

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

~ Public Hearing Scheduled:

7:10 pm – Public Hearing for Special Permit and Referral to Ulster County Planning Board for Odilio Aguirre, 990 Flatbush Road, Kingston, NY, SBL: 48.8-2-24.200

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

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

ALSO IN ATTENDANCE:

1. Kyle Berardi, Police Chief
2. Kathy Moniz, Building Inspector
3. Seven town residents

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS –

1. Regis Obijiski, Ledge Road, Re: East Kingston landslides
Supervisor: Will discuss at end of scheduled meeting.
2. John Iannotti, Sunrise Ave Re: New Kingswood Park development
(Located behind Five Guys) Will they have their own egress/ingress?

Supervisor: Yes

JJ: South bound traffic making a left turn into the plaza, causing an impediment to traffic and are we exacerbating the problem?

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

Supervisor: Traffic has the ability to enter Kings Mall via traffic light and access Kingswood Park that way. Will give JI copy of site plans.

JJ: Some drivers will not use the light, and this will stack up traffic.

Councilman Secreto: This happens on Ulster Avenue. People will adjust.

Councilman Morrow: Road should be five lanes with center lane as turn lane.

APPROVAL OF MINUTES – July 9th and 18th

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

COMMUNICATIONS – None

ABSTRACT OF CLAIMS

Presented by Councilman Secreto

August, 2019

Prepaid Bills:	\$ 305,362.94
Abstract Bills:	\$ 151,724.12
Escrow Bills:	\$ 4,075.00
Reserve:	\$ 528.12
TOTAL:	\$ 461,690.18

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

MOTION: Councilman Morrow
 SECOND: Councilman Kitchen

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

CARRIED

BUDGET MODIFICATIONS

Presented by Councilman Secreto

General Fund:	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric at Orlando St. Ballfield	432.36
	Modify Revenue A2770 (Misc.Revenue) and Appropriation A3120.200 (Equipment) Law Settlement with LexisNexis through the NYS Attorney General's Office	1,828.07
	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) field spray paint from Herzog Supply	95.76
	Modify Revenue A2615 (NYS STOP DWI -Drug Evaluation) and Appropriation A3121.101 (Overtime A3120.101 (OT Wages) check from NYS STOP-DWI FOUNDATION for drug evaluation by Officer Miller - May 16th & May 30th	258.66
Highway Fund:	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb.-Oper.Funds	6,955.36
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oil) June Gas Reimb. (Ruby Fire District)	103.86

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oil) June Gas Reimb. (Town of Kng.Hwy.Fund)	498.70
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oil) June Gas Reimb. (Ul.Fire Dist.#1)	58.90
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oil) June Gas Reimb. (Ul.Fire Dist.#5)	29.08
Ul.Water:	Modify Revenue SW1.2770 (Misc. Revenue) and Appropriation SW1.8320.250 (Meters & Hydrants) meter testing - Yolanda Martinez - 732 Neighborhood Road	150.00

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

New business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of July 2019

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

Presentation and Acceptance of the Supervisor's Monthly Report for the month of July 2019

MOTION: Councilman Brink
SECOND: Councilman Kitchen

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

CARRIED

Presentation of Grant Preparation (2019 WIIA or IMG program) proposals by Mark Blauer for the Replacement of the Halcyon Park Water District Storage Tank and the Ulster Water District South Storage Tank

Supervisor: We identified Ulster water south tower in need of replacement, but we were not in position in 2018 to make the application for a grant due to bonding resolutions not completed as per grant requirements.

Motion to authorize Supervisor to sign proposals from Mark Blauer for the preparation of the 2019 WIIA or IMG Program Grants

Supervisor: Grant application in amount of approximately \$700,000. Cost of application \$1000. Total cost for Ulster south tower is \$3.4 million. Cost of proposal is \$1250

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

Presentation of Local Law ____ of 2019: Business Investment Exemption Law of the Town of Ulster, an adoption of NYS Real Property Tax Law Section 485(b), Subdivision 2(a)

Supervisor: For consideration at a future meeting. State statute allows municipality to adopt 10 year exemption schedule or to pass its own exemption schedule at less than 10 years. 1998 – five years schedule adopted. Asking that a law be considered to replace our current five year schedule.

Presentation of Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. _____ of 2019 – A Local Law to establish an Industrial and Commercial Incentive Board

Supervisor: On 7/18/19, a public hearing. Allows the establishment of Incentives Board which ID's geographic areas of the Town for accelerated exemptions over and above standard exemption that are under 485(b) paragraph two. No action tonight. No comments received.

Discussion on the renewal of CDPHP Health Insurance Plan for plan year December 1, 2019- November 30, 2020

Supervisor: Standard for the town to initiate renewal process in advance of December 1 due to our budget process, which begins in July. CDPHP discussions cut rate increase of 20 to 17%; alternative plan to increase deductibles. **Note** that our current deductibles of \$4500 and \$9000 are being utilized at 60%. Alternative proposal to reduced premium changes deductibles to \$6750 and \$13500. If deductibles are utilized at 75% and Town funds deductibles, we will incur same gross health insurance cost as we would in the renewed program with the lowered deductibles. If experience holds true to past, the town could save that 15% difference. Is Board willing to consider the higher deductible program in the alternative plan?

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

Motion authorizing the Supervisor to sign the Renewal for Town's CDPHP Health Insurance program for the period December 1, 2019 to November 30, 2020

Supervisor: Higher deductible program; alternative plan.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

Resolution authorizing the Supervisor to sign the Health Arrangement Plan Document and HRA/FSA Administration Agreement for the CDPHP Health Insurance Program for December 1, 2019 to November 30, 2020 Plan Year

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Approving the Health Reimbursement Arrangement Plan Agreement with CDPHP for December 1, 2019 through November 30, 2020

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

WHEREAS, the Town wishes to enter into an Agreement with CDPHP for the administration of the Health Reimbursement Arrangement associated with the Town's High Deductible HMO Health plan commencing December 1, 2019, now, therefore be it

RESOLVED, that the attached Health Reimbursement Arrangement Plan Document is hereby approved by the Board in the form presented, and be it further

RESOLVED, that the Supervisor is authorized to execute the attached Health Reimbursement Arrangement Plan Document and related Administrative Agreements with CDPHP for the continuation of the Health Reimbursement Arrangement Plan, and be it further

RESOLVED, that the Employer Town of Ulster shall be the Sponsor of the HRA and shall be the Administrator of the HRA for purposes of ERISA, and be it further

RESOLVED, that the Employer Town of Ulster hereby appoints the Administrative Agent to assist it with the administration of the HRA and to perform all such non-discriminatory duties related thereto, and be it further

RESOLVED, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order to implement the HRA, and to set up adequate accounting and administrative procedures to provide benefits under the HRA, and be it further

RESOLVED that the duly authorized agents of the Employer shall act as soon as possible to notify the Employees of the Employer of the adoption of the HRA by delivering to each Employee a copy of the summary description of the HRA in the form of the Summary Plan Description presented to this meeting, which form is approved.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

Motion to authorize Judge Kesick to attend the NYSMA Annual Conference in Lake Placid September 15th – 18th

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Motion to accept the retirement of Detective Brian Reavy effective 8/31/2019 in Good Standing Councilman Morrow

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

Motion to authorize the promotion of Police Officer Cheryl Benjamin to Detective effective 9/1/19

Councilman Brink: Start date 9/1/19; \$32.50/hour; union

Supervisor: Record to reflect that there is nothing but respect for her. She is the first female detective in Town of Ulster history.

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

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

CARRIED

Motion to authorize the hiring of one Part Time Police Officer

Councilman Brink: Blaine Smith; part time; union; \$23.36/hour; start date 8/19/19.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Resolution referring the LHV Project to the Ulster County Planning Board

Supervisor: Referred and recommendation from Town Planning Board. Two years ago, LHV approved for a 14,000 sq ft expansion; recently determined need to add 3600 sq ft building to approved, unbuilt project.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
LHV Precast

Reaffirmation of SEORA Negative Declaration Referral to the Ulster
County Planning Board 540 Ulster Landing Road

S-B-L: 40.31-1-34.100, 34.200

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

WHEREAS, the applicant – *LHV Precast* – received Site Plan Amendment approval in November of 2016 to construct a 14,400 square foot (sf) addition to their existing 14,400 sf manufacturing building so they can expand their manufacturing operation at 540 Ulster Landing Road, which approval was subsequently extended by the Town Board; and

WHEREAS, the applicant – *LHV Precast* – submitted a Site Plan Amendment application to add a 3,600 square-foot addition to the north of the existing 14,400 square-foot manufacturing building, which would be in addition to the approved 14,400 sf approved expansion; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Town Board has the authority to approve the Site Plan; and

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

- ❑ *Site Plan Consent Form* signed by James R. Willis –property owner agent - dated July 26, 2016;
- ❑ *Site Plan Application* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 8/6/2019;
- ❑ *SEQR Short EAF* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 8/4/2019;
- ❑ *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019;
- ❑ *General Notes* prepared by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019;
- ❑ *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019;
- ❑ *Existing Pre-cast Facility* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 7/11/19;
- ❑ *Foundation Plan Building 2* by Paul B. Jankovitz, RA, Architects/Planners dated 7/11/19; and
- ❑ *Erosion Control Details* by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019.

WHEREAS, the *Current Proposed Action* requires referral to the Ulster County Planning Board pursuant to the Referral Agreement between the County and the Town; and

WHEREAS, the Town Board, as the Lead Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) finds the *Current Proposed Action* would not result in any potentially large impacts, since the 3,600 addition is being required by the EPA to address stormwater management and will mitigate potential impacts; and

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board with a recommendation to reaffirm its SEQRA Negative Declaration for the Current Proposed Action; and

WHEREAS, with the revised submission, the Planning Board found, and the Town Board concurs the application is sufficiently complete for referral to the Ulster County Planning Board.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board, based upon the above and its own review of the application materials, refers this matter to the Ulster County Planning Board for GML 239 l and m review.

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

Resolution declaring the intent of the Town of Ulster Town Board to be Lead Agency with respect to an action proposed by Central Hudson, 2229- 2271 Ulster Ave, Lake Katrine, NY, Site Plan Review for SBL: 39.15-4-11 and authorizing a referral to the Ulster County Planning Board

RESOLUTION
TOWN OF ULSTER TOWN BOARD

Initiation of SEQR Type 1 Action-Coordinated Review Referral to the
Town Board
Central Hudson Gas & Electric Training Center Site Plan, Special
Permit and Lot Line Adjustment

S-B-L: 39.15-4-11 and 39.15-4-16

WHEREAS, the Applicant – *Central Hudson Gas & Electric (CHG&E)* – is seeking *Site Plan & Special Permit* approval to establish a 40,351 square-foot (sf) *Training Academy* that will feature offices and classrooms, a separate 31,358 sf indoor training area, and an outdoor “gas village” containing

(6) 120 sf residential training buildings, (1) 800 sf commercial training building, (1) 240 an apartment training building, and simulated electric transmission and distribution pole yards along with a 41,550 sf *Electric Transmission and Distribution Primary Control Center* on the subject 56.51-acre site.; and

WHEREAS, the Applicant is concurrently seeking a *Lot Line Adjustment* involving a 1.8-acre “Land Swap” with the adjacent Bread Alone (Largay, LLC) property; and

WHEREAS, the “*School of Learning*” use is permitted subject to Site Plan and Special Permit approval in both the R-30 Residential and HC-Highway Commercial Districts and the *Electric Transmission and Distribution Primary Control Center* “public utility” that is situated within the HC Zoning District, is an allowed use subject to Site Plan approval; and

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action (Site Plan and Special Permit) since the expansion area of the substation is more than one (1) acre, upon a favorable recommendation from the Town of Ulster Planning Board; and

WHEREAS, the Town of Ulster Planning Board has the authority to approve the Lot Line Adjustment; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Project Narrative* for CHG&E Training Center prepared by Central Hudson Gas & Electric undated;
- *Consent Form* signed by Peter Skelly, Member of Carraig Properties, LLC dated July 29, 2019;
- *Consent Form* signed by Daniel Leader, Member of Largay, LLC dated July 31, 2019;
- *Application for Preliminary Subdivision Plat Approval* prepared by Peter Skelly, dated July 29, 2019;
- *Application for Site Plan & Special Permit Review* prepared by Peter Skelly, dated July 29, 2019;
- *Full EAF Part 1,2 & 3* by Jessica D. Caserto, Director, Electric T&D Planning dated 7/30/19;
- *Threatened & Endangered Species Habitat Assessment* by Michael Nowicki dated 7/24/19;

Civil Set

1. *Cover Sheet* prepared by Swartz Architecture, DPC dated July 30, 2019;
2. *Existing Conditions Plan* prepared by Brooks & Brooks Land Surveyors, PC dated March 12, 2019;
3. *Lot Line Revision Plan* prepared by Brooks & Brooks Land Surveyors, PC dated March 12, 2019;
4. *Site Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
5. *Grading Plan (South Side)* prepared by Swartz Architecture, DPC dated July 30, 2019;
6. *Grading Plan (North Side)* prepared by Swartz Architecture, DPC dated July 30, 2019;
7. *Utility Plan (South Side)* prepared by Swartz Architecture, DPC dated July 30, 2019;
8. *Utility Plan (North Side)* prepared by Swartz Architecture, DPC dated July 30, 2019;
9. *Erosion & Sediment Control Details* prepared by Swartz Architecture, DPC dated July 30, 2019; and
10. *Site Details* prepared by Swartz Architecture, DPC dated July 30, 2019.

Architectural

- *Training Academy Floor Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
- *Primary Control Center Floor Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
- *Training Academy & Primary Control Center Elevation* by Swartz Architecture, DPC dated 7/30/19;
- *Gas Village Floor Plan and Exterior Elevations* by Swartz Architecture, DPC dated July 30, 2019;
- *Annex Floor Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
- *Annex Exterior Elevations* prepared by Swartz Architecture, DPC dated July 30, 2019; and
- *Annex Exterior Elevations* prepared by Swartz Architecture, DPC dated July 30, 2019.

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was a *Type 1 Action* pursuant to [6 CRR-NY 617.4 \(b\)\(6\)](#) of State Environmental Quality Review (SEQR) Law; and

WHEREAS, Involved Agencies include: Involved Agencies include: Town of Ulster Town Board (Site Plan, Special Permit, Sewer District Expansion and MS4 Acceptance), Town of Ulster Planning Board (Lot Line Adjustment), NYSDEC (SPDES General Permit for Construction Activities and SWPPP), and NYSDOT (Highway Work Permit for Utility Work); and

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

WHEREAS, Interested Agencies would include Interested Agencies would include the Town of Ulster Planning Board (Site Plan and Special Permit), Ulster County Planning Board (NYSGML 239 review), United States Army Corps of Engineers (Nationwide Permit), NYS Parks, Recreation Historic Preservation (Consultation), U.S. Fish & Wildlife Service and NYNHP for consultation regarding Threatened and Endangered Species (Indiana Bat, Northern Long-eared Bat, Bog Turtle and Prairie Wedgegrass); and

WHEREAS, the Town's Consulting Planner recommended to the Planning Board that the Proposed Action be referred to the Town Board for the sole purpose of initiating a SEQR *Type 1 Action-Coordinated Review* with the Town Board so named as Lead Agency; and

WHEREAS, the Town of Ulster Planning Board, at its August 13, 2019 meeting, referred this matter to the Town Board for the sole purpose of initiating a SEQR *Type 1 Action-Coordinated Review* with the Town Board so named as Lead Agency.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby Declares its Intent to be Lead Agency for a *Type 1 Action-Coordinated Review* and directs the Deputy Town Clerk to circulate a Notice of all Involved and Interested Agencies.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

7:10 pm – Public Hearing for Special Permit and Referral to Ulster County Planning Board for Odilio Aguirre, 990 Flatbush Road, Kingston, NY, SBL: 48.8-2-24.200

Present: Allan Dumas, Project Engineer, Brinnier & Larios

Dumas: Project in front of the Town Planning Board. Location is 990 Flatbush Rd. at 199/32 intersection; Aguirre proposing to construct a small office and shop/warehouse. Specs: 324 sq ft office ;1600 sq ft shop and ; total 1924 square feet; eight parking spots in back; NYSDOT consult on driveway; Health Department consult on sewage; layouts comply with zoning; security lighting; elevations show depictions.

Supervisor: Is driveway in alignment with driveway across the street?

Dumas: Does not think it is exact. (checks another map) almost in alignment.

MOTION to open Public Hearing (7:25 PM)

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

Public Comment:

Lois Smith: Parents own the right of way. Driveways must line up. [inaudible: points to map]

Supervisor: These questions should be directed to the Planning Board. This public hearing pertains to the special permit.

Teri Quarantino: What type of business?

Dumas: Small home construction business.

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

TQ: What about traffic control? This is an accident area.

AD: Business is less than six people. Most traffic early in the AM and return later in the day.

Councilman Kitchen: How many feet from exit ramp off of Route 32?

AD: About 600-700’.

Vicki Lucarini: What zone is this in?

Supervisor; O&M. Contractor storage yard permitted with special permit.

Teri Quarantino: Brings up traffic study done on Route 32. DOT would not decrease the speed limit. Lucky if 5% of people do the speed limit. Sure Chief Berardi can agree.

Chief Berardi: Not sure of the exact results.

Bill Kemble (Daily Freeman): What is “small equipment” storage?

Dumas: Trucks, snow equipment, home remodeling/painting business, tools such as hand tools.

Supervisor: Written comment accepted for 30 days. No action tonight.

MOTION to close Public Hearing (7:37 PM)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

August 15, 2019

Old business:

Update on cleanup of 59 Brigham Lane, Lake Katrine

Supervisor: Fire damaged house one year ago. Litigation in Supreme Court nearing its end. Filing papers at the end of August and moving forward with demolition.

Presentation of Resolution Adopting Local Law ____ of 2019: A Local Law No. 9 of 1991 entitled “Zoning Local Law of the Town of Ulster, NY – Utility Structures

Supervisor: Introduced in May, 2019. Not voted on tonight. For next meeting.

Resolution authorizing the Settlement of Article 7 Action: Florida Samas Ventures, Inc. c/o The Home Depot and authorization for Kyle Barnett, Eq. to sign such papers as necessary to effectuate said settlement

BE IT RESOLVED, that the Town Board of the Town of Ulster does hereby authorize the settlement of the tax review proceedings instituted by Florida Samas Venture, Inc. c/o The Home Depot USA, Inc., for the tax assessment rolls of 2015, 2016, 2017, 2018 and 2019 for property located at 100 Massa Drive (48.42-03-09.120), as shown on the attached Consent Judgment; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ulster does hereby authorize Kyle Barnett, Esq. of Van DeWater & Van DeWater, LLP to sign such papers as are necessary to effectuate said settlement.

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

Supervisor: Documents reflect reduction to \$6.5 M (total \$300,000). If town were to proceed in litigation, expenses would reach \$20,000. Net effect on town is reduction in revenues of less than \$1850. Would be ten years for Town to recover litigation costs if town prevailed in litigation.

MOTION: Councilman Brink
SECOND: Councilman Morrow

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

CARRIED

Resolution granting Conditional Site Plan Amendment Approval and Reaffirm SEQR Negative Declaration for Kingswood Park Plaza, 1204 Ulster Ave, Kingston, NY, SBL: 48.8-1-36

Supervisor: Comes from recommendation from Town Planning Board. Reduction of existing approval of two story 14,000 square foot structure to a one story, 7,000 square foot structure.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Kingwood Park Plaza
Conditional Site Plan Amendment Approval 1204 Ulster Avenue

S-B-L: 48.8-1-36

WHEREAS, the applicant – *Paquale Iovieno* with CGD Properties, LLC (Owner)– received *Site Plan approval in 2017* for construction of a two-story 14,400 square foot (sf) retail building along with ancillary driveways and on-site parking areas for 58 vehicles; and

WHEREAS, the applicant – *Paquale Iovieno* partner with CGD Properties, LLC (Owner) – is seeking Site Plan Amendment approval to change the approved Site Plan from a two-story 14,400 square foot (sf) retail building along with ancillary driveways and on-site parking areas for 58 vehicles to a 1-Story 7,200 square-foot retail building; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Town Board has the authority to approve the Site Plan; and

TOWN OF ULSTER TOWN BOARD MEETING (15)

August 15, 2019

WHEREAS, the Town of Ulster Town Board, is still the Lead Agency for this Unlisted-Action Coordinated Review; and

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

- ❑ *Transmittal Letter* prepared by Paul B. Jankovitz, RA, Architects/Planners February 1, 2017;
- ❑ Review Letter by Town Designated Engineers (TDE) Brinnier & Larios dated February 8, 2017;
- ❑ *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Project Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- ❑ *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017; revised 7/29/19;
- ❑ *Traffic Control Island Detail* by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- ❑ *Road Profile* by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- ❑ *Building Floor Plans* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Building Elevations* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017; revised 7/29/19;
- ❑ *Landscaping Schedule and Details* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Pavement Details* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Site Signage Traffic Control* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Reinforced Concrete Retaining Wall Detail* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Retaining Wall Reinforce Requirement* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Guard Rail Details* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- ❑ *Sanitary Sewer Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- ❑ *Site Lighting Details/Schedule* by Paul B. Jankovitz, RA, Architects/Planners undated; and
- ❑ *Lighting Plan Photometrics* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- ❑ *Proposed Grading and Drainage Plan* by Christopher R. DoCharo, P.E., dated February 2, 2017; and
- ❑ *Stormwater Pollution Prevention Plan (SWPPP)* by Christopher R. DoCharo, P.E., dated Feb. 2017.

WHEREAS, the *Current Proposed Action* calls for a significantly smaller building addition than the approved plan, so referral to the UCPB and Ulster County Highway is not required; and

WHEREAS, the Town 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); and

WHEREAS, the Town Board, as the Lead Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the *Current Proposed Action* would not result in the need to revise its SEQRA Negative Declaration since a significantly smaller building is proposed; and

WHEREAS, the Town of Ulster Planning Board, by motion, referred this matter to the Town Board at its August 13, 2019 meeting is a recommendation to reaffirm the SEQRA Negative Declaration and grant Site Plan Amendment Approval.

TOWN OF ULSTER TOWN BOARD MEETING (16)

August 15, 2019

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board reaffirms its SEQRA Negative Declaration for the Proposed Action and has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board grants conditional Site Plan Amendment approval to *Paquale Iovierno* for the proposed development of *Kingwood Park Plaza* on the above referenced site subject to the conditions, limitations and restrictions set forth below.

11. Compliance with applicable zoning and building laws, rules and regulations;
12. Compliance with all representations made by the applicant;
13. Compliance with final site plan, design plans and all details as cited herein;
14. All conditions established on the original Site Plan approval remain in effect;
15. The Town's consulting planner, engineer 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
16. All fees, including consultant fees, shall be paid.

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

August 15, 2019

Resolution Authorizing Acceptance of Easement from Big Matt Associates for the Katrine Lane Sewer Project

Supervisor: Allows Ulster Sewer Department to make improvements on private property.

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT
FROM BIG MATT ASSOCIATES, INC.**

WHEREAS, sanitary sewer lines for the benefit of the proposed Katrine Lane Sewer District are to be installed on lands owned by Big Matt Associates, Inc., Town of Ulster (hereinafter “Grantor”); and

WHEREAS, an easement has been offered by Grantor to the Town of Ulster, and

WHEREAS, the Town Board of the Town of Ulster is desirous of accepting said offered easement on behalf of said Town, and

WHEREAS, the Town Board of the Town of Ulster has examined said instrument, and finds the consideration described above to be fair and reasonable for the value of such taking,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulster does hereby accept an easement from Grantor in accordance with the terms and conditions contained in said instrument, authorizes the Town Supervisor to sign said easement and any transfer documents, and directs that the same be recorded in the Office of the Clerk of the County of Ulster, the fee for said recording to be borne by said Town.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (16)

August 15, 2019

Motion to authorize an Advance as a Short-Term Loan in the amount of \$195,000 from the General Fund to the Highway Garage Salt Shed Capital Project

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

Motion to authorize the Payment of Payment Application No. 1 for Contract TU-192, Concrete Walls for Salt Storage Building in the amount of \$187,625 to Precision Concrete Structures, Inc. of West Hurley, N.Y. from the Highway Garage Salt Shed Capital Project

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (16)

August 15, 2019

Motion to authorize the signing of the School Resource Officer Agreement between the Town of Ulster and Kingston City School District for the 2019 - 2020 school year

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

CARRIED

PUBLIC COMMENT –

1. Clayton VanKleeck, Town resident
Attended fundraiser last week for Tyler Petramale (at Ulster Hose No. 5.) it was phenomenal. Noteworthy in this town we saw the best of the best and celebrated life and hope. Collaboration of the community, police, and fire departments. Commends all involved.
2. Supervisor Quigley Re: East Kingston Mines
Reiterates his press release: Approx June 25, cave collapse old cement mine in East Kingston. Consequence, the outside of cave let loose and came down embankment. Town departments and Callanan observed. Mountain overlooking Main St., heavily mined mountain. Over last 100 years, water into mine through cracks and repeated freeze/thaw cycle. Evidence of previous landslides. This did not just happen. Eight – ten seismic devices in East Kingston. Callanan prepared for blast for last Friday; discovered another rockslide on Thursday and called off blast. Installed concrete barriers along the mountain this past Saturday. Monday, 11:15 am a controlled blast and modified blast pattern to prevent movement in mountain. Callanan no longer blasting at this time.
Supervisor made two presentations to church; a lot of communication with residents of East Kingston. St. Mary statue has been removed from shrine and is safe. Plan and public meeting will be announced for residents.

TOWN OF ULSTER TOWN BOARD MEETING (16)

August 15, 2019

Mine initiated 1950s. Mining regulations came into NY in 1975. They are grandfathered under mining regulations. Town zoning regulations implemented in 1992. Grandfathered under zoning regulations. Town Board limited as to how they are regulated. Limited ability by DEC to regulate.

3. Vicki Lucarini, Ledge Road
Do they have boundaries where they can mine?

Supervisor: Yes and they are delineated on the maps filed with DEC.

4. Lois Smith, Alder Court
Did they take over Tilcon mining?

Supervisor: Not mining entire parcel that they own.

5. Laura Hartmann, Catskill Ave
Who oversees fix?

Supervisor: Town Board in constant communication with DEC.

6. Teri Quarantino, Flatbush Road
Does DOT have scheduled inspections on the tunnel?

Supervisor: Yes

7. Kyle Berardi, Chief Ulster Police
Commends Ulster Police and neighboring agencies on recent homicide case. Suspect was taken into custody in less than 24 hours.

Supervisor: Homeless encampment on County land along Esopus Creek is being taken care of.

8. Laura Hartmann, Catskill Avenue
Recently bought a home in the Town and received a welcoming letter from the Town.

~ End Public Comment ~

TOWN OF ULSTER TOWN BOARD MEETING (16)

August 15, 2019

MOTION to adjourn (8:00 pm):

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk