

City of Newburgh  
**Waterfront Advisory Committee**  
Minutes May 20, 2009

The Newburgh Waterfront Advisory Committee met at the Newburgh Heritage Center, 123 Grand Street on Wednesday, May 20, 2009

**Present:** Denise Ribble, Mary McTamaney, Gail Fulton,  
Brian Burke, Adam Pollick & Regina Dickerson  
City Liaison: Ian MacDougall

Chairperson Denise Ribble called the meeting to order at 7:05 p.m.

The April minutes were reviewed. Gail Fulton moved to approve the April 22, 2009 minutes and Adam Pollick seconded after two spelling and grammatical corrections were made. All were in favor and the minutes were approved.

Denise Ribble has approved and signed the voucher submitted in the amount of \$87.14 for supplies.

Chairperson Denise Ribble read a letter of resignation received from Yanyiah Pearson to be effective May 20, 2009. Courtney Kain, Administrative Assistant to the City Manager, will be contacted and asked to advertise this vacancy.

**New Business**

***Application from Central Hudson Inc. For the Coal Tar cleanup plan***

Denise Ribble presented the Waterfront Advisory Committee with a copy of a 27 page Environmental Impact Statement and cover letters from Central Hudson Gas and Electric Company outlining their cleanup plans for coal tar residue along the Newburgh waterfront.

Denise requested that committee members review the documents and respond with their comments. The NYS Department of State's deadline for comments is May 29, 2009.

Denise will ask Lourdes Zapata, Director of Planning and Development, to request an extension, as Ms. Perez sent the documents by e-mail to the Waterfront Committee on May 18<sup>th</sup>, two and a half weeks after the Planning & Development Office received them on May 1, 2009. More time is needed, and is dictated by our procedural guidelines, for review of any E.I.S.

***Coordination of Quadricentennial Events By Land Captain & Events Coordinator***

Mary McTamaney informed the committee regarding the role of the Land Captain and Events Coordinator in coordinating and ensuring health and safety for activities happening along the waterfront during the quadricentennial weekends this year. A brief explanation was given about Quadricentennial events. There is a flyer and the City of Newburgh website has the events posted.

## **Old Business**

### ***First Street Fishing Pier***

Ian MacDougall, the City Planner, presented the site plan for the Newburgh Fishing & Observation Pier (9-16 05 from the Consulting Engineer) and an updated review on the status of the project.

Denise Ribble noted that there have been several publically noticed meetings on the fishing pier project. This fishing pier project was on the WAC agenda in 2005 when it was first proposed and again in 2006 when the project had to seek separate funding for the street reconstruction of First street and the actual fishing pier.

Ian explained the modifications to the project and the separate funding for the benefit of the new committee members.

There was some discussion as to the handicap parking spaces, namely how will the vehicles get back out if they pull in, given the location of the HC parking spaces? Ian will ensure that the Department of Transportation addresses these concerns.

Mary McTamaneay asked about the combined sewer overflow pipe which outlets right under the pier. Ian responded that there were some alterations to the plans when another outlet pipe was found. Also pipe support issues were addressed. Mary commented that the pipe still operates as a combined sewer outflow and cautions need to be posted about fish consumption. Denise commented on the proximity of the sewage pump out barge docked nearby.

Regina Dickerson suggested that it would be a good idea to place some bollards at the entrance to the pier. This would reduce the risk that impaired drivers drive onto First street and off the pier. Ian will ensure that the Department of Transportation addresses these concerns.

Brian Burke commented on the cranes and rusted equipment on the left of the project. The rusted equipment is obviously defunct, unsightly and hazardous. Will it be removed and the area cleaned up before the pier opens? Ian responded that the crane/equipment owner is currently building the pier. The property is being sold with the lease that exists at this location. The wharf building will cease operation at this location once the lease expires. Mary McTamaneay asked how the cranes and the rest of the junk will vacate this area once First Street is landscaped and suggested that this be done by river. The Code Compliance Department will be notified regarding the rusted defunct, unsightly and hazardous equipment.

### ***River Rose Dock***

The Waterfront Advisory Committee has raised concerns to the City Council/Mayor, City Manager and Corporation Council regarding Joscoss Inc., operator of the River Rose tour boat not being in compliance with code or with its operation agreement with the city. The two violations:

1. Permanently parked (24/7) since on or around April 8, 2009 despite only having a permit to take on and discharge passengers and then dock elsewhere.
2. Using City utilities without following the processes specified (revised site plan to planning board, appearance before WAC for consistency review) and without paying for them. A request was made to the parties listed above for action to correct these violations.

### ***Marina Ops, Inc.***

The Waterfront Advisory Committee has reviewed the status of the Marina Ops, Inc. and the recently published Court decision. Questions still remain regarding the payment of the default judgment, where that payment will go and what it will be used for.

### ***Steelways, Inc. / Star Energy***

There was discussion among the committee members regarding Steelways/Star Energy and what has happened. Apparently there was a construction permit (and no site plan review). Also, on Monday, May 18, 2009, Senator Bill Larkin was heard on the radio discussing how disappointed he was in the governor. He stated that the governor was not business friendly because Steelways had done a lot of renovations in anticipation of receiving a contract to construct docks for the DEP in NYC. At the last minute, according to the Senator, the contract was awarded elsewhere.

The actual website for Steelways.com/Star Energy shows something different. However, the WAC felt it was a shame that the City/WAC was not informed of the dock building matter, as the WAC would very likely have been in support of dock building and could have officially supported it to decision makers. This use would be consistent with current zoning and would create jobs. Denise Ribble will consult with Corporation Counsel and the City Manager regarding the accuracy of this information and if there is anything the committee can do, if what was heard on the radio is true.

### ***Brownfield's in LWRP Area***

Ian MacDougall explained and identified the known Brownfield properties in the LWRP Area: The Consolidated Iron site, the former Dry Cleaning site (Johnes Street)/Liberty School project, the Provan site and the Liberty Street (former gas station near Clinton Street) site. He discussed the Environmental Remediation Program (NYS DEC) and the Superfund Program (EPA), as well as the BOA grant for census tract 5. Also discussed were concerns that have been previously raised about the Provan Site, the Johnes Street site and the Consolidated Iron site.

### ***LWRP – Section III***

Denise Ribble reported to the committee that this crucial part of the new Local Waterfront Revitalization Plan is almost completed. Section III – Policy 20A is being worked on by corporation Counsel to add license, lease, conservation easement and easement agreements and agreement revocation language. All other changes requested and corrections to Section III have been made, except Design & Environmental Sustainability Guidelines language in Policy 23/23 A. Lourdes Zapata will send final draft of Section III to Denise Ribble/WAC for review before sending to Bonnie Devine at the NYS Department of State. This leaves the following tasks: the punch list of section II items, Design & Environmental Sustainability Guideline language into Section 4, and process flow chart and actual consistency code and charter items in the Appendix.

### **Adjournment**

The meeting adjourned at 9:20 pm

Respectfully Submitted,

Christine M. Schuyler  
NWAC Secretary