

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Highway Superintendent, Frank Petramale
3. Officer in Charge, Kyle Berardi
4. 20 Town Residents
- 5.

ADDITIONS OR CHANGES TO AGENDA: None

PUBLIC DISCUSSION ON AGENDA ITEMS: None

COMMUNICATIONS: None

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

NEW BUSINESS

PRESENTATION BY CLEARWATER ON WATERCRAFT INSPECTION STEWARD PROGRAM TO BE IMPLEMENTED AT RIDER PARK FOR THE 2017 BOATING SEASON

Samantha Epstein -- Aquatic Invasive Species Management

Program is to prevent invasive species from invading the Hudson River. Goal of Steward Program is to prevent all invasive species and to keep those that are already there from coming inland.

Hydrilla is an invasive species found in the Croton River, spreading very rapidly. 25 locations in NY where hydrilla is found. Blocks sunlight for native plants; could kill off fish and even bald eagles. Containment and eradication. The main way that invasive species spreads is by boat "hitchhikers". Last year 1300 boats were inspected.

Wants stewards/boat inspectors at 8-10 locations this year, including Rider Park. Each inspection is voluntary, free, takes 30 s to 1 minute, provides outreach in education program only. Steward location is very minimal. Remove plants/animals found on boat. Collect data about popular boat launches.

Supervisor: We have identification of the species & problems as primary goal. Are there any corrective action taken besides removal?

Epstein: No, just education & removal. We do not step foot on the boat; minimal engagement.

Councilman Secreto: I don't see a problem down at Rider Park. Do you carry any liability insurance?

Epstein: Yes we have workers comp liability and general liability naming the Town

Councilman Morrow: Any future plans for putting in steam cleaners?

Epstein: That is very expensive; those programs set up for well over 15 years. Hopefully as the Hudson Valley gets more funding. Up until three years ago, HV was ignored.

Supervisor: Is there any town contribution toward this?

Epstein: No, this project is funded by the state.

Councilman Kitchen: 1. Seems like a very big problem, what steps are being taken by any agency besides education and identification? 2. Could see that boat propellers could get tied up in this. Do you think this originated in the Croton Reservoir?

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

Epstein: 1. Really only one option – herbicide treatment -- overseen by DEC. 2. Not sure – there are 25 locations in NY where hydrilla is found.

Councilman Brink: No questions.

Councilman Kitchen: Thank you for your time, I look forward to being educated on this.

Councilman Secreto: The flying carp.. do they follow this plant?

Epstein: Asian Carp, they follow the Mississippi River, now thought to be in the Great Lakes. Typically anything thought to be in the Great Lakes will affect us too.

Supervisor: [to Town Board] Would you like to authorize this program tonight while she is here?

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Supervisor: [to Epstein] Asks to contact his office next week to coordinate paperwork and insurance.

Epstein: Thank you.

[Audience applause]

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE ENGAGEMENT LETTER FOR LEGAL SERVICES FOR 2017 TO BE PROVIDED BY SUSK, WADLIN, HEPPNER & MARTUSCELLO

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE ENGAGEMENT LETTER FOR LEGAL SERVICES FOR 2017 TO BE PROVIDED BY REBECCA MILLOURAS-LETTRE, PLLC

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE ENGAGEMENT LETTER FOR LEGAL SERVICES FOR 2017 TO BE PROVIDED BY VANDEWATER AND VANDEWATER, LLP

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

MOTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE ENGAGEMENT LETTER FOR LEGAL SERVICES FOR 2017 TO BE PROVIDED BY TABNER, RYAN & KENIRY, LLP

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink -Aye
Town Councilman Kitchen -Aye
Town Councilman Morrow -Aye
Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

MOTION TO SET A PUBLIC HEARING FOR A SPECIAL USE PERMIT FOR THE PLACEMENT OF A MOBILE HOME OUTSIDE OF A MOBILE HOME PARK – *SHARON VANSTEENBURG, 25 DORIS LANE, LAKE KATRINE, NY 12449 – SBL: 39.7-3-20.200

Supervisor: Schedule for February 16, 2017 at 7:15 PM

[*Error on agenda. Should read, "SHAWN VanSteenburg". Correct name appears in Public Hearing Notice published in Daily Freeman on 2/8/2017]

MOTION: Councilman Morrow
SECOND: Councilman Kitchen

Town Councilman Brink -Aye
Town Councilman Kitchen -Aye
Town Councilman Morrow -Aye
Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

**MOTION TO ACCEPT THE RETIREMENT OF CLERK TO JUSTICE COURT ANN RASKOSKIE
EFFECTIVE 2/28/2017**

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

**MOTION AUTHORIZING THE TOWN CLERK TO GO OUT TO PUBLIC BID FOR THE PURCHASE OF
CHEMICALS DURING 2017 ON BEHALF OF THE TOWN OF ULSTER WATER DEPARTMENT AND
THE TOWN OF ULSTER SEWER DEPARTMENT**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

**MOTION TO AUTHORIZE BUILDING INSPECTOR HINES TO ATTEND THE TRI COUNTY TRAINING
DAY, FEBRUARY 23RD IN CHESTER, NY**

MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

REVIEW AND APPROVAL OF AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES PER SECTION 284 OF THE NEW YORK STATE HIGHWAY LAW

Per Superintendent Petramale: Legal agreement for funds on major projects on roads and use with larger equipment. Some roads are listed here from last year; some projects from 2016 did not get completed. Agreement can altered throughout the year, due to reasons such as the price of blacktop.

MOTION: Councilman Morrow
SECOND: Councilman Brink

Town Councilman Brink -Aye
Town Councilman Kitchen -Aye
Town Councilman Morrow -Aye
Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

OLD BUSINESS

MOTION FOR THE SUPERVISOR TO SIGN THE TERMINATION AND TRANSFER AGREEMENT OF THE LAKEVIEW AVENUE PRIVATE WATER LINE

Per Supervisor: In 1979, six residents paid for installation of 6" water line under 40 year agreement with the Town of Ulster. Required to maintain at own cost for 40 years. Expires in 2019; identified deficiencies in previous maintenance. Four of the current homeowners never knew they had the financial obligation (not original signators). Town's intention is to take over water line, extend Spring Lake Water Dist to serve additional residents in that neighborhood; subject to ratification from other residents who do not have water.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

MOTION: Councilman Brink
SECOND: Councilman Secreto

DISCUSSION:

Councilman Secreto: Some fire hydrants were not working in that area.

Supervisor: During a recent inspection by the Ulster Water Dept., there was a hydrant taken out of service and will be replaced.

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

PUBLIC COMMENT

Supervisor: Reminds all of 3 minute time limit.

NOTE: PP = Pilgrim Pipeline

- 1. Rozalyn Stark, 163 Hurley Avenue:** Regarding PP
Remarks on her past trip to Alaska: oil pipeline from Nome to Texas – exposed, marshland, corrosion points. Relates that to proposed PP from Canada to Linden, NJ. Plan is to bury the pipeline → corrosion points seep away, cannot be prevented. [3 minutes up – will have second turn]
- 2. Brian Cahill, 1106 Dalewood Street:** Regarding: PP
From Latham to Linden, NJ; parallel to Thruway; will be in people’s backyards especially Halcyon Park and Cherry Hill. Real concern is the pumping station to be located under the bridge on Sawkill-Ruby Road. Opportunities for failure. All risk and no benefit. Town Board please look at this. Information from Scenic Hudson and PP Website. Town of Ulster is one of three towns in the county that have not voted against this pipeline. No benefit at all.
- 3. Marc Rider, 1023 Decker St.:** Regarding PP
The Town Board can ask to be part of the scoping documents. Allowing those who are environmentally impacted to have a say. Town Board could pass a Resolution against the PP. Asks that the Town Board does that.
- 4. Nancy Abel, 884 Dewitt Lake Road:** Passes out information re: PP

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

Two parallel pipes carrying volatile oil, bakken crude. How much risk are we willing to endure? The Rondout, Esopus, Sawkill. Poses a threat to well-being – emergency response, leaks, poison water. Safeguards not effective. Congressional research → pipelines spill 3-4 times more crude oil per 20 miles transported than trains and barges combined. We ask the leaders of the Town of Ulster to pass a Resolution to oppose the PP.

5. Paul Leschen, 1446 Creeklocks Road: Regarding PP

Tried to find benefits of the PP. Most research showed how it affected Canada. PP Website states that the PP addresses consumer wait time currently caused by the small size of barges. It delivers refined petroleum products to existing terminals in NY, creates jobs. No benefits for the Town of Ulster from business point of view; property values decrease along the pipeline. Pipeline owned by the Koch Bros.

6. Hans Funccius, 3170 Route 32: Regarding PP

Assuming the worst, that the pipeline is installed and we do have a spill, how would the Town of Ulster handle that? Emergency response team?

Supervisor: Reassure you that Ulster Hose #5, responsible for fire protection along the railroad corridor, trains extensively with CSX Emergency Response Unit, and several other fire companies. Practice fighting fires that would happen on a train, involving oil and/or propane. From river point of view, we rely on DEC and private contractors. No pipeline right now so we don't need to be prepared right now.

Funccius: Fighting a fire is not like trying to stop the tide coming in with a sponge, it takes special equipment. I would think that this is something that other communities would be considering.

Supervisor: I would expect if this project was to move forward, extensive education and preparation from the state would be in place. No preparation needed for speculative project. Looking at the PP Website, I am impressed by the array of communities and organizations that have come out against this. As a Town Board, we should be honored thinking that our negative declaration and our opinion would be the straw that breaks the pipeline's back and makes them say "no", we're going away. I don't think that's possible. I already think you beat them. [applause]

[*To Nancy Abel*]: We met with CSX yesterday regarding HV capital projects. They said that global terminals have shut down facilities in the port of Albany; no longer loading barges of bakken crude for Hudson River transport; railroads business dropped off close to 90% transporting bakken crude; because of the OPEC price war.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

7. Roz Stark : Regarding PP

If there are any corrosive spots in the pipeline, long time before problem becomes apparent. By that time life is damaged. Dangerous situation. Property values decrease.

Regarding Buc's Junkyard

Supervisor: Wants Jason Kovacs to give residents an update on Buc's Junkyard.

Kovacs: Case is continuing. Town has filed a Motion for Summary Judgment; fully submitted before UC Supreme Court. Expects decision soon. Trial date is scheduled for April if no decision.

Supervisor: Mackenzie (owner) has been occupying and using adjacent property next to Buc's. The Town Board authorized Kovacs to institute an action in NYS Supreme Court against that property to cease the illegal use of the property as a junk yard. Making sure it is instituted against the correct property owner. Also a neighbor (Reilly) has made a complaint that Mr. Mackenzie is encroaching on his land. Building Dept investigating.

Abel: Any idea how long the action against the adjacent property gets moving?

Supervisor: Could have papers served in 30 days. If we win on summary judgment we will not have to take the extra actions, if we do not win we know we have a trial in April.

Abel: If you win in summary judgment, who enforces it.

Kovacs: We would have a court order from the judge. If he fails, he would be in contempt of court. We would be in a very strong position.

Supervisor: Compliance issue. We would have to continue to pursue him.

8. Hans Funccius: Regarding Sandy Road boat launch

Brought this up before. Paddling upstream, mud. Paddling downstream, log jam and debris. When the water is high you can go upstream. It's a beautiful ramp. Has DEC been contacted?

Supervisor: Called Wendy Rohrbach, Region 3, in the fall. They were supposed to bring someone out to look at it and I haven't heard since. Will call again tomorrow.

Councilman Morrow: No State regulation that the State, Town, County is to go in and clean it out. Talked about getting machines in there to remove debris; talked to Highway Supt to use stump grinder; putting together prices for removal.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

February 2, 2017

Supervisor: Send me an email stating your exact concerns that I can convey to the DEC. Ashokan Release Working Group meets regularly in reference to turbidity control programs to be put in place at the Ashokan Reservoir and this is a topic that is on their list. The lower communities of the Esopus have made the health of the lower Esopus an issue and believe that if the Group is going to use the Esopus Creek as a means in which to control turbidity, they have to address the impacts in the local communities of those actions.

Councilman Morrow: Have been working with DEP. Also discussed dredging. Over the past 2-3 years, they are releasing more water out of the Reservoir than ever before, which is saturating the side banks of the Esopus. New trees are falling in, root structures are super saturated.

~ NO FURTHER COMMENTS ~

MOTION to adjourn at 8:01 PM:

MOTION: Councilman Brink
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk