

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

---

NOVEMBER 18, 2021

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

***(MEETING HELD IN PERSON; AVAILABLE VIRTALLY VIA ZOOM; BROADCAST FACEBOOK LIVE)***

**SALUTE TO THE FLAG**

**MOMENT OF SILENCE FOR ALICE TIPP**

**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 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Kyle Berardi, Chief of Police
2. Warren Tutt, Building Inspector
3. Frank Petramale, Highway Superintendent
4. Jason Kovacs, Town Attorney
5. 12+ attendees

**ADDITIONS OR CHANGES TO AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

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**APPROVAL OF MINUTES – October 1<sup>st</sup> and 15<sup>th</sup> (2021-M-298)**

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*

**COMMUNICATIONS –**

1. Letter from NYS Office of Comptroller, acknowledging receipt of order of the town board extending the Ulster Sewer District to Katrine Lane.
2. Letter from Lillian Nazginov, LA Kingston, 1099 Ulster Ave., in support of allowing cannabis retail dispensaries in the town and the limitation to HC and RC zoning districts.
3. Letter from Regis Obijiski, 170 Ledge Road  
Re: Budget, Fund Balance, Transparency  
ATTACHED

**ABSTRACT OF CLAIMS (2021-M-299)**

*Presented by Councilman Van Kleeck*

November, 2021

Prepaid Bills:	\$ 411,981.95
Abstract Bills:	\$ 1,392,468.83
Escrow Bills:	\$ 562.50
Reserve:	\$ 551.42
<b>TOTAL:</b>	<b>\$ 1,805,564.70</b>

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MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Kitchen -Yes

Town Councilman Morrow -Yes

Town Councilman Secreto -Yes

Town Councilman Van Kleeck -Yes

Supervisor Quigley -Yes

*CARRIED*

**New Business:**

**Presentation of a project to display American Veteran Banners in the Town of Ulster**

Present: Al Alberts and Bill Forte

Program in effect for many years. Display of American veterans' banners. Began in city of Kingston in 2014; currently on light poles. Feasible in town of Ulster. Kings Mall, Frank Sottile Blvd., Miron Lane ideal locations. Not trying to profit, just want people to be honored. Would require a sponsor.

*Supervisor:* What role would Town of Ulster play?

*Forte:* Contact businesses for sponsor. Can put 100 in town of Ulster. Would like to involve Ulster Hose.

*Supervisor:* Contact Ulster Hose then will see what we can do.

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**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of October 2021 (2021-M-300)**

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

**Following Two Motions Voted on Together: (2021-M-301)**

**Motion to authorize the Supervisor to sign Engagement letters with EFPR Groups, CPAs for the Town of Ulster 2021 Financial Statement Audit**

**Motion to authorize the Supervisor to sign Engagement letters with EFPR Groups, CPAs for the AUP Report for the TOU Justice Court and Town Clerk/Receiver of Taxes for 2021**

MOTION: Councilman Morrow

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 one Temporary Full Time Police Officer (2021-M-302)**

Jonathon Torres: non-competitive, union, no insurance, \$24.80/hour; start date 12/1/2021; requested by Chief Berardi

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

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 Dispatcher Drosdowich (2021-M-303)**

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*

**Motion to authorize the hiring of one Part Time Court Clerk (2021-M-304)**

Jasmin Otero-Burt: \$14.00/hour; start date 11/22/2021; 20 hours per week; requested by both judges.

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MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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 2022 Range Agreement with the Kingston Police Department (2021-M-305)**

*Chief Berardi:* All of these range agreements are standard. Town of Ulster has sole control over the range. Agencies have used the range for years.

MOTION: Councilman Morrow

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 2022 Range Agreement with the NYS DEC (2021-M-306)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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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 2022 Range Agreement with the Ulster County Law Enforcement Training Group (2021-M-307)**

MOTION: Councilman Morrow  
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 Police Chief to Purchase (2) Dodge Durango Police Vehicles under NYS Contract #PC-69047 from Begnal Motors in the amount of \$74,522.00 (2021-M-308)**

*Chief Berardi:* Vehicles purchased in advance. Slow production for 2022. To replace vehicles going out of service next year.

MOTION: Councilman Morrow  
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 Authorizing the Town Supervisor to Execute an Agreement with the Kingston City School District for the School Resource Officer (SRO) Program (2021-R-309)**

*Chief Berardi:* Yearly agreement with Kingston City School District. Mutual agreement between district, Berardi, and Jason Kovacs; all needs are satisfied. SRO program remains in schools. Some examples of modifications:

1. What officer is allowed to be involved in;
2. Softened uniform including a polo shirt;
3. Daily log by officer.

Still carries weapon, badge, and camera. Town will be reimbursed by school district. Officer works at school during school year and patrol officer for summer months.

**Resolution of the Town Board**

**TOWN OF ULSTER**

**Resolution Authorizing the Town Supervisor to Execute an Agreement with the Kingston City School District for the School Resource Officer (SRO) Program**

**Whereas**, the Town of Ulster and the Kingston City School District have formed a partnership to provide a School Resource Officer Program to the M. Clifford Miller Middle School within the Kingston City School District; and

**Whereas**, the Kingston City School District has further requested the Town of Ulster to provide a School Resource Officer who, in addition to providing security, will assist its staff and students as a resource for the well-being of the students at the M. Clifford Miller Middle School; and

**Whereas**, the Town of Ulster and the Kingston City School District have agreed to share in the cost of providing the School Resource Officer the M. Clifford Miller Middle School; now, therefore, be it

**Resolved**, that the Town Supervisor and the Police Chief of the Town of Ulster are hereby authorized to enter into a one-year contract with the Kingston City School District, commencing on September 1, 2021 and continuing through August 31, 2022 to provide the services of a School Resource Officer in accordance with the terms of the contract, a copy of which is attached hereto and marked "Exhibit A."



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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*

NOVEMBER 18, 2021

**Resolution Adopting the 2021 Town Fee Schedule for Spring Lake Sewer Charges (2021-R-310)**

*Supervisor:* \$48/quarter for 5000-gallon usage; charge \$9.68 per 1000 gallon over the 5000 gallons. Rates are set by contract with City of Kingston.

**Resolution of the Town Board**

**TOWN OF ULSTER**

**Resolution of Town Board of the Town of Ulster Modifying the 2021 Fee Schedule to Take Effect Immediately**

**WHEREAS**, the Town Board of the Town of Ulster is authorized to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted local law;

**WHEREAS**, the Town Board of the Town of Ulster adopted the Fee Schedule for the 2021 calendar year at the Town Board Meeting held February 4, 2021;

**WHEREAS**, the Town Board of the Town of Ulster established the Spring Lake Sewer District in order to put the Spring Lake Sewer Capital Project into service;

**WHEREAS**, the Town Board is required to set certain usage fees for the remainder of 2021 in order to properly bill the customers for service;

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the schedule of fees set forth below is hereby added to Section I of the Adopted Fee Schedule Dated February 4, 2021:

Spring Lake Sewer Improvement Area: Five thousand (5,000) gallons or any portion thereof in each quarter: \$48.00. For over five thousand (5,000) gallons: \$9.58 per one thousand (1,000) gallons or any portion thereof

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

*CARRIED*

NOVEMBER 18, 2021

**Resolution Authorizing Tax Certiorari Settlement with Petitioner Kohls/Dena Marie Plaza for property located at 800 Miron Lane, Kingston (2021-R-311)**

*Supervisor:* No refund of any prior taxes. \$ 7,250,000 is a \$1M decrease from previous assessed value.

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT  
WITH PETITIONER LA KINGSTON, INC.  
FOR PROPERTY  
LOCATED AT 800 MIRON LANE**

**WHEREAS**, petitions have been filed by the property owner below challenging real property tax assessments on the Town's assessment roll; and

**WHEREAS**, petitioner's court challenges are now pending in Supreme Court, Ulster County; and

**WHEREAS**, the Town and property owner have reached a mutually agreeable resolution; and

**WHEREAS**, Special Town Attorney William F. Ryan, Jr., Esq., after reviewing information on comparable properties from the Town Attorney and Assessor's office files, believe that this settlement is reasonable and advantageous to the Town; and

**WHEREAS**, the Town Board has had an opportunity to review the Special Town Attorney's file on this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Town of Ulster;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ulster hereby authorizes Special Town Attorney William F. Ryan, Jr., Esq. to execute for the property listed below the following settlement on behalf of the Town and all Special Districts at revised assessments of no less than the following amounts:

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<b><u>Petitioner</u></b>	<b><u>Address/Description</u></b>	<b><u>Year</u></b>
Dena Marie, LLC	800 Miron Lane	2020
Kin Inc. f/k/a Kohl's Inc.	SBL 48.50-2-20.112	2021

<b><u>Tax Year</u></b>	<b><u>Current Assessment</u></b>	<b><u>Amount of Reduction</u></b>	<b><u>Revised Assessment</u></b>
2022	\$8,267,717	\$1,017,717	\$7,250,000
2023	\$8,267,717	\$1,017,717	\$7,250,000
2024	\$8,267,717	\$1,017,717	\$7,250,000

MOTION: Councilman Van Kleeck

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 Authorizing Tax Certiorari Settlement with Petitioner LA Kingston, Inc. for property located at 1099 Ulster Avenue (2021-R-312)**

*Supervisor:* Assessed at \$ 1,350,000. Outside appraisal assessed at \$1M. This will require a refund 2019-2021.

**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT  
WITH PETITIONER LA KINGSTON, INC.  
FOR PROPERTY  
LOCATED AT 1099 ULSTER AVENUE**

**WHEREAS**, petitions have been filed by the property owner below challenging real property tax assessments on the Town's assessment roll; and

**WHEREAS**, petitioner's court challenges are now pending in Supreme Court, Ulster County; and

**WHEREAS**, the Town and property owner have reached a mutually agreeable resolution; and

**WHEREAS**, Special Town Attorney Kyle Barnett, Esq., after reviewing information on comparable properties from the Town Attorney and Assessor's office files, believe that this settlement is reasonable and advantageous to the Town; and

**WHEREAS**, the Town Board has had an opportunity to review the Special Town Attorney's file on this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Town of Ulster;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ulster hereby authorizes Special Town Attorney Kyle Barnett. to execute for the property listed below the following settlement on behalf of the Town and all Special Districts at revised assessments of no less than the following amounts:

<b><u>Petitioner</u></b>	<b><u>Address/Description</u></b>	<b><u>Year</u></b>
LA Kingston, Inc.	1099 Ulster Avenue	2019
	SBL 48.42-3-19	2020
		2021

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<b><u>Tax Year</u></b>	<b><u>Current Assessment</u></b>	<b><u>Amount of Reduction</u></b>	<b><u>Revised Assessment</u></b>
2019	\$1,350,000	\$620,000	\$730,000
2020	\$1,350,000	\$670,000	\$680,000
2021	\$698,500	\$63,500	\$635,000

MOTION: Councilman Secreto

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*

NOVEMBER 18, 2021

**Resolution Granting Final Site Plan Approval for Allspace Storage, P-857, 1639 Ulster Ave., Lake Katrine, SBL 39.19-3-24 subject to conditions, limitations and restriction set forth by the Planning Board (2021-R-313)**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**All Space Storage, P-857**  
**1639 Ulster Avenue**  
**SBL 39.19-3-24**  
**ZONE: HC**  
**Site Plan Amendment**

**WHEREAS**, the applicant, All Space Storage, seeks Site Plan Amendment approval for four (4) additional storage buildings at the existing storage facility and,

**WHEREAS**, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board coordinated with the Town of Ulster 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, declared its intent to be Lead Agency and previously typed the application as an Unlisted Action 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 Town Board, in coordination with the Town of Ulster 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,

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Action determining that the application will have no potential, significant, adverse environmental impact; and,

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

1. Compliance with any final comments as may be needed from the 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

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- 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 Morrow

SECOND: Councilman Kitchen

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

*CARRIED*



**Resolution Granting Conditional Special Use and Site Plan Approval for Ulster Recreation Facility, P-851, Route 28, Kingston, SBL 47.2-4-3.100, subject to conditions, limitations and restriction set forth by the Planning Board (2021-R-314)**

Representatives Present:

Shawn Holzmann (owner/applicant); Tom Harvey; Zachary Hall

Town Planning Board recommended SEQR determination and town board approval.

*Supervisor:* One prior comment in another meeting was about the temporary storage of construction materials.

*Harvey:* We plan to use the existing site.

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**Ulster Recreation Facility, P-851**  
**Route 28, SBL 47.2-4-3.100**  
**ZONE: HC**  
**Special Use & Site Plan**

WHEREAS, the applicant – Ulster Recreation Facility (aka Ulster Tennis), seeks Special Use and Site Plan approval for construction of a recreation and tennis facility; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including the following:

- *Complete application for special use permit and site plan prepared by Shawn Holzmann et.al. dated 7/28/21*
- *Signed Owner Consent Forms for Filing signed by Susan Clancy, dated 7/28/21 and Barbara Dreska, dated 7/27/21*
- *Signed Escrow Agreement by Shawn Holzmann, dated 7/9/21*
- *Completed Full Environmental Assessment Form and Full Environmental Assessment Form, prepared by Shawn Holzmann, dated 7/9/21*

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- *Site Plan for Ulster Recreation Facility prepared by KDA (Kristina Dousharm Architecture PLLC) & Rennia Engineering Design, PLLC dated 2021 including seven (7) sheets as follows:*
  - Sheet 1 of 7 Existing Conditions (revised as Sheet 1 of 9)*
  - Sheet 2 of 7 Site Plan (revised as Sheet 2 of 9)*
  - Sheet 3 of 7 Grading/Utility Plan (revised as Sheet 3 of 9)*
  - Sheet 4 of 9 Landscaping Plan (revised as Sheet 4 of 9)*
  - Sheet 4 of 8 Lighting Plan with Lighting Detail (revised as Sheet 5 of 9)s*
  - Sheet 6 of 7 Erosion & Sediment Control Plan (revised as Sheet 6 of 9)*
  - Sheet 7 of 7 Details (revised as Sheet 7 of 9)*
  - Sheet 8 of 9 Stormwater Details*
  - Sheet 9 of 9 NYSDOT Entrance Plan*
- *Exterior Elevations for Ulster Tennis prepared by KDA & Rennia Engineering Design PLLC, dated 7/27/21 including three (3) sheets as follows*
  - Sheet A100.00 Exterior Elevations, Proposed Second Floor*
  - Sheet A101.00 Exterior Elevations, Proposed Ground Level*
  - Sheet A200.00 Exterior Elevations, Proposed East Elevation, North Elevation, West Elevation & South Elevation*
  - Signage details for “Ulster Tennis”, two sheets prepared by Timely Signs, one for pole mount sign along Route 28, one for Mount Concept sign at entrance on Jockey Hill Road*
- *Letter from Thomas Harvey, Rennia Engineering Design PLLC to Geoffrey Ring, Chair Town of Ulster Planning Board dated October 27, 2021 describing soil testing as well as updated engineering information and site plan revised sheets including revised Stormwater Pollution Prevention Plan*
- *Ulster Tennis color renderings, by Kristina Dousharm Architecture, PLLC and Rennia Engineering Design, PLLC, dated 09/28/21*
- *Stormwater Pollution Prevention Plan, Ulster Recreation Facility prepared by Rennia Engineering Design, PLLC dated 09/28/2021 and revised 10/21/2021.*
- *Review of Application and of Revised Application memorandum from Brinnier and Larios, PC (Town of Ulster Engineers) to Geoffrey Ring, Chairman Town of Ulster Planning Board, dated September 7, 2021 & November 8, 2021 respectively,*

WHEREAS, the Ulster Town Board has final Special Use and Site Plan review and approval authority for this application.

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NOW THEREFORE BE IT RESOLVED, based on a review of the application and recommendations from the Town of Ulster Planning Board, the Ulster Town Board takes the following actions; and,

BE IT RESOLVED, that the Town Board of the Town of Ulster as Lead Agency, in coordination with the Town of Ulster Planning Board, determines that the Special Use & Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and makes a Negative Declaration that this Action will not have any significant, adverse environmental impact; and,

BE IT RESOLVED, that the Ulster County Planning Board Referral No. 2021-186 & 187 includes recommended comments on Health Department approval, Clearing and Endangered Species, Stormwater, Visual Impacts, and Sustainability that have been discussed with the Applicant and is a part of this Site Plan approval; however, the comment requiring that the Jockey Hollow Road access to Route 28 meet "...the requirements for a minor commercial driveway..." should be a decision made in coordination between the Applicant, the Town of Ulster Highway Superintendent, the NYS Department of Transportation as a condition of this Final Special Use and Site Plan approval, and therefore said comment is explicitly overridden by the Town of Ulster Town Board; and

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

7. Compliance with any final comments as may be needed from the Town Highway Superintendent in coordination with the NYS Department of Transportation regarding access and use of Jockey Hollow Road and access to NYS Route 28;
8. Compliance with the Ulster County Planning Board comments from Referral Memo No. 2021-186 & 187 as noted above including review and approval by the Ulster County Health Department, and coordination with NYS Department of Environmental Conservation regarding protocols for protection of Northern Long-eared Bat and Bald Eagle habitat associated with site clearing and tree removal;
9. Compliance with all comments by Brinnier and Larios, PC, Town of Ulster Town Engineers, as per memorandum to Chair Town of Ulster Planning Board dated September 7, 2021 and November 8, 2021 as noted above;
10. Compliance with applicable zoning and building laws, rules and regulations;
11. Compliance with all representations made by the applicant;
12. Compliance with documentation, site plan, design plans and all details as cited herein;
13. 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
14. All fees, including consultant fees, shall be paid.

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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*

NOVEMBER 18, 2021

**Resolution Declaring the Town of Ulster Town Board as Lead Agency and Referring to the Ulster County Planning Board for Thompson Technology Park, P-863, 39-49 Kieffer Lane, Kingston, SBL 48.66-2-20.310 (2021-R-315)**

**RESOLUTION**

**TOWN OF ULSTER TOWN BOARD**

**Thompson Technology Park, P-863, 39-49 Kieffer Lane, SBL 48.66-2-20.310**

**ZONE: OM -- Site Plan Amendment**

WHEREAS, the applicant – Thompson Technology Park, seeks Site Plan Amendment approval for construction of additional warehouse and office space at their existing facility; and,

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

WHEREAS, the Ulster Town Board has final Site Plan review and approval authority for this application.

NOW THEREFORE BE IT RESOLVED, based on a review of the application and recommendations by the Town of Ulster Planning Board, the Town Board takes the following actions:

BE IT RESOLVED, that the Town Board of the Town of Ulster determines that the Site Plan Amendment application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and that the Town Board of the Town of Ulster declares intent to be the Lead Agency for coordinated review with the Town of Ulster Planning Board; and,

NOW BE IT FURTHER RESOLVED, the Town Board formally refers the Site Plan Amendment application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239

MOTION: Councilman Secreto

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*

NOVEMBER 18, 2021

**Resolution to Initiate SEQR, Refer to Ulster County Planning Board, and to Schedule a Public Hearing for Special Permit for December 16, 2021 at 7:10pm for Moe's Motor Cars LLC, P-862, 454 Hurley Avenue, Hurley, SBL 48.17-1-41.100 (2021-R-316)**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**Moe's Motor Cars LLC, P-862**  
**454 Hurley Avenue**  
**SBL 48.17-1-41.100**  
**ZONE: OM**  
**Special Permit Use and Site Plan**

WHEREAS, the applicant, Moe's Motor Cars LLC, seeks Special Permit Use and Site Plan approval for a new automotive sales and service use; and,

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

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for this application in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed this application and recommends the Town Board take the following actions:

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board declares its intent to be Lead Agency and finds that this application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and,

NOW BE IT FURTHER RESOLVED, the Planning Board finds that prior to any further action by the Town of Ulster the application submitted as of November 9, 2021 will require a more complete map submission to the Town of Ulster with notes showing all site changes proposed including but not limited to any landscaping, fencing and exterior lighting. The Planning Board has discussed this with the Applicant; and,

NOW BE IT FURTHER RESOLVED, with receipt of complete map submission as described above, the Town Board formally initiates SEQRA, refers this application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use

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Referral Guide and NYS General Municipal Law 239, and schedules a public hearing for the Special Permit Use for December 16, 2021 at 7:10 p.m.; and,

BE IT FURTHER RESOLVED, this application is referred to the Town of Ulster Zoning Board of Appeals as the site plan presented will require an area variance for front setback associated with proposed fencing

MOTION: Councilman Secreto  
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*

**Old Business:**

**Motion to modify the TOU 2022 General Fund Preliminary Budget (2021-M-317)**

*Supervisor:* Unexpected increases/changes in last two weeks. (Information in meeting packet and on town website). Supervisor lists account descriptions and revenues/expenses. Total increase in expenses: \$158,210

~ Discussion about court revenue and traffic ticket suspensions ~

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*

NOVEMBER 18, 2021

**Highway Department Fund Preliminary Budget Modifications (2021-M-318)**

*Supervisor:* Health insurance increase \$14,167, to offset appropriating additional fund balance \$14,167

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*

**Ulster Water and Sewer District Fund Preliminary Budget Modifications (2021-M-319)**

*Supervisor:* Health insurance increase. All additional expenses by additional appropriations to fund balance.

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

*CARRIED*



NOVEMBER 18, 2021

**Resolution Adopting Town Budget as Modified for 2022 (2021-R-320)**

**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Adopting Town Budget for 2022**

**WHEREAS**, this Board having, on November 4, 2021, commencing at 7:10 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2022, including the fire protection district budget and light district budgets for 2022, and having heard all persons desiring to be heard in the matter and the matter of the budget for this Town for such fiscal year having been fully discussed and considered,

**NOW, THEREFORE, BE IT RESOLVED** that said Preliminary Budget approved and filed as aforesaid including the fire protection district budget and the light district budgets for 2022 is hereby approved, as revised by the Town Board at its meeting held on November 4, 2021 and established as the annual budget for this Town for the fiscal year beginning January 1, 2022, and that such annual budget be so adopted in detail in the minutes of the proceedings of this Town Board, and be it further

**RESOLVED**, that the Town Clerk of the Town shall prepare and certify as provided by law, duplicate copies of the said annual budget hereby adopted, shall attach thereto an exemption report in compliance with the requirements of Chapter 258 of the Laws of 2008, and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Clerk of the Ulster County Legislature as required by law.

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 to Appropriate the Sum of \$636,000 from Fund Balance towards Replacement of Water Storage Tank for the Ulster Water District (2021-R-321)**

*Supervisor:* Engineer estimate: \$1.6M. Town to fund 40%.

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution to Appropriate the Sum of \$636,000 from Fund Balance towards Replacement of Water Storage Tank**

**WHEREAS**, the Ulster Water District’s 500,000-gallon Water Storage Tank located at the South end of the district adjacent to the Town Highway Garage at 584 East Chester St Bypass, Kingston, N.Y. was constructed in 1957; and

**WHEREAS**, the Ulster Water Department Superintendent has recommended that the 500,000-gallon water storage tank be replaced due to its age and increased maintenance costs; and

**WHEREAS**, the Town of Ulster Town Board has authorized the preparation of a Plan, Map and Report for the replacement of the 500,000-gallon water storage tank by the Town’s Engineer, Brinnier & Larios, P.C. at the October 21, 2021, Town Board Meeting in preparation of making an application to the NYS Environmental Facilities Corporation for a WIIA Grant by November 22,2021; and

**WHEREAS**, the Town of Ulster Town Board has authorized the preparation of a Grant Application to apply to the NYS Environmental Facilities Corporation for a WIIA Grant by November 22,2021 under an Agreement with Blauer Associates authorized at the October 21, 2021, Town Board Meeting; and

**WHEREAS**, the Town Board determines that the construction of a new Tank is a rehabilitation or reconstruction of a facility in kind and is a Type II action pursuant to 6 NYCRR 617.5(c)(2), and is exempt from environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) and Local Law No. 6 of 1992; and

**WHEREAS**, a budget in the total amount of \$1,590,000.00 has been prepared by the Town’s Engineers, Brinnier & Larios, P.C/ to be submitted with the application for the WEIIA Grant and is attached as Exhibit “A” to this Resolution; and

**WHEREAS**, the budget identifies a local match in the amount of \$636,000; now, therefore, be it

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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NOVEMBER 18, 2021

**RESOLVED;** The Town of Ulster Town Board hereby appropriates the sum of \$636,000, to be used to fund the local match from the Ulster Water District Storage Tank Capital Reserve Account, from account number SW1.0867.000, which has a balance of \$786,305.19 as of the date of this Resolution and is invested in the Town of Ulster's Special Investment Account number 5202784105 at the Bank of Greene County which has a balance of \$ 12,088,117.39 as of October 31, 2021; and be it further

**RESOLVED,** that the Town of Ulster Supervisor is hereby authorized to provide a copy of this Resolution and supporting documents including a copy of the Bank Statement for the aforementioned account for inclusion in the WEIIA Grant Application.

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

*CARRIED*

NOVEMBER 18, 2021

**Resolution Adopting Local Law No. \_\_\_ of 2021, of the Town of Ulster Amending the Zoning Code, allowing adult-use cannabis retail dispensaries in accordance with the NYS Marijuana Regulation and Taxation Act 131**

*Supervisor:* Discussion during tonight’s caucus that this resolution needs more work. With consent of town board, removing from agenda and sending to town attorney for review and presentation at the 12/2/21 meeting. New resolution will be a revised local law regulating zoning districts for marijuana in town of Ulster and will require setting a public hearing for local law and referral to town planning and zoning boards and Ulster County planning board.

**MOTION TO REMOVE THIS ITEM AND REVISE FOR THE 12/2/21 MEETING: (2021-M-322)**

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

~ Discussion Councilman Van Kleeck and Supervisor ~

*Supervisor:* Resolution will be drafted such that zoning code will be modified to reflect potential cannabis retailing and cannabis consumption lounges.

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

*CARRIED*

NOVEMBER 18, 2021

**Resolution Authorizing the Adoption by the Town Board of the Town of Ulster of Local Law No. \_\_\_\_ of 2021: A Local Law known and cited as opt out of Allowing On-site Cannabis Consumption Sites in the Town of Ulster**

*Supervisor:* Last meeting, resolution was presented, known as cited as the “opt out” of cannabis consumption sites. Asks for motion on resolution.

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

Discussion:

*Councilman Van Kleeck:* To be clear – voting yes on the resolution means that we are not allowing cannabis consumption lounges in the town of Ulster and the vote is reversible in the future. If we vote no on this resolution, we are allowing cannabis consumption lounges, and that vote is not reversible.

*Supervisor:* Regarding resolution on zoning code, if the town opts out now and reverses at some point in the future, town has set the zoning for the siting of consumption lounges. Also, in remote circumstance that state overrides town’s local opt out, town board has set a mark for zoning districts that are acceptable for these types of uses.

*Councilman Van Kleeck:* By not voting against distribution, by default we are allowing it. Town will have advantage of setting up zoning restrictions that will be in place so that we will have a zoning plan where distribution locations can be. Also, we will establish zoning for consumption lounges “if” allowed. Currently, motions on table are that town will allow the sale and distribution, but we do not want lounges.

~ Discussion with Chief Berardi ~

*Councilman Kitchen:* Asks what Chief is seeing now that marijuana is legalized. What is he seeing? Concern is how the new legislation affects the police department.

*Chief Berardi:* Law pertains to possession of marijuana. Certified expert in department, Officer Miller. Department has adapted. No statistics in New York State at this point to determine if there has been a problem.

*Councilman Van Kleeck:* Unsure if a lounge will be harmful to a community. Testing vs practice. No statistics or strong feeling. If we table this to next month, will we know more about zoning.

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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*Kovacs:* We will not have feedback from County, but can have a proposed code regulating both lounges and retail. Same zoning districts for lounges that were discussed for retail dispensary.

*Councilman Van Kleeck:* Would feel more comfortable waiting until next month.

Councilman Kitchen and Supervisor agree. Still time.

**MOTION TO TABLE THIS TOPIC TO DISCUSS AND VOTE AT 12/2/2021 MEETING (2021-M-323)**

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

Town Councilman Kitchen	-No
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Adoption of TOU Policy for Armored Rescue and Recovery Vehicle (2021-M-324)**

*Chief Berardi:* Policy stands as it was presented at the last meeting. Confident in policy.

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

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

*CARRIED*

**~ END OF AGENDA ITEMS ~**

**PUBLIC COMMENT**

1. Laura Hartmann, Catskill Avenue  
Re: Budget and ARPA Funds  
Reads from Prepared Statement – ATTACHED

Supervisor stated at last meeting that town not receiving ARPA funding.  
Asking for clarity and what is happening with our money.  
Not pushing a political agenda. Has the right as a town citizen to ask questions.

*Supervisor:* Treasury regulation information – ARPA funds not to be used to reduce taxes or include in budget until spent for appropriate uses. Previously stated that town not receiving funding to the level of county or city of Kingston. Receiving \$1.286 M. Observed us commit to premium pay to employees and capital improvement projects with these funds.

**MOTION to Exit to Executive Session: Personnel (8:11 pm) (2021-M-325)**

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

*CARRIED*

Return: No votes and no action to report

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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**MOTION to adjourn (8:24 pm) (2021-M-326)**

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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