

**Catskill Town Board Committee Meeting, Palenville Fire Department, Palenville, NY
July 21, 2021 6:30 pm**

PRESENT: Dale Finch, Supervisor
Jared Giordiano, Councilman
Patrick McCulloch, Councilman
Dawn Scannapieco, Councilwoman
Paul Vosburgh, Councilman

Supervisor Finch opened the meeting with the Pledge of Allegiance and welcomed all in attendance. The board members introduced themselves. Supervisor Finch thanked the fire department for opening the firehouse to have our meeting in the hamlet. He stated there a few items to discuss before opening the meeting to public comment. He asked all in attendance to be respectful and to address their comments to the board.

RESOLUTIONS:

Resolution # 72-2021 on motion of Councilman Giordiano second by Councilwoman Scannapieco to apply for a NYS Consolidated Funding Application for a comprehensive plan. Adopted Vote: 5 Yes

Resolution # 73-2021 on motion of Councilman McCulloch second by Councilwoman Scannapieco authorizing a letter of support for Ben Fain, Catskill Gateway Net Zero CFA with NYSEDA. Adopted Vote: 5 Yes

Resolution # 74-2021 on motion of Councilman Vosburgh second by Councilwoman Scannapieco authorizing a letter of support for David Vipler, Green's Hotel/Catskill Golf Project. Adopted Vote: 5 Yes

Resolution # 75-2021 on motion of Councilwoman Scannapieco second by Councilman Giordiano to advertise for Zoning Board of Appeals members. Adopted Vote: 5 Yes

PUBLIC COMMENT:

Crane Davis spoke to clarify his statement that he does not want to close the Tannery Bridge swimming hole. The question is how to keep open with everything happening. There have been many meetings regarding this and two years ago the situation was so bad, the residents all favored shutting it down to find a way to protect the people around the bridge.

Supervisor Finch said COVID was a perfect storm; no work, weather beautiful and social media had a large impact on the influx of people. There were also issues at Marble Rock and Gillfeather's in Leeds. This year with vaccinations people are coming out as their concerns about COVID have subsided. There are other areas now open that has taken the stress off. Businesses have opened. The weather on the holiday weekends has been awful so it is a reverse perfect storm this year. He opened the floor for comment.

Laure Ahearn feels if we build a wall, children will climb over it and if they fall and break their back they will sue. She asked where the wall was going and is not for it as it will not beautify Palenville.

Dick Vincent has been following the situation on FB and is a member of the Catskill 3500 Club. They have started a steward program to talk to people and tell them about the area, ask to have them be considerate and that the community is looking out for the well-being of all. Supervisor Finch stated DEC is attacking with educational programs as well and his point will be taken.

Kevin Lennon stated he has dealt with these issues being a past council member and legislator and chief. Fifteen percent are bad apples who wreck it for Palenville. Options could be to treat like a beach, signs such as no glassware, coolers etc. Having DEC ticket people but closing the hole is not fair to everyone, especially fisherman. There have been four generations of people using the stream and the fence will create issues on the fire service

side. Supervisor Finch asked if PFD uses the bridge for access to the water for fires. Mr. Lennon stated yes. Councilman Giordiano stated we have been told by PFD there are issues with vehicles blocking access.

Barbara Erceg who lives on Malden Avenue stated her issue is not the swimming hole but the bridge and with people jumping off of the bridge and blocking traffic and emergency vehicles who can't cross if need be. The issue is not with local kids. Councilman Vosburgh stated the County is erecting a fence on the bridge and Supervisor Finch stated that is a definite risk factor.

Myra stated her concern is that last year was super terrible all night. She would wake to loud noises at 3 am. She lives close to the swimming hold and it is a whole different situation. If people respect, have a certain time of day you can't be there. Her driveway has been blocked. This year so far no problems but there needs to be some sort of regulation; not necessarily a fence, but some way people are not being so affected.

Barbara Lubell stated before there is the drastic step of a fence, put up prominent signage such as carry in carry out, no use after dark. Supervisor Finch agreed.

Christian Ray stated fencing off the bridge is the absolute worst idea on the planet. There isn't one solution but a lot of good ideas; education, sign component, troopers and tickets, DEC tickets. Let us not put a fence up first because we did not take the time and energy to find a different solution. Supervisor Finch doesn't believe the fence should be put up first either and the town has not purchased any fencing yet.

Terry asked if there was a picture of the fence and stated Fawn's Leap is a 30 to 40 foot drop and people climb trees to jump higher. He feels a barbed wire fence feels like the Bronx. Councilman Vosburgh stated we do not own the bridge and the county is putting up the fence.

Mike Roberts stated people have been jumping off that bridge for a long time. He has been swimming in the creek since 62. He dragged a kid out of Pine Grove who sued everyone and he told him not to jump and he did anyway and is paralyzed. The Town owns all the property including across it. He does not want to see it close. Troopers refuse to come. The Sheriff doesn't hand out tickets even though they are out all the time. The people harass the neighbors, play roaring music. He does not want to be a toilet for everyone in the county. He doesn't understand why a 3 foot green fence around the guardrail and signage no trespassing as our local kids are not down there. He wants to see kids swim but this is a nightmare and the Sheriffs have been wonderful.

Supervisor Finch asked if it is the same experience in 2021. Mr. Roberts stated was packed last year and no one on bridge this year and it has been quiet but it will get busy.

Someone asked if it was illegal to be in the creek and the answer was no. Councilwoman Scannapieco asked how people swim in the creek and if this is all about access as people will find a way into the creek but if people are being disrespectful to call law enforcement.

Rachel Hill stated her family goes back four generations and the all have swam in the holes. The best part of her day is walking her dogs for them to go swimming. There are plenty out of state plates and the locals are not doing this. The problem is not the residents. We need to find a better solution than a wall. Maybe a permit to swim in the creek. Michael Roberts stated we would need enforcement if issuing permits.

Holly Menzies who lives on Hobbs Lane appreciates the ability to swim there and the continuation to do so.

An audience member stated he swims there every day and has not seen any garbage. He staggers his hours when he uses the creek. He has seen one Poland spring water bottle. If a fence goes up it is a lot harder to take down.

Eugene Edwards grew up in Palenville and uses the creek. As time went by people are worried about getting sued and getting hurt. It is common sense to check the water and does not believe a fence should be put up. If a resident of the Town, show a permit or license to prove you live here. Councilwoman Scannapieco stated her boys used to swim and they always brought a garbage bag to clean up and thanked Eugene for doing the same.

An audience member was confused as it is a wonderful thoughtful discussion but asked about the county. Councilman Vosburgh stated the fence we are talking about is on town property and the county owns the bridge so we have no say about the fence on the bridge. Councilman Giordiano stated the concern is liability. Supervisor Finch stated they were brought up in previous meetings with the major influx of people here and posed as a hazard so that is how the fencing came about on town property. We agreed to install a temporary fence and are discussing permanent fencing and only on access to town property which is limited.

An audience member asked who proposed the fence on the bridge. Supervisor Finch stated idea came about from our meetings. Councilwoman Scannapieco stated to email your County Legislators. Supervisor Finch stated this meeting is about fencing on town property and if it is supported. He asked if there were any further comments.

Mr. Ahearn stated the fire department drafts off the bridge and if it is fenced, we can't go over an eight foot fence to draft. Councilman McCulloch stated there are other options such as a hole on the bottom or a dry hydrant but concerns need to be expressed to the county.

An audience member stated the fence is going up on the bridge but so far nothing else has been addressed regarding the other concerns. People will climb the fence and jump off. Makes no sense unless you close off the entire swimming hole. Last year was a real big issue with North and South Lake closed. One static section of fence does nothing to eliminate the noise, people and danger. If signs are placed carry in carry out, you are inviting people.

Supervisor Finch stated there is validity to everyone's points and concerns and seems there are not too many comments to close access permanently.

Michael Sprague stated a fence is a good idea because the problems come from people wanting to jump off the bridge. It will eliminate the idiots coming from out of town. It happens during the day and at night and the bridge is causing all the ruckus. Allow people to swim but will cut off people jumping off the bridge.

Councilman McCulloch stated to take the comments about the fence and signage and talk to our Town Attorney. This is not a park but maybe dusk to dawn signs. Councilman Giordiano stated every year the residents who live along the creek, their quality of life diminishes. He likes the idea of a stewardship and signage but the real concern is people coming here and impacting the quality of life of the residents. An audience member stated we all have some issues where we live but this is not enough to close the creek.

Supervisor Finch stated we are trying to minimize the issues for people who live close to the bridge. This area is an asset and fencing is not part of the atmosphere we want to create. An audience member stated while signage is a great idea it needs enforcement. Rules should be posted. We don't want to see the creek closed but it needs people patrolling or enforcement.

Supervisor Finch stated he feels there is a good handle on the situation. If need to, we can take action, like we did in 2020. It will be monitored but feels less is more. Mr. Roberts stated it comes down to being respectful of the neighborhood. Councilwoman Scannapieco stated there is a lack of respect everywhere. By closing, it will not help the situation. We need to have a phone tree and if there are a lot of cars, everyone call the Sheriff. We can have signage under the bridge or over the bridge. People need to be held accountable and that is a police officer's job. Supervisor Finch stated signage should then be on all town property.

Michael Sprague who works in Hunter and sees the cars being towed away all the time because of no parking signs, worries that people will filter their way down the mountain.

Supervisor Finch asked if there were any further comments. With none being heard, Councilman McCulloch made a motion, seconded by Councilwoman Scannapieco, to remove the temporary fence. Adopted Vote: 4 Yes 1 No (Giordiano).

Supervisor Finch stated he will speak to the Town Attorney regarding verbiage for signage. If the situation changes, temporary fencing will be readdressed.

Mr. Vincent asked if there would be another meeting as this meeting left no plans. Supervisor Finch stated yes and if need be readdress and a certain amount of signage is a good thing. Mr. Harvey stated we are moving backwards taking down the temporary fencing and the signs. He believes the signs and fencing are a deterrent. Supervisor Finch stated if the signs are kept up, no one can use it. There cannot be particular rules.

Doreen Davis reiterated Mr. Vincent's statement. The board has the liberty to establish a working group of residents of the hamlet to discuss access, liability, education (stewardship) for people coming and then come back to the Town Board with those ideas. Councilman Giordiano stated if anyone is interested in a stewardship program to contact the Town Clerk.

With no further business a motion to adjourn the meeting was made by Councilman Giordiano second by Councilman Vosburgh. Meeting ended 7:49 pm.

Respectfully submitted,
Elizabeth Izzo
Town Clerk