

Transcript of Jim Quigley's remarks to the Kingston Water Board 10/8/14

0:02 Unidentified Commissioner to Judy Hansen:answer all the question.

0:04 Hansen: Well I'm going to answer all the questions I'm comfortable answering. I'm not having anybody pin me against a wall for information we aren't, we haven't come up with yet.

0:15 Unidentified Commissioner: And is she sending you all her questions and her (can't understand)

0:17 Hansen: Yes, I asked her to do that. Cause they mirror exactly Brad Will's questions.

0:22 Unidentified Commissioner: Oh, Okay

0:24 Hansen: You got his email?

0:25 Unidentified Commissioner: Jim you wanted to ask someone something?

Break where Hansen leaves to make a copy of documents that Quigley brought.

1:20 Quigley: I just wanted to say thank you very much for the patience you displayed last night, sitting through that marathon, I know there was a lot of stuff that was thrown up there that calls into question your running a fair shop. I certainly left discouraged last night as someone who has tried to run a fairly accessible and open form of government and to hear all the accusations about nefarious means of cover-ups and secrecy, I was personally hurt. I can imagine with all the time you guys have put into board meetings and everything else you have done for the water dept, to hear some of the accusations that you didn't have the best interests of the city at heart, um, I can relate to that and I want to thank you for what you put up with.

2:11 I also want to say that if any of you have any individual concerns about the process and you wish to talk to me, I'd be more than happy to sit down to talk about whatever it is you want to talk about. Right now I'm handling answering questions of city residents on what it is that is going on in the Town of Ulster, I have no problem with that. Judy has asked me to refrain on commenting on anything that has to do with the City of Kingston Water Department and I have put that into writing to Jeremy Wilber by saying, guys you have agreements with the city, I can't comment on that. I can tell you what's going on in the Town of Ulster and I'll provide you all the documentation that anyone wants to take and avail themselves of, I'm available anytime, anyplace, I'll answer any question you want.

3:04 Unidentified Commissioner: So where are you in the process, the SEQR process?

3:07 Quigley: We just started which is this notice of process. We can't officially start SEQR until all these are returned from everyone that we notify.

3:21 Unidentified Commissioner: Well there is a timeframe, if they don't get back to you within 30.

3:23 Quigley: 30 days, okay, and I will tell you I have had conversation with our attorneys. I hear what these people are saying and said what about notifying NY State DEP for lead agency, do they have any approvals? We've gone through and we've challenged, based upon the criteria in the SEQR regulations everyone of these

agencies that they have thrown out, do they have any ability to make a decision that would impact this project from the point of view of issuing a permit and also from a speculative nature, which is the other key word that is in that statute, a speculative event, we talked it out and NYC DEP, we don't know when the next drought is going to come, we don't know if whether there will be a need to need to connect. That is a speculative event.

4:18 Hansen: And every Watershed community has the right to do that. We are one of the few that is in proximity to make that feasible.

4:24 Quigley: Exactly. And It's a statutory right. So what is it that they can necessarily approve, engineering drawings?

4:31 Hansen: No, they wouldn't want to do that.

4:33 Quigley: So, I mean at the end of the day I don't know what it is they approve. Now I asked Rebecca on her way out of here, she complained about the Town being the lead agency, I said, you have a better suggestion? And she said the City of Kingston Water Department. I said wait a second.

4:49 Hansen: We don't have the capability or the knowledge to do that.

4:53 Quigley: The building is being built in the Town of Ulster. The traffic is coming to the Town of Ulster. The sewage is in the Town of Ulster. You know the employees have to drive through the Town of Ulster to get to the plant. And If we have an issue over fire protection the Town of Ulster will be providing fire protection and water, so. I mean, the impacts are on the Town of Ulster.

5:16 Hansen: And you have a Planning Board and professional planner, SEQR is very complicated, it's something that needs to be done correctly, it's not anything we would have the capacity to do, and so what we would end up doing is deferring to the City Planning Board and that's silly, it's ludicrous.

5:36 Quigley: That's the other comment, why didn't you notify the City as lead agency. I said based upon counsel's opinion, I had been told the City government has no standing in relation to this board. That you are independent bodies. So what decision are they going to make that impacts the project? There is none. And, of course, they disagree. But you know what my analysis after listening to everybody last night was they don't like plastic bottles and the water is the only way they can stop the plastic bottles. Well, I got news for them. There are two other plant sites, one is in Schenectady County and the other is in Massachusetts.

6:22 Unidentified Commissioner: And the same number of plastic bottles are going to be out in the environment no matter what.

6:29 Quigley: If it don't come here it goes there and if don't come here the Town of Ulster residents...

6:47 Unidentified Commissioner: And you know about StartUpNY they're getting all this free money. Well, if they go to Schenectady, well guess what? They'll get all the free taxpayer money and you're not going to get any benefit.

6:43 Quigley: What they didn't read in the footnotes to the Mid Hudson Regional Economic Development Council CFA application this was a multi regional application. This was a joint application between Schenectady and Mid Hudson with them knowing if they don't go here they're going to go to Schenectady. (Raises hands to question).

7:06 Hansen: And, and, the question that she asked did we know, why would we have known about that application? I mean...

7:16 Quigley: (Raises shoulders as to say I don't know). Knowing that they're putting an application in, knowing what's in the application are two entirely different sets of questions.

7:21 Hansen: Truthfully we didn't know they were putting in an application and nor would we have.

7:28 Quigley: That's correct

7:29 Unidentified Commissioner: How long did it take us to get them to acknowledge that they wanted to negotiate with us for the amount of water and the price. It wasn't, you said, I guess April, but I think it was later than that. I mean, the email may have come...

7:43 Hansen: The email came, the initial email asking for the will serve letter came following the County meeting in April. But it was August before they started to actually negotiate directly with us.

7:58 Quigley: And the reason that was..

8:00 Unidentified Commissioner: I just didn't think it was late in the summer.

8:03 Hansen: It was August.

8:04 Quigley: Mr Ginsburg didn't sign the contract for sale till August, okay? They did not know they had a deal.

8:11 Hansen: Right, right.

8:14 Unidentified Commissioner: And that's why the will serve stuff sat from April until September.

8:19 Hansen: Exactly.

8:20 Quigley: But there's a conspiracy there. And so again thank you. If there's anything you want, give em a call. I'd be more than happy to meet with you singly, as a group, whatever you want. Anything you want to do.

8:37 Unidentified Commissioner: Thank you.

8:39 Hansen: Jim, thank you. I think we're good for now, I think... (Looks at papers)
A commissioner walks up to Jim and shakes hands.

8:46 Quigley: Look this is regional. The Town of Ulster represents 25% of your water sales. My customers are going to have to pick up 25% of your capital improvements and then they'll have to pay for their own on the top of that. Okay I'm going to end up with \$6 a 1,000 water when I'm finished. Thank you. (Leaves meeting)

9:08 Hansen: Thanks, Jim

9:10 Unidentified Commissioner says something indistinguishable

9:14 Unidentified Commissioner: I was wondering the same thing.

9:15 Hansen: What did he say?

9:17 Unidentified Commissioner: How many of those people last night drink plastic, drink water out of a plastic bottle?

9:22 Hansen: None that were there to talk

End meeting