sent out to residents in the Port Ewen Water District and asked everyone for their cooperation in completing the surveys. If anyone is unable to complete the online survey, a Water District staff member will assist anyone in need. Arrangements can be made through the Water Department 845 331-5900.

RESOLUTION TO ESTABLISH ESCROW FOR THE ZONING BOARD OF APPEALS

RESOLUTION

WHEREAS, Chapter 71 of the Town Code of the Town of Esopus is intended to make available to the Planning Board and Zoning Board of Appeals reasonable and necessary expertise and professional resources, in reviewing applications pending before said boards, including but not limited to engineering, land use planning, architecture, law, surveying, environmental and ecological concerns; and

WHEREAS, the Town previously approved a fee schedule on April 7, 2022, for applications which may be brought before the Zoning Board of Appeals, which fee schedule was originally created pursuant to Section 71-2 of the Town Code of the Town of Esopus; and

WHEREAS, the Town Board had made inquiry with the Town's Code Enforcement Officer and the Zoning Board of Appeals and has reviewed prior experiences with applications brought before the Zoning Board of Appeals to determine what reasonable and necessary consulting services may be anticipated based upon past experience; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Town of Esopus Code Chapter 71, the Town Board of the Town of Esopus establishes a fee schedule for interpretations, appeals and variances to be reviewed by the Zoning Board of Appeals as follows:

Every applicant bringing an appeal to the Zoning Board of Appeals for review of a decision or for an interpretation shall pay an initial sum of \$300 to the Town Clerk to defray the reasonable and necessary expenses referenced above. If the amount in escrow has been expended for necessary and reasonable expenses incurred in reviewing a particular application, and additional reasonable and necessary expenses are incurred by the Town in reviewing said appeal, including fees of consultants retained by the town to assist the ZBA in reviewing the application or appeal, the applicant shall replenish said escrow in an amount sufficient to reimburse the Town

**Zoning Board Application Fee Schedule
June 20, 2024**

TYPE	Fee Schedule
Residential	\$200
Commercial	\$300
Appeals	\$100 **If professional consultation is needed, ZBA may request an additional replenishable ESCROW of \$300
Public Hearing	\$200
Use Variance	Replenishable ESCROW of \$500

OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN JARED GEUSS

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN JARED GEUSS	AYE
SUPERVISOR DANIELLE FREER	AYE

Resolution duly adopted.

REAPPOINTMENT OF MARK ELLISON TO ULSTER COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

COUNCILMAN EVELYN CLARKE MADE A MOTION TO REAPPOINT MARK ELLISON TO THE ULSTER COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL TERM TO EXPIRE 6/30/25. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

MOTION FOR COURT CLERKS TO ATTEND THE ANNUAL NYS ASSOCIATION OF MAGISTRATES COURT CLERKS CONFERENCE

SUPERVISOR FREER MADE A MOTION FOR COURT CLERKS TO ATTEND THE ANNUAL NYS ASSOCIATION OF MAGISTRATES COURT CLERKS CONFERENCE SEPTEMBER 29, 2024 – OCTOBER 2, 2024. AT THE NIAGRA FALLS CONVENTION CENTER/SHERATON NIAGRA FALLS.

THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR: MOTION CARRIED.

ULSTER COUNTY "SAFE START TO SUMMER" TRAFFIC SAFETY CAMPAIGN

As mentioned in a prior meeting the Town is participating in the County's Safe Start to Summer Campaign. Flashing speed signs will be installed on 9W north and south bound. The program runs July 1 – July 14. The Sheriff's Department will be upping the enforcement to deter speeding. Also, our local Town speed sign will be moved around local roads that also share complaints of speeding.

MISCELLANEOUS / LIAISON LIGHTENING ROUND:

SUPERVISOR FREER:

Highway – Ulster County came through with a temporary bridge for Vali Road. Waiting to hear back to see if we get the Bridge New York Grant.

Rifton Post Office – No update has been given about the temporary relocation of the Rifton Post Office. However, Congressman Pat Ryan is helping with the matter and by the end of the month we hope to have an idea of what the reopening will look like.

UCDOH – The Town had an opportunity to obtain additional COVID test, masks and gloves from a grant that was received by Ulster County.

COUNCILMAN QUICK:

ZONING BOARD OF APPEALS

The ZBA met on Tuesday, June 18. This was an informational meeting. There are several items for the ZBA to consider. At the next meeting some of the items will be up for a public hearing. The next meeting will be on July 16.

WATERFRONT ADVISORY BOARD

There was not a meeting of the WAB in June because there are not any referrals, and they are still waiting to hear from the State to see if the new LWRP (Local Waterfront Revitalization Plan) has received approval.

ASSESSOR'S OFFICE

The Assessor's Office has been busy keeping up with new Building Permits and Certificates of Compliance.

TOWN OF ESOPUS SENIORS

The Esopus Seniors had one meeting in early June. The president of the Klyne Esopus Museum came to share information about the museum.

We had an Ice Cream Social on June 17 with help from several members of Maple Ridge Church Community and a few other volunteers.

The Seniors are going on a bus trip tomorrow, June 21 for a Luncheon at the Hunterdon Hills Playhouse in Hampton, NJ and to hear a tribute to "The Highwaymen" (Willie Nelson, Johnny Cash and Waylon Jennings". Our next meeting will be on July 1 at 1 PM in the TOE Community Center.

COUNCILMAN CLARKE:

EDC – Kevin Lynch, Director of Economic development for Ulster County and Supervisor Freer met and drove through the town to better understand what Esopus has to offer and keep us in mind for potential opportunities.

ENVIRONMENTAL BOARD- did not meet

COUNCILMAN ROBINSON:

Cas Landi Park update; Poles are set, paving tennis court to proper size, then the fence will be erected.

Movies in the Park will be held at Ross Park July 6th -Elemental and August 3 Kong Fu Panda 4

Councilman Jared Geuss:

The Water Department will be working on Salem and Broadway in the evening tonight. If anyone experiences discolored water, the quickest and best way to flush out lines is through the tub.

BUDGET ADJUSTMENTS AND VOUCHERS ** a special meeting was held 6/24/24 to approve the budget adjustments and vouchers that were inadvertently omitted at this meeting. The special meeting minutes can be found attached to the end of these minutes.

KEY UPCOMING DATES – VISIT OUR WEBSITE FOR MORE INFORMATION:

7.1 Senior Meeting at 1pm

7.4 Town Hall Closed (No Town Board Workshop): Fourth of July

7.6 Free Movie Night Ross Park at Dusk Elemental, free popcorn

7.9 Water & Sewer Board Meeting at 7pm

7.15 Senior Meeting at 1pm

7.15 Planning Board Meeting at 7:30pm

7.16 Zoning Board Meeting at 7pm

7.17 Environmental Board Meeting at 7pm

7.18 Next Town Board Meeting at 7pm

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY SUPERVISOR FREER AT 8:15 PM. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

*Respectively Submitted,
Holly A. Netter
Town Clerk, RMC*

**TOWN OF ESOPUS
TOWN BOARD SPECIAL MEETING
TO APPROVE BUDGET ADJUSTMENTS AND VOUCHERS THAT WERE
INADVERTENTLY OMITTED FROM THE TOWN BOARD MEETING HELD ON 6/21/24.**

June 24, 2024 10:00am

A Special Town Board Meeting was held 10:am on June 24, 2024 at the Town of Esopus Town Hall, 1 Town Hall Way, Ulster Park NY with the following persons in attendance:

**Councilman Laura Robinson – absent
Councilman Evelyn Clarke
Councilman Kathie Quick
Councilman Jared Guess - absent
Supervisor Danielle Freer**

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

SUPERVISOR FREER CALLED THE MEETING TO ORDER AT 10:04 AM

Special meeting was sent to the Daily Freeman, posted on the Town Website and noticed on the clerk’s official board.

BUDGET ADJUSTMENTS JUNE 2024

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:

AO.0599.000 Fund Balance	to	AO.7110.400	\$3071.47
		Eastern States Light Pole	

Offered by:	Supervisor Danielle Freer
Seconded by:	Councilman Kathie Quick

**Councilman Laura Robinson – absent
Councilman Evelyn Clarke - AYE
Councilman Kathie Quick- AYE
Councilman Jared Guess - absent
Supervisor Danielle Freer- AYE**

Resolution duly adopted.

RESOLUTION AUTHORIZING PAYMENT OF BILLS JUNE 2024

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:

GENERAL FUND	241195-241253	\$95,456.28
HIGHWAY FUND	242107-242131	\$34,148.70
STREETLIGHTS	246003	\$6,994.29
PORT EWEN SEWER FUND	243073-243097	\$42,780.87
PORT EWEN WATER	244076-244102	\$33,177.03
Capital Water	245014-245017	\$135,828.90
ARPA	247011-247013	\$10,124.75
Visa		
		\$358,510.82

Offered by:

Supervisor Danielle Freer

Secoded by:

Councilman Evelyn Clarke

Councilman Laura Robinson – absent

Councilman Evelyn Clarke - AYE

Councilman Kathie Quick- AYE

Councilman Jared Guess - absent

Supervisor Danielle Freer- AYE

Resolution duly adopted.

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY SUPERVISOR FREER AT 10:08 AM. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

*Respectively Submitted,
Holly A. Netter
Town Clerk, RMC*