

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (4)

FEBRUARY 1, 2018

~PUBLIC HEARING SCHEDULED 7:10 pm – Special Permit to allow an automotive sales and services business for Kenneth Finke dba Premiere Fire Apparatus, Inc. for SBL #39.15-7-19.110, 68 Leggs Mill Road, Lake Katrine, NY

~ PUBLIC HEARING SCHEDULED 7:15 pm – Town Law Section 190-15.1 C (2), Special Permit for Home Occupation in an accessory structure for Christine Dremmel, 184 Ledge Road, Kingston, NY SBL 48.58-8-12

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

ROLL CALL :

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

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Building Inspector, Kathy Moniz
3. Highway Superintendent, Frank Petramale
4. Town Assessor, James Maloney
5. Six Town residents

ADDITIONS OR CHANGES TO THE AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS -- None

COMMUNICATIONS -- None

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New business:

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2018 to be provided by Rusk Wadlin Heppner & Martuscello

MOTION: Councilman Brink
SECOND: Councilman Kitchen

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

CARRIED

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2018 to be provided by Rebecca Millouras-Lette, PLLC

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2018 to be provided by Van DeWater & Van DeWater, LLP

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

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Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2018 to be provided by Tabner, Ryan & Keniry, LLP

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Motion authorizing the Town Clerk to go out to Public Bid for the purchase of chemicals during 2018 on behalf of the Town of Ulster Water Department and the Town of Ulster Sewer Department

MOTION: Councilman Kitchen
SECOND: Councilman Brink

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

CARRIED

Motion to accept the resignation of MEO Steve Williams of the Highway Dept. effective February 1, 2018

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

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Motion to authorize the hiring of a Part Time Plow Operator for the Highway Dept.

Councilman Brink, Personnel Committee:

Steve Williams: Seasonal, as needed; \$18/hour; start date 2/2/18; requested by Dept Head Frank Petramale.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

Motion to authorize the hiring of one Temporary Full Time Seasonal Employee for the Highway Department effective February 2, 2018

Councilman Brink, Personnel Committee:

Lukas Boyle: Has Class B permit; \$14/hour; non-union; rehire as FT temporary seasonal; 40 hours/week

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

FEBRUARY 1, 2018

Old Business:

Resolution to Issue a Positive Declaration and Set a Public Scoping Session for the Lincoln Park Grid Support Center (SBL: 48.012-1-20, 48.016-1-1 and 48.016-1-2.210).

Scheduled for February 22, 2018 at 7:00 pm at the Town Hall

TOWN OF ULSTER TOWN BOARD
UNLISTED ACTION-COORDINATED
ENVIRONMENTAL REVIEW
NOTICE TO INVOLVED AGENCIES
POSITIVE DECLARATION

LINCOLN PARK GRID SUPPORT CENTER

Miron Lane and Frank Sottile Boulevard

Town of Ulster, Ulster County, New York

S-B-L: 48.012-1-20, 48.016-1-1 and 48.016-1-2.21

February 1, 2018

WHEREAS, the applicant – Lincoln Park DG, LLC dba Lincoln Park Grid Support Center – has submitted an application for *Site Plan and Lot Line Adjustment* (i.e., lot consolidation) approval for the development of a hybrid battery storage and natural gas-fired power plant (with the capability to use on-site low-sulfur diesel if the gas supply is disrupted) electric grid support center on the above referenced site in the Town of Ulster, Ulster County, New York; and

WHEREAS, the proposed manufacturing use (i.e. utility company structures) is permitted *as-of-right* subject to Site Plan Review within the OM-Office Manufacturing Zoning District, in accordance with the standards set forth in §190-69 Table of Uses of the Town of Ulster Code; and

WHEREAS, on November 16, 2017 the Town Board indicated its intent to declare itself lead agency with respect to the Proposed Action; and

WHEREAS, notices of the Town Board’s intent to declare itself lead agency were sent to all involved and interested agencies as required by the Environmental Conservation Law of the State of New York and no involved agency objected to the Town Board declaring itself lead agency with respect to the Proposed Action; and

WHEREAS; on January 8, 2018, the Town Board Declared Itself Lead Agency for the purposes of conducting the review and making such determinations as are necessary with respect to the Proposed Action as required by 6NYCRR Part 617 of the New York Environmental Conservation Law (State Environmental Quality Review Act) and the regulations promulgated thereunder; and

WHEREAS; the Town Board, with the assistance of the Planning Board and its consulting planner, have the Proposed Action is a SEQRA *Unlisted Action* since it does not exceed any of the

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Thresholds established for TYPE 1 Action pursuant to 6NYCRR Section 617.4(2)(b) or the SEQRA regulations; and

WHEREAS; the Town Board, with the assistance of the Planning Board and its consulting planner, have prepared a Full EAF Part 2, which has identified several potentially significant adverse environmental impacts related to the Proposed Action, that needed to be thoroughly evaluated and mitigated, before taking any action; and

WHEREAS, the Town Board has concluded that the Proposed Action may have a significant impact on the environment if it is approved and built; and

WHEREAS, the Town Board has reviewed the attached draft Positive Declaration prepared on the Proposed Action on behalf of the Town Board by the Town Planner;

NOW THEREFORE, be it **RESOLVED,** that the Town Board adopts the contents of the Full Environmental Assessment Form, Part 2 and Part 3; and be it

FURTHER RESOLVED, that the Deputy Town Supervisor is authorized to complete and sign the Determination of Significance on the Full Environmental Assessment Form declaring as set forth therein that the Proposed Action “may result in one or more large impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared”; and be it

FURTHER RESOLVED, that the Town Board adopts the contents and conclusions set forth in the attached draft Positive Declaration regarding the potential environmental impacts if the Proposed Action is approved and built; and be it

FURTHER RESOLVED, that the Deputy Town Supervisor is authorized to file the Positive Declaration as adopted aforesaid with the agencies named in the Positive Declaration and otherwise in accordance with applicable law; and be it

FURTHER RESOLVED, that a public scoping session shall be conducted in accordance with N.Y.S. Department of Environmental Conservation Rule 617.8 (6 NYCRR §617.8) based on a draft Scoping Document prepared by the Town Planner, and the public scoping session shall be held on Thursday, February 22, 2018 at 7:00 p.m. at which time the Town Board will receive public comment on the draft Scoping Document.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

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~PUBLIC HEARING SCHEDULED 7:10 pm – Special Permit to allow an automotive sales and services business for Kenneth Finke dba Premiere Fire Apparatus, Inc. for SBL #39.15-7-19.110, 68 Leggs Mill Road, Lake Katrine, NY

MOTION to open Public Hearing (7:10 pm): Councilman Secreto

SECOND: Councilman Brink

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

COMMENT:

1. Ciro Interrante, Architect: No construction/additions. Raise roof from 12' to 18'. Add landscaping at entrance; roof canopy; expand parking with no additional paving; change of use.

Deputy Supervisor Morrow: Any traffic concerns?

Interrante: Service trucks, 10 employees, and once trucks come in they are there at least all day.

DS Morrow: Will there be sales?

Councilman Secreto: Sales and service are just for fire equipment?

Ken Finke, Owner: There will be sales; each truck is special ordered. Once in a while they will have a demo. Sales and service just for fire equipment.

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MOTION to close Public Hearing (7:14 pm): Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

DS Morrow: Board will not take action tonight.

Interrante: Why can't Board make decision tonight?

DS Morrow: We never take action right after a public hearing. We accept written comment for a period, then make a decision at the next Board meeting.

Interrante: We were hoping to get a decision prior to the Planning Board meeting.

Kovacs: If the Planning Board is satisfied, it can grant conditional site plan approval/special permit subject to the 2/15 Town Board meeting.

DS Morrow: You should not have a problem.

~ PUBLIC HEARING SCHEDULED 7:15 pm – Town Law Section 190-15.1 C (2), Special Permit for Home Occupation in an accessory structure for Christine Dremmel, 184 Ledge Road, Kingston, NY SBL 48.58-8-12

MOTION to open Public Hearing (7:16 pm): Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

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COMMENT:

1. Regis Obijiski, 170 Ledge Road

Objects to the proposal for special permit. Cites from Town Code: 1. 190.25 (businesses within homes) and 2. 190.27 (at least two but no more than four parking spaces must be provided). Many townhomes in neighborhood and there are no occupations operating within a separate facility. Would support her occupation within her home. Reason for objection: This would set a precedent for the very tight townhome neighborhood.

2. Christine Dremmel, Applicant

Her profession is a therapist. She is not opening a business. Not able to work in an office as she has a disability. No issues with traffic; this is a public roadway. Parking is in driveway. Home health aides park in the street; they care for her mother.

DS Morrow: In your application you stated you would work only two days per week.

Dremmel: Yes either Mon, Tues or Mon, Wednesday. 10-15 clients for those two days.

Councilman Secreto: What are your hours of operation?

Dremmel: No appointments after 6:00 pm.

3. Victoria Lucarini, 170 Ledge

Heard Dremmel say she is disabled. Americans with Disabilities should be involved if her employer not letting her work while being disabled and make it easier for her to stay.

Councilman Kitchen: She is self-employed.

MOTION to close Public Hearing (7:26 pm): Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

DS Morrow: No action taken tonight.

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PUBLIC COMMENT

1. Laura Hartmann, 45 Birch St

Thanks the Town Board for the Resolution/Pos Dec for Lincoln Park Grid
Requests 90 days for public comment.
Hopes that the agenda is posted in advance.

END OF PUBLIC COMMENT

MOTION to adjourn (7:28 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	-Excused

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk