

TOWN BOARD WORKSHOP
Tuesday OCTOBER 6, 2020 - 7 PM

A regularly scheduled Town Board Workshop Meeting was held on **OCTOBER 6, 2020** in the Town Hall, 1 Town Hall Way, Ulster Park, NY with the following persons in attendance:

Supervisor Shannon Harris
Councilperson Evelyn Clarke
Councilperson Jared Geuss
Councilperson Kathie Quick
Councilperson Chris Farrell

Matt Rogers- Laberge Group via phone

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

THIS MEETING WAS TELEVISED LIVE ON CHANNEL 23 PUBLIC ACCESS and LIVE-STREAMED ON "TOWN OF ESOPUS" FACEBOOK PAGE FOR PUBLIC COMMENT: call (845) 328-0483 to leave a voicemail or email outreach@esopus.com for assistance.

Supervisor Shannon Harris called the meeting to order at 7:12 pm.

PUBLIC COMMENT- A written letter from Sleightsburgh residents was sent to Supervisor Harris. Supervisor Harris said she would copy and distribute them to the Board members so it can adequately be reviewed. Supervisor Harris read a brief summary. The entire letter has been attached to the minutes as Addendum A for public record.

UPDATES

- 1.) Call for volunteers** – open positions on the Parks and Recreation Commission, Planning Board and Environmental Board. Please inquire to volunteer today!

- 2.) Public Hearing** – On Tuesday, 10/20 starting at 7 PM for Local Laws #5-11 with potential hearings for Local Laws #12-13 to immediately follow dependent on actions for Agenda Items 2a & 2b. To review the proposed laws, visit Esopus.com. Public comments can be written to outreach@esopus.com or left as voice messages by calling [\(845\) 328-0483](tel:8453280483).

- 3.) Floyd Ackert Bridge Closure** – Ulster County Bridge #195 located on Floyd Ackert Rd in Esopus will be closed until further notice for repairs. Use Old Post Road eastbound to Rt. 9W for detours.

4.) **Old Suspension Bridge Closure** – the suspension bridge connecting N. Broadway in Port Ewen and Abeel St. in Kingston will be closed until further notice for repairs. Use Rt. 9W north into Kingston for detours.

5.) **HALLOWEEN**

A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK TO SET THE HALLOWEEN CURFEW AT 7 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. MOTION CARRIED WITH A VOTE OF 4 AYE (COUNCILPERSONS FARRELL, GEUSS, QUICK & CLARKE), 1 NO (SUPERVISOR HARRIS).

6.) **Riverkeeper** – The 9th Annual Riverkeeper Sweep will take place October 17 at Lighthouse Park/Esopus Meadows preserve 10 am – 12pm and George Freer Park from 10 am – 1 pm.

7.) **Veterans Day** - the American Legion will hold a Veteran’s Day service at the Veteran’s Monument at Town Hall on November 11th at 11 am.

2021 BUDGET PUBLIC HEARING

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO SET THE PUBLIC HEARING DATE FOR THE 2021 BUDGET ON OCTOBER 20 AT 6:45 PM. THE MOTION WAS SECONDED BY COUNCILPERSON QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

LOCAL LAWS 12 & 13 OF 2020

The proposed laws can be summarized as follows:

- a. **Zoning** – Amending Town Code §123-61 ‘Zoning’ to add a definition for Motor Freight Terminals
- b. **Zoning** – Amending Town Code §123 Attachment 1 ‘Schedule of Permitted Uses’ to add Motor Freight Terminal as a permitted use in GC/LI and HI subject to a special use permit.

The addition of the use “Motor Freight Transportation” to the Schedule of Permitted Uses is necessary to continue allowing trucking and related uses. The current Schedule of Permitted Uses includes the term “Motor Freight Transportation and Warehousing (42),” a combination of warehousing and trucking uses. This use is proposed to be removed from the Schedule of Permitted Uses in its entirety as part of a separate local law to allow the Town to regulate self-storage warehousing, separate from trucking and larger warehousing uses.

RESOLUTION OF INTRODUCTION

Supervisor Shannon Harris , seconded by **Councilperson Chris Farrell**, introduced the following proposed local law, to be known as **Local Law No. 12** of 2020, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-61, "TERMS DEFINED".

BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. Section 123-61 of Chapter 123 of the Esopus Town Code is amended to add a new definition reading as follows:

MOTOR FREIGHT TERMINAL

A building or area used for the receipt, transfer, short-term storage, and dispatching of goods transported by trucks, and may include the servicing of trucks associated with the terminal. Shall also include buildings or areas where trucks are parked or located for any period of time as a base of operation, regardless of whether said vehicles are serviced or maintained at the site, and regardless of whether loading, transferring or other shipping activities are carried on at the site. For the purposes of this chapter, Motor Freight Terminal shall not include the use of tractor trailers or similar containers for storage purposes, unless said storage is directly associated with a legally operating Motor Freight Terminal use.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and Part 617 of Title 6 of the Official Compilation of Codes, Rules, and Regulations of New York (State Environmental Quality

Review Act) (“SEQRA”), the Town Board, as lead agency has classified this Action as a Type I Action as defined under 6 NYCRR §617.4(b)(2); and

WHEREAS, pursuant to General Municipal Law §239-m and Esopus Town Code §123-51, the matter must be referred to the Ulster County Planning Board and to the Town of Esopus Planning Board for review and recommendation.

Supervisor Harris advised the Town Board that, pursuant to (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Section 123-51(A) and (B), it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. She offered the following resolution which was seconded by **Councilperson Chris Farrell**, who moved its adoption:

WHEREAS, on October 6, 2020, Supervisor Shannon Harris has introduced this local law for the Town of Esopus, to be known as “Town of Esopus **Local Law No.12** of the Year 2020, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, “ZONING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-61, “TERMS DEFINED”.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 1 Town Hall Way, Ulster Park, New York, on **October 20, 2020, at 7:30 o’clock p.m.**, (immediately following the public hearing of Local Law 11), Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 1 Town Hall Way, Ulster Park, New York on **October 20, 2020 at 7:30 o’clock, p.m.**, on **Local Law No. 12** of the Year 2020,(immediately following the public hearing of Local Law 11), A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, “ZONING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-61, TO INCLUDE THE DEFINITION OF MOTOR FREIGHT TERMINAL.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 1 Town Hall Way, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. by appointment and online at the Town of Esopus Website: <https://www.esopus.com/> on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to see and hear the meeting live and provide comments.

PLEASE TAKE FURTHER NOTICE THAT, given the global COVID-19 pandemic, and in accordance with the provisions of the Governor’s Executive Order 202.1, the Public Hearing meeting will be open to the public, but with very limited space and with special requirements (masks, social distancing, sign in and temperatures taken) for public attendance. The Town Board meeting, inclusive of this public hearing, will be accessible to the public through the media platform called Zoom. Members of the community can access the Town Board meeting through Zoom by going directly to the Zoom website (www.zoom.us) or application ("app") at the meeting start time, 7:00pm, and selecting JOIN A MEETING link then entering the Meeting ID# 829 9643 5946 and Password: 172320. Through Zoom members of the community will be able to participate in the Town Board meeting via computer. Members of the community may submit comments prior to 4:00pm on October 20th in the form of a voicemail message by calling (845) 328-0483, and by submitting written comments electronically to outreach@esopus.com. The meeting will be broadcast live on Public Access TV Channel 23 and Facebook. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

DATED: Ulster Park, New York
October 6, 2020

HOLLY A. NETTER, TOWN CLERK RMC

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

Councilperson Evelyn Clarke	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

DATED: Ulster Park, New York
October 6, 2020

HOLLY A. NETTER, TOWN CLERK, RMC

RESOLUTION OF INTRODUCTION

Supervisor Shannon Harris, seconded by Councilperson Jared Geuss, introduced the following proposed local law, to be known as **Local Law No. 13 of 2020**, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE BY AMENDING 123 ATTACHMENT 1, SCHEDULE OF PERMITTED USES OF SECTION 123-10 TO ADD USE REGULATIONS FOR MOTOR FREIGHT TERMINAL.

BE IT ENACTED by the Town Board of the Town of Esopus that the Town Code is amended to read as follows:

Section 1. 123 Attachment 1 of Section 123-10, Schedule of Permitted Uses of the Esopus Town Code is amended to add “Motor Freight Terminal” in the “use” column, and to insert symbol “●” in the column for GC, LI and HI.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and Part 617 of Title 6 of the Official Compilation of Codes, Rules, and Regulations of New York (State Environmental Quality Review Act) (“SEQRA”), the Town Board, as lead agency has classified this Action as a Type I Action as defined under 6 NYCRR §617.4(b)(2); and

WHEREAS, pursuant to General Municipal Law §239-m and Esopus Town Code §123-51, the matter must be referred to the Ulster County Planning Board and to the Town of Esopus Planning Board for review and recommendation.

Supervisor Harris advised the Town Board that, pursuant to (a) Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law; and (b) Town Code Section 123-51(A) and (B), it will be necessary to refer this Zoning Code amendment to the Town of Esopus Planning Board and the Ulster County Planning Board. She offered the following resolution which **was seconded by Councilperson Jared Geuss**, who moved its adoption:

WHEREAS, on October 6, 2020, Supervisor Shannon Harris has introduced this local law for the Town of Esopus, to be known as “Town of Esopus **Local Law No. 13** of the Year 2020, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE BY AMENDING 123 ATTACHMENT 1, SCHEDULE OF PERMITTED USES OF SECTION 123-10 TO ADD USE REGULATIONS FOR MOTOR FREIGHT TERMINAL.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 1 Town Hall Way, Ulster Park, New York, on **October 20, 2020, at 7:30 o’clock p.m.**, Prevailing Time, (immediately following the public hearing of Local Law 12) and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 1 Town Hall Way, Ulster Park, New York on **October 20, 2020 at 7:30 o’clock, p.m.** on **Local Law No.13** of the Year 2020, (immediately following the public hearing of Local Law 12) A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE BY AMENDING 123 ATTACHMENT 1, SCHEDULE OF PERMITTED USES OF SECTION 123-10 TO ADD USE REGULATIONS FOR MOTOR FREIGHT TERMINAL.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Esopus, at the Town Hall, 1 Town Hall Way, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. by appointment and online at the Town of Esopus Website: <https://www.esopus.com/> on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to see and hear the meeting live and provide comments.

PLEASE TAKE FURTHER NOTICE THAT, given the global COVID-19 pandemic, and in accordance with the provisions of the Governor’s Executive Order 202.1, the Public Hearing meeting will be open to the public, but with very limited space and with special requirements (masks, social distancing, sign in and temperatures taken) for public attendance. The Town Board meeting, inclusive of this public hearing, will be accessible to the public through the media platform called Zoom. Members of the community can access the Town Board meeting through Zoom by going directly to the Zoom website (www.zoom.us) or application ("app") at the meeting start time, 7:00pm, and selecting JOIN A MEETING link then entering the Meeting ID# 829 9643 5946 and Password: 172320. Through Zoom members of the community will be able to participate in the Town Board meeting via computer. Members of the community may submit comments prior to 4:00pm on October 20th in the form of a voicemail message by calling (845) 328-0483, and by submitting written comments electronically to outreach@esopus.com. The meeting will be broadcast live on Public Access TV Channel 23 and Facebook. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

DATED: Ulster Park, New York
October 6, 2020

HOLLY A. NETTER, TOWN CLERK, RMC

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

Councilperson Evelyn Clarke	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

DATED: Ulster Park, New York
October 6, 2020

HOLLY A. NETTER, TOWN CLERK, RMC

Building Department Fees

PROPOSED FEES FOR BUILDING DEPARTMENT

Application Fees: Non-refundable, due at submission

Residential: over 900 square feet	\$ 100.00
Commercial	\$ 200.00
All others	\$ 50.00

Permit Fees

<u>Residential</u> : including new construction, alterations, renovations, additions, decks, porches, and reconfigurations	\$ 0.75	per sq. ft.
<u>Commercial</u> and multiple-dwelling	\$ 1.00	per sq. ft.
All fuel-burning appliances (including tanks and generators)	\$ 100.00	Each
All electrical and plumbing	\$ 100.00	
HVAC including ductwork	\$ 50.00	per unit
Accessory structures ≥ 400 sq. ft.	\$ 0.50	per sq. ft.
Accessory uses and structures, pools, solar, fences, roofing, windows, doors, siding, and repairs	\$ 40.00	plus \$10.00 for every \$1000.00 of project cost
Blasting and logging	\$ 300.00	
Demolition	\$ 100.00	per story
Business Change of Occupancy or Use	\$ 150.00	
Abstract Report: <u>Residential</u>	\$ 150.00	
Abstract Report: <u>Commercial</u>	\$ 250.00	
Signs	\$ 50.00	
Septic systems replacement and repairs	\$ 100.00	
Renewals (maximum of 2)	\$	50% of original
<u>Manufactured Homes:</u>	Single-wide	\$ 150.00
	Double-wide	\$ 200.00

FEES ARE DOUBLE FOR WORK STARTED WITHOUT PERMITS

Operating Permits (Site Plan Inspection)	\$ 150.00
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Fire Inspection (per building)

0	to	2,500 sq. ft.	\$ 100.00
2,501	to	5,000 sq. ft.	\$ 150.00
5,001	to	10,000 sq. ft.	\$ 250.00
10,001	to	20,000 sq. ft.	\$ 400.00
20,001	to	50,000 sq. ft.	\$ 600.00
<u>Multiple Residential</u>			\$ 25.00 per unit

A MOTION WAS MADE BY COUNCILPERSON KATHIE QUICK TO ADOPT THE NEW PROPOSED BUILDING FEES EFFECTIVE 10-7-2020. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR, MOTION CARRIED.

WATER TANK IMPROVEMENTS – RESOLUTION authorizing final offers to Silver Realty, LLC for Parcel # 64.1-1-16 at \$2,500 and to Lakeshore Villas LG Associates, L.P. for Parcel #64.1-1-15 at \$1,500.

RESOLUTION

Supervisor Harris introduced the following resolution, which was seconded by Councilperson Kathie Quick, who moved its adoption:

WHEREAS, the Town requires easements over the lands of certain property owners in order to construct and maintain the water storage tank improvements for the Port Ewen Water District; and

WHEREAS, Town representatives have attempted to arrive at mutually acceptable terms for the various easements needed with the property owners; and

WHEREAS, Town representatives have been unsuccessful in their attempts to acquire easements from certain property owners; and

WHEREAS, it is necessary for the Town make a final offer to those property owners from which easements have not been obtained, pursuant to Sections 303 and 304 of the New York Eminent Domain Procedure Law; and

WHEREAS, if such final offer is not accepted by a property owner, then the Town shall take the necessary steps for condemnation relief under the New York Eminent Domain Procedure Law to obtain ownership of the easement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the following final offers to property owners within the Port Ewen Water District, in accordance with the appraisals prepared by Hudson Valley Appraisal Corporation, as follows:

To SILVER REALTY, LLC, Route 9W, Town of Esopus, County of Ulster, State of New York, more particularly described as Tax Map Identification Number: 64.1-1-16, – For the permanent easement a sum of TWO THOUSAND FIVE HUNDRED and 00/100 (\$2,500.00) dollars.

To LAKESHORE VILLAS LG ASSOCIATES, L.P., Waterside Garden Road, Town of Esopus, County of Ulster, State of New York, more particularly described as Tax Map Identification Number: 64.1-1-15 – For the permanent easement a sum of ONE THOUSAND FIVE HUNDRED and 00/100 (\$1,500.00) dollars.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes Town representatives to take the necessary steps for condemnation relief under the New York Eminent Domain Procedure

Law to obtain the required permanent easements and, if necessary, temporary construction easements from the aforesaid property owners.

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

Councilperson Evelyn Clarke	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

DATED: Ulster Park, New York
October 6, 2020

HOLLY A. NETTER, TOWN CLERK ,RMC

Resolution
Propane Bids
The Port Ewen Water/Sewer District

Whereas, The Port Ewen Water/Sewer District advertised and received bids for Propane to be supplied for a period of (1) one year, beginning October 1, 2020 and ending September 30, 2021.

Whereas, bids were received and opened at the office of the Town of Esopus Town Clerk, on September 28, 2020.

Whereas, the lowest bidder for Propane was Britt & Graff Propane and Oil, PO Box 1118, Port Ewen, NY 12466, at a price of \$ 0.92 per gallon.

Therefore, be it resolved that the Town of Esopus Town Board award the bid to Britt & Graff.

Resolution offered by: Councilman Jared Geuss
Seconded by: Councilman Kathie Quick

The Board was polled

Councilperson Evelyn Clarke	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

BUILDING DEPARTMENT – MUNICIPALITY 5 – Review and potential approval by the Town Board for purchase of an annual subscription to Municipality 5 for use by the Building and Planning/Zoning Departments.

A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO AUTHORIZE SUPERVISOR HARRIS TO SIGN THE SOFTWARE LICENSE AND SERVICE AGREEMENT WITH MUNICIPALITY 5 IN THE AMOUNT OF \$10,000 FOR THE FIRST YEAR AND \$6,000 2ND YEAR AND BEYOND. THE MOTION WAS SECONDED BY COUNCILPERSON EVELYN CLARKE. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE BY SUPERVISOR HARRIS TO PURCHASE THE ADDITIONAL EQUIPMENT FOR THE BUILDING DEPARTMENT TO MAXIMIZE THE MUNICIPALITY 5 SOFTWARE; PRINTER FOR CAR \$553.77, MONITORS \$580.92 (\$193.64 X 3) TOTAL \$ 1,134.69. THE MOTION WAS SECONDED BY COUNCILPERSON EVELYN CLARKE. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

HUDSON VALLEY APPRAISAL CORP

A MOTION WAS MADE BY SUPERVISOR HARRIS TO APPROVE PAYMENT IN THE AMOUNT OF \$4,400 TO HUDSON VALLEY APPRAISAL CORP. RELATING TO TOWN PROPERTY APPRAISALS FOR WATER TANK EASEMENT. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Supervisor Harris advised the Board she has received 7 applications for the Sole Assessor/Trainee position and she would keep the Board apprised of the progression.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILPERSON JARED GEUSS TO ADJOURN THE MEETING AT 8:04 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Respectively Submitted,

*Holly A. Netter
Town Clerk, RMC*

Addendum A- Public Comment Letter

To: Town of Esopus Town Board
Re: Waterfront Advisory Board Recommendations for Sleightsburgh Park Access
CC: Waterfront Advisory Board
From: Sleightsburgh Residents Association (SRA)

October 5th, 2020

Dear Town Board Members,

In response to the Waterfront Advisory Board's (WAB) recently published recommendations for Sleightsburgh Park Access (SPA) we, the Sleightsburgh Residents Association (SRA) having held a series of community meetings on the subject do hereby submit the brief below. We hope this document will be read into the record, in its entirety, at the next Town Board Meeting.

Executive Summary

The SRA held a series of community meetings to discuss the WAB recommendations as well as ongoing evolution of the issues discussed therein, their impact on the community, and means and methods to mitigate such in a manner as to accommodate all parties insofar as it is possible to do so. Representatives from both the Town and the Sheriff's department were invited to the last of these gatherings which was held on Saturday September 26th, 2020 at 6 pm. We were glad to welcome Sheriff Figueroa and Deputy Riley as well as Laura Petit. Unfortunately, no one from the Town Board was in attendance.

The Hamlet

It is important at this time to convey to the Town Board the changing fabric of this community and the changing needs this implies.

Over the last four years 10 properties and 3 land parcels have been purchased and have either been completely renovated or seen new homes erected on them. This represents roughly 24% of the community. Which is to say almost a quarter of the residents of the Hamlet have only recently arrived, and are now living, playing, and partaking of all that is available not only in Esopus and Kingston but also in the Hudson Valley in general. They are now also getting involved and bringing new perspectives on some old issues. We are a vibrant, close knit community and we count in our ranks blue and white-collar workers, artists and businessmen/women, as well as many new families with children and pets. Nearly 92% of the community contributed to, and agreed on, the itemized items in the sections below.

Waterfront Advisory Board Recommendations Response

1. On the subject of general recommendations:

- WAB proposes new stop signs be added at the corner of Third and North Broadway and First and North Broadway.
 - The SRA **agrees** with this recommendation.
- WAB proposes the addition of wayfinding signage to alleviate the number of park users that get lost.
 - The SRA **agrees** with this recommendation.
- WAB proposes additional signage to advise park users of boat size restriction, park hours, etc.
 - The SRA **agrees with the caveat** that:
 - Verbiage must be added to give police and other enforcement agencies the authority to intervene. This was a critical point made by the representatives of the Sheriff's department. Consider adding "*Violators will be prosecuted*" for example.
 - Signage wording must be consistent on ALL signs. As it stands there are inconsistencies which leads to confusion and clears the way for redundant discussions and arguments between residents and park users.
 - **Rules that are not enforced serve no purpose.** The matter of enforcement must be addressed.

2. On the subject of nefarious activities:

The SRA takes objection with the WAB's statement that "...lack of police records to confirm nefarious activities." which casts doubts on residents recounting of suspicious behavior. **Disturbing behavior which does not rise to the level of requiring police intervention, and therefore produce a police report, isn't any less disturbing or nefarious.** Furthermore, it is important to call out that in addition to the park, there are two other known "hubs" of suspicious activities within the hamlet. The mere proximity of these hubs is reason enough to grant legitimacy to our claims. We would ask that the Town Board undertake its own research into the matter with the police and fire departments and refer to our **Exhibit A - handwritten notes** from residents in support of our assertions as well as images of vandalized park property as further proof.

- WAB proposes installation of camera/webcam at boat ramp and that this be wired to the Sheriff's office and feed be available to public.
 - The SRA **agrees** with this recommendation.
- WAB proposes that existing new cameras by the park entrance feed to the Sheriff's office
 - The SRA **agrees with the caveat** that:

- Camera feed also be made available to residents, perhaps as a live web-based feed. Extending this access to the SRA will achieve several important things:
 - It will engage the community.
 - It will assist in monitoring activity.
 - It will aid in notifying enforcement agencies.
 - It will support continued efforts to mitigate nefarious activities.
 - It will encourage compliance with the rules.
- WAB proposes the installation of solar LED lights in the boat ramp area.
 - The SRA **agrees** with this recommendation.
- WAB proposes that the Marine Police & Sheriff include a sweep of the ramp as part of their patrol.
 - The SRA **agrees** with this recommendation.

3. On the subject of self-policing:

The SRA takes exception to the implications underlying the WAB statement “...two groups could not reach agreement under controlled mediation and they will not be able to as individuals.”. We entered this process, and ensuing mitigation sessions, with the hope that mutually agreeable arrangements could be made between residents and park users. Unfortunately, there is a history of abusive behavior when interacting with park users, that has left many of our residents, both old and new, scarred and in some cases scared. So much so that some are restricting their use of the very park activities we are all seeking to take advantage of. As recently as a month ago one of our residents had a very frightening exchange, please see **Exhibit B – a resident’s letter** summarizing the events. The community has been subject to loud caravans of trucks speeding up and down our streets, and some of us have been subjected to name calling and seen our property defaced and used as a dumping ground for refuse. There is a limit to what we should be expected to tolerate, and recent events have pushed well past that point.

4. On the subject of park access:

- WAB recommends the installation of an electronic card gate system.
 - The SRA **disagrees** with this recommendation for the following reasons:
 - Card systems are expensive to install. Where is funding coming from?
 - Card systems are expensive to maintain. Who is to be trained and/or paying for a maintenance contract for this system?
 - Cards are easily demagnetized and could leave users stranded, both in or out of the park.
 - Software to program cards with all necessary restrictions will need to be installed on a computer within an office environment. Where does this live? Who has access? What happens when a card needs to be reset?
 - The SRA **counter proposes** that no electronic gate be installed and that current gate and lock remain.
- WAB recommends park be open from 6 am to 9 pm.

- The SRA **disagrees** with this recommendation for the following reasons:
 - Hours for this park should be the same as for all other public parks: “Dawn to Dusk.”
 - Please refer to Scenic Hudson website at <https://www.scenichudson.org/explore-the-valley/scenic-hudsonparks/sleightsburgh-park/>, where hours of operation are clearly stated “*Free and open year-round, dawn to dusk.*”
 - All current signage already indicates these hours, see documentation provided in **Exhibit C**. The SRA **requests that rules already established be maintained and enforced uniformly**, and that **there be no further consideration given towards altering them**.
 - Set hours such as those recommended represent much different things. 9 pm in December is basically the dead of night, whereas 9 pm in summer is very shortly after sunset. Strictly set hours such as 6 am to 9 pm completely overlook this fact which has a tremendous impact on the residents.
- The SRA **counter proposes** hours be maintained as “*Dawn to Dusk*”
- WAB recommends egress for vehicles up to no later than 11pm.
 - The SRA **disagrees** with this recommendation for the following reasons:
 - Setting an actual egress hour such as 11 pm further supports the point detailed in Section 4 bullet sub-section immediately above.
 - The SRA **counter proposes** egress be no later than 1 hour after sunset.
- WAB recommends the key system be implemented until such a time that card gate can be installed.
 - The SRA **disagrees** with this recommendation for the following reasons:
 - Granting of keys to access park was previously attempted and was revoked by the town, please see documentation in **Exhibit D, a letter issued by the town to town resident revoking keys** for after-hours access and which clearly states “*...no keys available to the public going forward*”.
 - Maintaining, and monitoring, the list of key holders and who has access when and for what reason has previously proved impossible to enforce and should not now be repeated. The SRA reiterates its position that rules already established be maintained and enforced uniformly, and that **there be no further consideration given towards altering them**.
 - Even keys labelled with copying restrictions are too easy to reproduce and there is no evidence that key holders will abide by rules and regulations attached to such keys.
 - The WAB assertions that a mirror tag system could alleviate the concern of copied keys is well intentioned and received, however monitoring and enforcement of such

is still the critical unresolved aspect of this proposal.

5. On the subject of hunting:

- WAB recommends special consideration be given to waterfowl hunting and striper fishing season.
 - The SRA **strongly disagrees** with this recommendation for the following reasons:
 - Based on the seasons outlined in the WAB recommendations access would be granted from 4 am (ingress) to after 11 pm (egress) from April through December. Essentially granting 24-hour access to all hunters and fishermen for 9 months out of 12, or three quarters of the year.
- WAB recommends special access between 4 am and 5 am.
 - The SRA **disagrees** with this recommendation and reiterates as follows:
 - Early access should be no earlier than 1 hour before dawn.
- WAB recommends special egress after 11 pm.
 - The SRA **disagrees** with this recommendation and reiterates as follows:
 - Latest exit should be no later than 1 hour after dusk.

6. Further on the subject of hunting:

The SRA, having undertaken some preliminary research on the matter, would like to summarize our position as follows:

- Signage at the park clearly notes “Do not remove or destroy plants, wildlife and town property”. **We interpret these words literally.**
- We further refer the Town Board Members to the Scenic Hudson website, <https://www.scenichudson.org/explore-the-valley/scenic-hudson-parks/sleightsburgh-park/>, which **does not** list hunting as an activity at the park.
- We refer the Town Board Members to the New York State Department of Conservation website interactive map, <https://gisservices.dec.ny.gov/gis/dil/index.html?REC>, which does not denote Sleightsburgh Park as hunting lands.
- We refer the Town Board Members to the Conservation Easement of July 15, 1996 and its definition of restrictions when it comes to the property:
 - Section 3. Restrictions Applicable to the Property
 - Sub section 3.1 Use “...used solely as a public park, for recreational purposes including boat launching, fishing, hunting, nature study, picnicking, and others forms of passive recreation...”.
 - This statement does not confer hunting as a right, it merely lists it as one of many activities.
 - The SRA posits that hunting, is by definition, not a passive form of recreation and its inclusion as a permitted use is void as against public policy.
 -

- Paragraph L
 - “Grantor desires to ensure that the open, scenic, and natural characteristics of the Property will be protected and preserved for the benefit of future generations”
 - The SRA argues that the examples below, documented in **Exhibit E** clearly demonstrate that certain activities currently being undertaken in the park are in clear violation of this paragraph:
 - Shell casings and broken glass bottles are clear proof that target practice regularly takes place on the premises. This is not only unsafe for the residents but also is not an acceptable activity for a public park that is frequented by so many passive recreational users with pets and children.
 - The disappearance of not one, but two sets of nesting swans in the spring of 2020 was a sad loss to not only the ecosystem but also the birdwatcher’s that often frequent the park.
 - We had an instance of an injured deer, which had been shot with an arrow, as we understand outside of season, being abandoned by the very hunters that sought to prey upon it.
 - The SRA **would posit** that for the reasons listed above, hunting should not be permitted in the park at all.

7. On the subject of special access:

- WAB recommends charging for special access and limiting the number of cards issued.
 - The SRA **disagrees** with this recommendation for the following reasons:
 - No special access should be granted.
 - The rules of the park should be applicable to all equally.
 - No exceptions should be made.
 - The rules of the park should be enforced.
 - A finite number of cards will, by definition, be exclusive.
 - The granting of special access and limiting the number of cards issued would be in direct violation of Paragraphs D, G, H, I, L, of the Conservation Easement executed on July 15th, 1996.
- The SRA therefore **counter proposes** on the above as follows:
 - A full-time attendant be hired to monitor and maintain park.
 - Full time attendant should have a centrally located kiosk from which to operate with clear line of sight to boat launch and ingress.
 - Full time attendant be tasked with;
 - Locking and unlocking the gate.
 - Collect fees for boat launch usage as follows:
 - Town residents, vets and seniors = Free

- Ulster County residents = \$25.00
- NY State residents = \$50.00
- Everyone else = \$75-\$100
- Maintaining park.
- Monitoring activity in park.
- Enforcing park rules.
- The staffing of this position could happen in tandem with any number of programs that are currently in place.

The SRA looks forward to the board confirming its adherence to the rules of Sleightsburgh Public Park and improving the park's operations and security. Above all, the SRA cares for the park, its habitat, its public patrons and their safety, equality of access to the park, and its maintenance.

Thank you,
Sleightsburgh Resident Association

Addendum A- Public Comment Letter continued

Exhibit A - handwritten notes

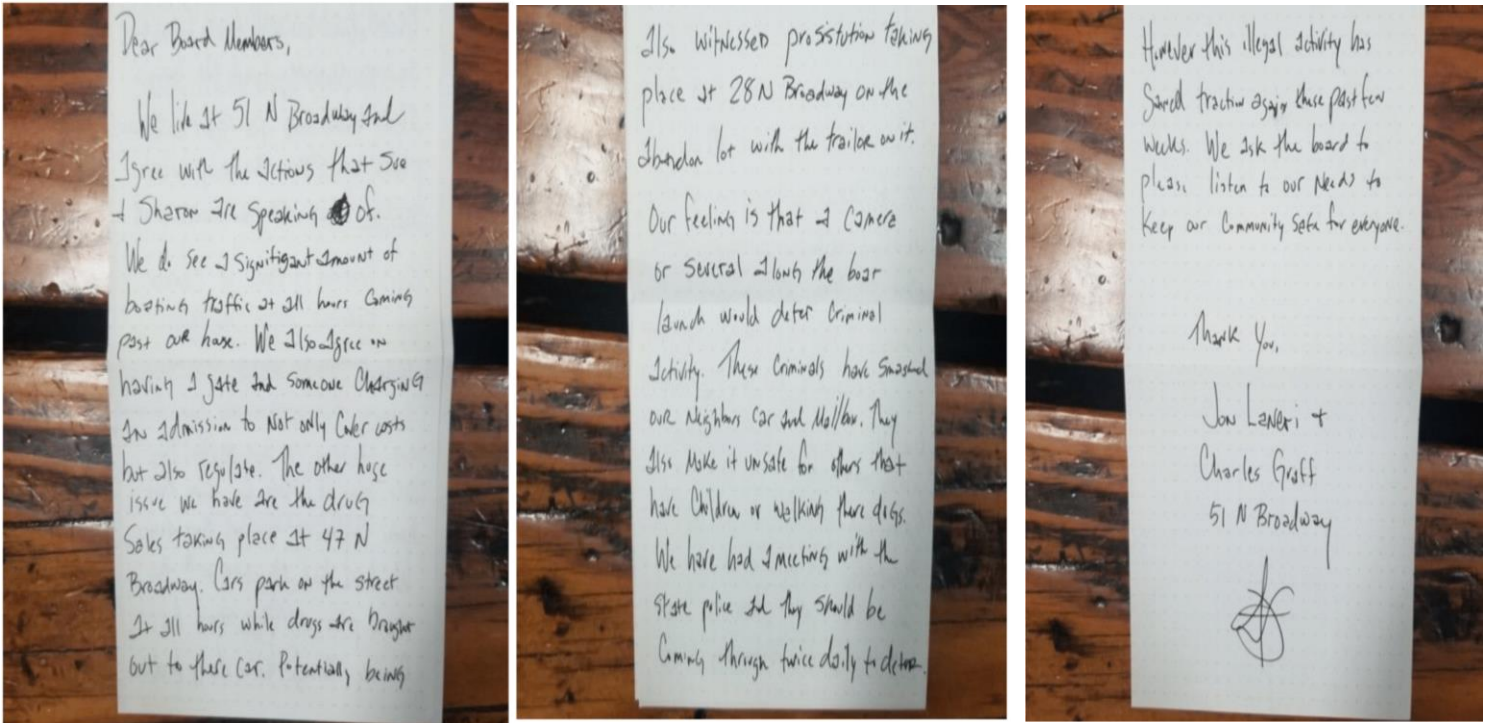


Exhibit B - a resident's letter



From: saltyshar@aol.com
Subject: Fwd: Boat launch incident 9/10/2020
Date: October 4, 2020 at 1:15 PM
To: chris@chrismaria.com

From: Sara Brown <smerando@gmail.com>
Date: Sunday, October 4, 2020
Subject: Boat launch incident 9/10/2020
To: Saltyshar <Saltyshar@aol.com>

My name is Sara Brown and I live with my husband and three children at 639 3rd Avenue in Sleightsburgh. We moved here December 2019 and have been enjoying walking the neighborhood and meeting the neighbors.

On Thursday September 10, 2020 around noon I took my three kids, ages 6 months, 3 years, and 6 years old, down to the boat launch to enjoy some free time in nature. We had a disturbing and threatening encounter with a stranger. The older children were playing on the shore while I was sitting feeding the baby. There was a person sitting in a parked car directly behind me. I kept looking back periodically because I found it odd that she was sitting in there with the windows up and I would hear noises now and again. The woman was older than me, perhaps in her 60's and had Florida license plate. She ended up moving her mini van to be between us and our car, which made me a little nervous because I had left my phone in my unlocked car. She got out of the car and said something unintelligible to me so I asked, "What?" and she responded by calling me "a fucking weirdo". She got into the backseat of her car facing the wrong way, which was another odd thing. Then the next time she got out she was yelling at me saying, "Are you Q? You fucking weirdo". I did not answer. I told the kids that we were leaving immediately and to follow me. I called out to the woman, "We are just going to our car to leave". She continued to yell at us and got back into her running vehicle. She addressed my children through the open window telling them, "You girls aren't creepy, just your mother is a fucking psycho" and other equally disturbing things. We had to walk very closely to her running car and I was terrified that she would try to run us over. I put the 3 kids into the back seats, wrote down her license plate number, and drove away. I was afraid to take a picture of her car because I did not want to provoke her. She did not follow us as far as I could tell. I went home and ended up calling the sheriff's office to report the incident. The dispatcher was very rude and dismissive and I was worried that I had done the wrong thing by calling. However, the deputy that came to my house was incredibly helpful. Deputy McGuire listened to my story and responded in such a way that he diffused my fear and confusion. We had a truly meaningful conversation and he left to patrol down by the boat launch.

It is now October and I have not gone back to the boat launch in fear of something like that happening again. It is very sad to me that I cannot walk freely in my own neighborhood without fear and my family cannot enjoy the beauty of the Rondout and Hudson River, one of the reasons we chose Sleightsburgh as our home.

Exhibit D – a letter issued by the town revoking keys

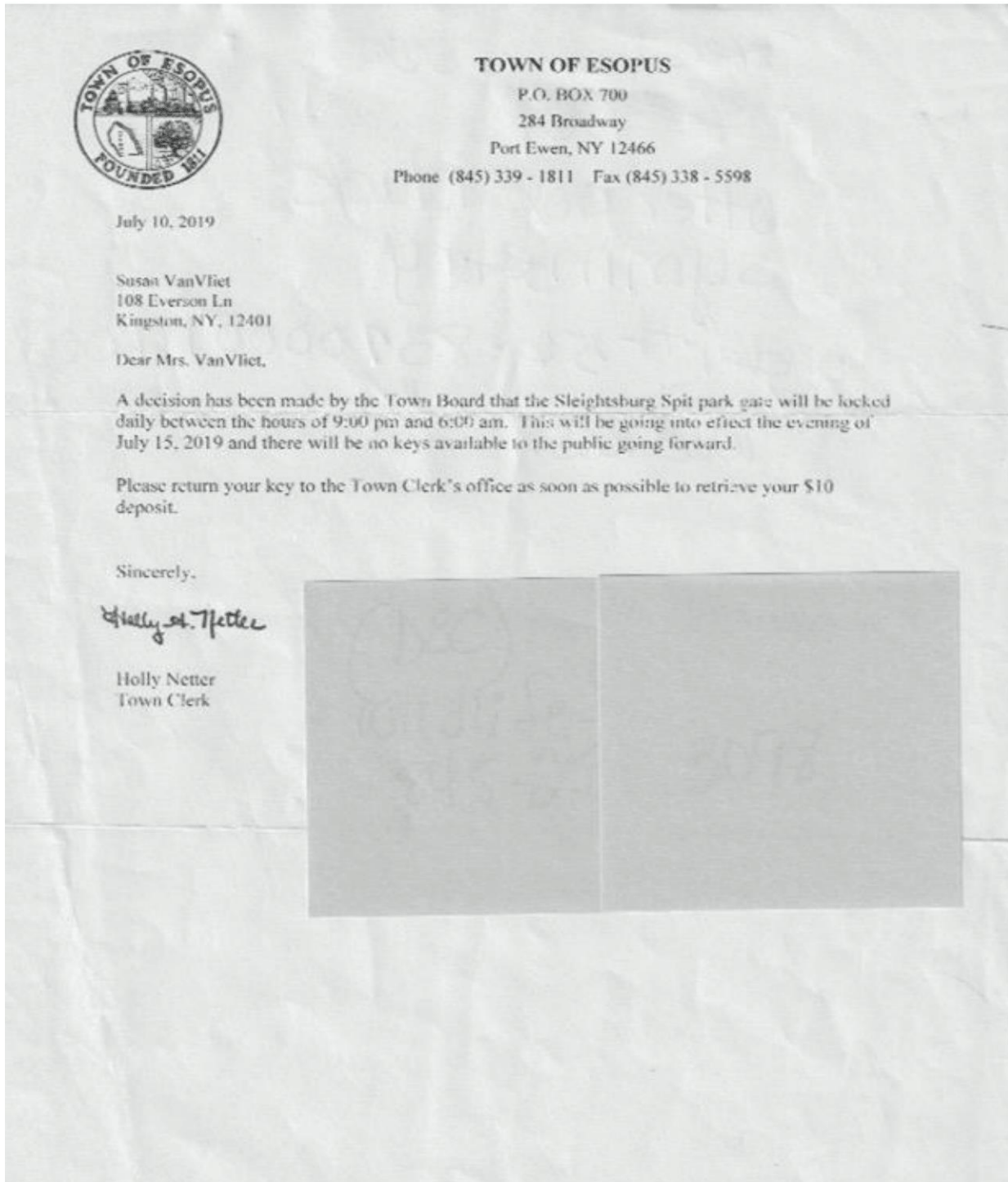


Exhibit E – Supporting images

