

TOWN OF ULSTER TOWN BOARD MEETING (06)

MARCH 18, 2021

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:09 PM

~~ MEETING HELD VIRTUALLY ~~

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
TOWN COUNCILMAN CLAYTON VAN KLEECK
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Warren Tutt, Building Inspector
2. Frank Petramale, Highway Superintendent
3. Jason Kovacs, Town Attorney
4. Kyle Berardi, Police Chief
5. Vincent Maggiore, Wastewater Superintendent.
6. Bill Kemble, Daily Freeman
7. Two town residents

~~ ALL AGENDA ITEMS (MOTIONS AND RESOLUTIONS) ARE MADE VIA ROLL CALL VOTE ~~

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF MINUTES – February 4th and 18th (2021-M-79)

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

COMMUNICATIONS – None

ABSTRACT OF CLAIMS (2021-M-80)

Presented by Councilman Van Kleeck

March, 2021

Prepaid Bills:	\$ 151,384.02
Abstract Bills:	\$ 158,536.55
Escrow Bills:	\$ 875.00
Reserve:	\$ -
TOTAL:	\$ 310,795.57

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Budget Modifications: None for current year tonight. Final 2020 budget modifications will be presented in April prior to the audit.

New Business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of February 2021 (2021-M-81)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to accept the Resignation of Part Time Officer Kilfoyle (2021-M-82)

[In good standing]

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Motion to hire Michael Ryan as a Part Time Police Officer (2021-M-83)

Presented by Councilman Secreto

Step 1; \$23.63/hour; start date 3/22/2021; requested by Chief Berardi

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

**Resolution for Final Site Plan Approval – Industrial Arts Brewing Company,
P-829, 268 Forest Hill Drive, Kingston, N.Y. 12401, SBL # 48.13-3-16.100
(2021-R-84)**

Two igloo-type buildings on Route 28/Forest Hill Drive

Resolution of the Town Board

TOWN OF ULSTER

**Resolution Granting Site Plan Approval for Industrial Arts Brewing, 268
Forest Hill Drive, SBL: 48.13-3-16.100**

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WHEREAS, the applicant – Industrial Arts Brewing Company – seeks site plan approval for use and renovation of an existing structure for a proposed beer garden (aka eating and drinking establishment) with retail sales of its own products as well as new improvements associated parking, utilities, signage and landscaping; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who have responded with two (2) required modifications and comments. First, that lighting levels not exceed IES Outdoor Site / International Dark Sky Association recommended levels as well as meet Town standards. Second, that the hedgerow be extended with fencing along the Route 28 boundary; and,

WHEREAS, the application materials in support of the Proposed Action include:

- A complete Application for Site Plan Review dated 1/25/2021;
- Signed Owner Consent Form for Filing signed and dated 12/9/20 by Joseph Stote;
- Signed Escrow Agreement by Spectacle Brewing LLC DBA Industrial Arts Brewing Co., dated 1/25/2021;
- Completed Full Environmental Assessment Form;
- A narrative description of proposal and transmittal letter for site plan by Hudson Land Design, dated January 25, 2021;
- A Site Plan Industrial Arts Brewing Company including lighting, landscaping, pavement, parking, and fencing details prepared by Hudson Land Design Professional Engineering P.C. 12/30/2020;
- Map Showing Surplus Land to be Conveyed to Josh Stote by the NYS Department of Transportation and the County of Ulster prepared by Brinnier & Larios, P.C. dated July 2012;

and,

WHEREAS, the Planning Board considered all of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of the Ulster County Planning Board, as well as Town consultants and staff; and,

WHEREAS, the Planning Board, at its regularly scheduled meeting held on March 9, 2021, took the following action: (1) recommended the Ulster Town Board make a Negative Declaration under SEQRA for this Site Plan as an Unlisted Action based on coordinated review

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with the Town Planning Board and others; (2) recommended the Town Board grant Conditional Site Plan approval for the Proposed Action subject to various conditions, limitations and restrictions; and (3) recommended that the Ulster Town Board override the Ulster County Planning Board's required modification of fencing along the entire hedgerow and extension on the property;

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Unlisted Action based on coordinated review with the Town Planning Board and others: and,

BE IT FURTHER RESOLVED, that the Town of Ulster Town Board override the Ulster County Planning Board's required modification of fencing along the entire hedgerow and extension on the property; and

BE IT FURTHER RESOLVED that the Town of Ulster Town Board grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with any final comments as may be needed from the Town Engineer, Town Sewer Department, and/or Town Water Department.
2. Compliance with the Ulster County Planning Board comments as noted above.
3. Compliance with applicable zoning and building laws, rules and regulations;
4. Compliance with all representations made by the applicant;
5. Compliance with documentation, site plan, design plans and all details as cited herein;
6. The Town's consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
7. All fees, including consultant fees, shall be paid.

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

MARCH 18, 2021

**Resolution for Site Plan Approval – The Farm Bridge, P-828, 101-899
Enterprise Drive, Kingston, N.Y. 12401, SBL # 48.7-1-29.100 (2021-R-85)**

Tenant in east campus – agricultural; process and package foods; referral from Town of Ulster Planning Board

**Resolution of the Town Board
TOWN OF ULSTER**

**Resolution Granting Site Plan Approval for Farm Bridge, 101-899 Enterprise
Drive, SBL: 48.7-1-29.100**

WHEREAS, the applicant – The Farm Bridge – seeks site plan approval for relocation of an existing food production business, currently located in Tech City, to Building 201 including the construction of an approximate 9,300 square foot addition for storage and shipping/distribution purposes; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who have responded with a comment of No County Impact; and,

WHEREAS, the application materials in support of the Proposed Action include:

- A complete Application for Site Plan Review dated 1/25/2021;
- Signed Owner Consent Form for Filing & Signed Escrow Agreement;
- Completed Full Environmental Assessment Form dated 1/25/2021;
- A set of five (5) site plan sheets with separate cover sheet titled The Farm Bridge, prepared by Brinnier & Larios, P.C. and dated December 2020, which include Sheet 1 Existing Conditions, Sheet 2 Site Plan / Truck Route 60 Scale, Sheet 3 Site Plan / Truck Route 40 Scale, Sheet 4 Site Plan / Removals, and Sheet 5 Landscape Plan / Details A set of two (2) sheets prepared by Syvertsen Rigosu Architects showing The Farm Bridge Tenant Fit Up, Sheets SD-1 and SD-2;

and,

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WHEREAS, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference).

WHEREAS, the Planning Board, at its regularly scheduled meeting held on March 9, 2021, took the following action: (1) recommended the Ulster Town Board make a Negative Declaration under SEQRA for this Site Plan as an Unlisted Action based on coordinated review with the Town Planning Board and others; and (2) recommended the Town Board grant Conditional Site Plan approval for the Proposed Action subject to various conditions, limitations and restrictions;

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Unlisted Action based on coordinated review with the Town Planning Board and others: and,

BE IT FURTHER RESOLVED that the Town of Ulster Town Board grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with any final comments as may be needed from the Town Engineer, Town Sewer Department, and/or Town Water Department.
2. Compliance with applicable zoning and building laws, rules and regulations;
3. Compliance with all representations made by the applicant;
4. Compliance with documentation, site plan, design plans and all details as cited herein;
5. The Town's consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
6. All fees, including consultant fees, shall be paid.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution for Site Plan Approval with Lot Line Deletion – Albany 7 LLC, P-815 & 816, 721 & 723 Ulster Ave., Kingston, N.Y. 12401, SBL # 48.58-5-37 & 48.58-5-21.120 (2021-R-86)

On Ulster Avenue across from Zenon's; nine apartments with laundromat; tenant in warehouse in back

Resolution of the Town Board
TOWN OF ULSTER
Resolution Granting Site Plan Approval for Albany 7 LLC, 721-723 Albany Avenue, SBL: 48.58-5-37 & 48.58-5-21.120

WHEREAS, the applicant – Albany 7 LLC – seeks site plan approval with approval of a lot line adjustment for construction of a new mixed-use building and renovation of an adjoining building for commercial use along with associated parking, access, landscaping, and utility infrastructure. Application includes a Lot Line Adjustment to consolidate the existing parcels SBL 48.58-5-37 & 21.120; and,

WHEREAS, the applicant has submitted a complete Site Plan and Lot Line Adjustment application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who have responded with a statement of No County Impact: and,

WHEREAS, this application has also received, on January 13, 2021, from the Town of Ulster Zoning Board of Appeals, a set of area variances (setback and parking) and a use variance (apartments as part of mixed use proposed) which are consistent with the application before the Town of Ulster Town Board and Planning Board; and,

WHEREAS, the application materials in support of the Proposed Action include:
– Application for Site Plan Review and Lot Line Adjustment, dated 10/30/20;
– Signed Owner Consent Form for Filing dated 10/28/20 & Signed Escrow Agreement, dated 10/30/20;

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- Completed Short Environmental Assessment Form, prepared for applicant by Ciro Interrante, dated 10/28/20;
- Notice of Decisions by the Zoning Board of Appeals Town of Ulster for area variances for relief of front setback and off-street parking requirements as well as use variance for mixed uses with apartments, laundromat, and manufacturing, all dated January 13, 2021 Lighting specifications, Six (6) sheets prepared by VBC Lighting LLC for Albany 7 LLC dated December 19, 2020;
- Site Plans for “Proposed New Development for Albany 7 LLC” prepared by Ciro Interrante Architect P.C. dated 3/3/2021 and consisting of five (5) sheets including Site Plan, Utility and Landscaping Site Plan, Lighting Site Plan, Floor Plans, and Elevations. Floor Plan and Building Elevations prepared by Syvertsen Rigosu, Architects, dated 3/3/21; and,

WHEREAS, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference), as well as comments from the County Planning Board and other comments made by Town staff along with the record of approval of variances by the Town of Ulster Zoning Board of Appeals; and

WHEREAS, the Planning Board, at its regularly scheduled meeting held on March 9, 2021, took the following action: (1) recommended the Ulster Town Board make a Negative Declaration under SEQRA for this Site Plan as an Unlisted Action based on coordinated review with the Town Planning Board and others; (2) approval of the Lot Line Adjustment element of this application subject to Ulster Town Board final approval and conditions of same site plan; and (3) recommended the Town Board grant Conditional Site Plan approval for the Proposed Action subject to various conditions, limitations and restrictions;

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Site Plan as an Unlisted Action based on coordinated review with the Town Planning Board and others: and, be it further

RESOLVED, that the Town of Ulster Town Board grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with any final comments as may be needed from the Town Engineer, Town Sewer Department, Town Water Department, and applicable Fire District.
2. Compliance with comments from Ulster County Planning Board as they specifically relate to street trees, landscaping and signage within the Route 9W Corridor Enhancement Plan area.
3. Compliance with applicable zoning and building laws, rules and regulations;
4. Compliance with all representations made by the applicant;
5. Compliance with documentation, site plan, design plans and all details as cited herein;

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6. The Town’s consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development;
7. All fees, including consultant fees, shall be paid.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution authorizing the Town of Ulster to enter into an Agreement with the NYS Department of Transportation, Marchiselli Program in the amount of \$96,000 for the Design of Improvements for the Boices Lane / CSX RR Traffic Signal Engineering Project, PIN 8933.07 and authorizing the Supervisor to sign all documents required for the project (2021-R-87)

Supervisor: This project started in 2013 with a review report performed by Creighton Manning, contract under UC Transportation Council, for redesign of CSX crossing at Morton Blvd. New pedestrian gates and traffic signals/controls. Taken so long to move forward relates to source of funding. Five years ago, CSX informed Town that they were to install double tracks there, and since then a change in management, plan went away, and start over with NYSDOT. Town will be sponsor of this current project and go out for engineers to design this program. At end of design phase, Town to submit to DOT for approval, then proceed to bidding and construction phase.

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Resolution of the Town Board
TOWN OF ULSTER
Resolution to Enter into Agreement with NYS DOT in regard to Boices Lane
Traffic Signal Project

WHEREAS, a Project for Boices Lane/CSR RR Traffic Signal Engineering, PIN 8933.07 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-federal funds; and

WHEREAS, the Town of Ulster desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering work;

NOW, THEREFORE, the Ulster Town Board, duly convened, does hereby

RESOLVE, that the Ulster Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Ulster Town Board hereby authorizes the Town of Ulster to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$96,000.00 is hereby appropriated from the General Fund Capital Reserve and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Ulster Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof; and it is further

RESOLVED, that the Town of Ulster Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Ulster with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs, and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that in addition to the Town Supervisor, the following municipal titles: Highway Superintendent and Grants Consultant – are also hereby authorized to execute any necessary

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Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement; and it is further

RESOLVED, that a certified copy of this resolution to be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

MARCH 18, 2021

**Resolution authorizing the advertisement for Contract No. TU-212,
Furnishing Influent Screening Equipment for the Ulster Wastewater
Treatment Facility due April 9, 2021 (2021-R-88)**

TOWN BOARD RESOLUTION
Town of Ulster, Ulster County, New York

Whereas, the Town Board has approved a capital project at the Influent Channel at the Ulster Wastewater Treatment Facility; and

Whereas, the Town Board has awarded an engineering contract for the design and bidding of new influent screening equipment at the Ulster Wastewater Treatment Facility of the Ulster Sewer District; and

Whereas, the project plans and bid documents are completed.

Therefore Be It Resolved that the Town Board of the Town of Ulster authorizes the project, “*Contract No. TU- 212, Furnishing Influent Screening Equipment for the Ulster Wastewater Treatment Facility*” be publicly bid in accordance with the Town Law and a bid date be established as April 9, 2021.

By Order of the Town Board, Town of Ulster, this 18th day of March, 2021.

Vincent Maggiore: This equipment to go out for purchase to remove foreign debris. Debris clogs pumps and causes major problems at the plant and in the treatment process. This will take care of problem directly at the source/plant. This will help pumps be more effective and efficient. Major problem in the world and worsened by pandemic.

Councilman Secreto: Notices as snow melts, more rags/debris appearing.

Maggiore: This is a stormwater issue also. Should be completed by summertime. Quick install. Work in-house. Plumbing and electric will be done before equipment arrives at plant.

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MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to authorize the Supervisor to sign the Engineering Agreement by and between the TOU and Brinnier & Larios, P.C. for the Spring Lake Sewer System Phase II Design for an amount not to exceed \$23,000.00 (2021-M-89)

Supervisor: Two weeks ago town submitted grant application to DHCR for Spring Lake Sewer Phase 2. Analyzing town performance in the last two projects (collectively all resources from outside engineering consultants through regulatory agencies who are required to approve) we have a problem with the process at the front end, between design & approval timelines, that adversely impacts construction and implementation of project. To attempt to avoid same problem with this grant, asking for this motion, to design this project in advance of receiving grant funds, so that plans can be put in front of DEC for approval upon execution of grant contracts. We should have a comfortable timeline to construct once that happens.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

MARCH 18, 2021

Resolution Authorizing Awarding of Contract for Furnishing and Installation of One MPE SC2000 Variable Speed Pump Controller (2021-R-90)

Resolution of the Town Board

TOWN OF ULSTER

Resolution Authorizing Awarding of Contract for Furnishing and Installation of One MPE SC2000 Variable Speed Pump Controller

1. Pursuant to the provisions of section 103(4) of the General Municipal Law of the State of New York, the Town Board of the Town of Ulster does hereby find and determine that a public emergency exists in the Town of Ulster arising out of an unforeseen occurrence or condition whereby circumstances affecting the life, health, safety or property of the Town require immediate action which cannot await competitive bidding.
2. The Town Board of the Town of Ulster has determined that it is essential that MPE SC2000 Variable Speed Pump Controller for up to 4 Pumps be installed at the earliest possible moment in order to protect the health and safety of Town. Informal bids were solicited by the Town of Ulster Sewer Superintendent.
3. The lowest bid received was from Koester Associates, Inc., dated February 23, 2021, at a cost not to exceed \$24,500.00, as contained in the attached proposal from Koester Associates, Inc.
4. The Town Board of the Town of Ulster therefore authorizes the awarding of a contract for this public work to said firm, with work to commence immediately.

Maggiore: This project is a pump panel control replacement for main influent pump station at Town of Ulster plant. Current system installed in 1999 and all components in panel are obsolete; costing a lot of money to maintain. Great risk. This is a modern consolidated control unit, can link to data logging and SCADA systems, will help in operating more efficiently.

Supervisor: Two matters tonight (bar screen and pump controller) along with boiler system are parts of upgrades recommended from an engineering study performed two years ago. Repairs estimated at \$6M. Trying to narrow down scope and do things in-house, one at a time.

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MOTION: Councilman Secreto
SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to authorize the destruction of surplus check stock for the Katrine Lane Sewer Project checking account with Bank of Greene County (2021-M-91)

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Discussion on traffic issues on Old Sawkill Road as raised by the residents

Supervisor: Supervisor's office made aware of traffic on Old Sawkill Road. Study done two years ago on Brabrant Rd, resulting in placement of 30 MPH speed sign. We have a request from constituents.

Petramale: Self-explanatory. DOT denied some requests due to shortness of roads (e.g. Wiedy and Barbarosa)

Tutt: Highest traffic volume on Old Sawkill is from soccer fields. New business before the planning board will only cause one-two cars per day. Soccer fields will soon go before the planning board to decide on use; until then soccer field use is not permitted.

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Councilman Kitchen: Spoke to two Old Sawkill residents today who are both against speed bumps. States he is opposed to them as well.

Supervisor: Speed bumps not a desired solution. Difficult during plowing.

Councilman Secreto: Speed trailer

Berardi: Can hopefully put speed trailer out next week.

Discussion on a Town Response to the NYCDEP EIS for the Esopus Creek

Supervisor: Since 2011 Ashokan release channel, Esopus creek subject to extreme turbid water flow. NYC application pending before NYS – filtration avoidance determination (to avoid filtering suspended clays). Clays discharged into Esopus Creek to flow naturally to Hudson River and consequences. Adverse impacts. Decreased home values along Esopus; some passages are obstructed; unaware of flora/fauna studies/no significant study of environmental impacts performed by DEC. We would like to construct a response to DEC environmental impact statement.

Councilman Secreto: Water let out so hard, dead trees on bottom of Esopus move, sections where trees pile up lead to no passage and flooding.

Councilman Kitchen: Have any studies been done on lower Esopus re: fish and wildlife, ? Concerned about decreased recreation. Should we send letters to residents along the creek?

Councilman Van Kleeck: In full support of concerns. When we sign on, we must be confident in facts. Not yet confident that color of water determines whether or not fish are there. We should look for other members of community - -state, county, group effort. We need a resolution good for everyone.

Supervisor: Right now, not sure of any studies. Take this up at a future meeting.

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PUBLIC COMMENT:

1. Regis Obijiski, 170 Ledge Road

Re: Esopus Creek

There are neighboring municipalities that draw water from Esopus/Hudson River; two out of seven towns in the mid-Hudson region towns that draw water have signed memorializing resolutions. Look at what happens in and after the creek. Riverkeeper has scientists and can perhaps assist Town of Ulster in gauging release and turbidity (measurements). Resources available.

2. Bill Kemble, Daily Freeman

Re: Esopus Creek

Perspective questions. Look at this as this is an applicant wishing to do something. Would the municipality obtain funds from the applicant to do the studies? Have those topics been discussed (to Morrow)?

Councilman Morrow: There have been companies hired to do studies, but curious to know how independent those companies are .

Supervisor: In 2011, DOH and DEC imposed a consent decree on NYC DEP; as a condition of that decree (which resulted in the interim release protocol that the DEP operates under), NYS levied a fine against NYC. A portion of that fine went to Ulster County, and through the Ashokan release working group, there was a solicitation for professional engineers. Using these funds, Ulster County hired professionals to review the reports, and the professionals are actively reviewing work. Based upon Supervisor's conversation with Ulster County, the DEP has not performed an in-depth review of flora and fauna in Esopus valley and cannot make a statement as to the effect of the turbid water flows on the environment.

Councilman Kitchen: This is an example of sacrificing a few for the benefit of many. We need to put our foot down. Heavy handled by NYC and DEP.

Supervisor: The attitude toward this part of New York was summed up by former County Executive, Michael Hein: DEP is an "Occupying Nation".

Councilman Morrow: There have been DEP studies done that have been kept secret, foiled by Riverkeeper and turned down.

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3. Laura Hartmann, 44 Catskill Ave
- We need to take a strong stand with DEC.
 - Sad to see Officer Kilfoyle leaving. She was very helpful.
 - Asks Chief Berardi if he received any complaints about misbehaved kids in her neighborhood.

Berardi: None received. Reach out to me tomorrow.

Councilman Kitchen: Recreation along the Creek used to have docks and boats. Something we do not see anymore.

MOTION to adjourn (8:01 pm) (2021-M-92)

MOTION: Councilman Morrow

SECOND: Councilman Van Kleeck

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk