

**TOWN OF ULSTER TOWN BOARD MEETING (2)**

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January 17, 2019

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

**SALUTE TO THE FLAG**

**MOMENT OF SILENCE:** Renno Budziak, former Town Planning Board Chairman, passed away on January 4, 2019.

**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 3<sup>rd</sup> - *Excused*

**ALSO IN ATTENDANCE:**

1. Jason Kovacs, Town Attorney
2. Kyle Berardi, Police Chief
3. Frank Petramale, Highway Superintendent

**ADDITIONS OR CHANGES TO THE AGENDA**— None

**PUBLIC DISCUSSION ON AGENDA ITEMS** – None

**APPROVAL OF MINUTES** – December 6

MOTION: Councilman Brink  
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	- <i>Excused</i>

***CARRIED***

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**APPROVAL OF MINUTES – December 20**

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*

**ANNOUNCEMENTS** – None

**ABSTRACT OF CLAIMS**

*Presented by Councilman Secreto (Previously reviewed by Councilmen Brink & Secreto)*

2018 Final Bills

Prepaid Bills:	\$ 241,580.09
Abstract Bills:	\$ 223,699.88
Escrow Bills:	\$ -
Reserve:	\$ -

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**TOTAL:** \$ 465,279.97

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*

**TOWN OF ULSTER TOWN BOARD MEETING (2)**

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January, 2019 Bills

Prepaid Bills: \$ 172,377.89  
Abstract Bills: \$ 271,952.04  
Escrow Bills: \$ -  
Reserve: \$ 120.00

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**TOTAL:** \$ 444,449.93

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*

**BUDGET MODIFICATIONS**

*Presented by Councilman Secreto*

December, 2018

**Highway  
Fund:**

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb.-Oper.Funds	5,560.82
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb.- Ul.Fire Dist. #1	98.03
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb.- Ul.Fire Dist. #1	53.55
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Ruby Fire District)	112.46
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb. (Ruby Fire District)	75.81

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	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (E.Kng.Vol.Fire Co.)	451.94
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Dec. Gas Reimb. (E.Kng.Vol.Fire Co.)	317.47
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Nov. Gas Reimb. (Ul.Hose #5)	180.54
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Dec. Gas Reimb. (Ul.Hose #5)	81.76
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Nov. Gas Reimb. (Town of Kng. Hwy.)	550.04
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Dec. Gas Reimb. (Town of Kng. Hwy.) Dec.1-13th	320.67
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Dec. Gas Reimb. (Town of Kng. Hwy.) Dec.14-31st	311.47
<b>Highway Fund:</b>	Modify Revenue D3501 (consolidated Hwy.Aid) and Appropriation D5112.200 (Chips Program) additional state aid -CHIPS \$"149,556.15 - PAVENY \$34,137.68 Extreme Winter Recovery Program (WIRP) \$27,517.39	211,211.22
	Modify Appropriation D5130.200 (Equipment) to be funded through D5990 (Approp.Fund Bal.) payment to H.O.Penn Machinery for 2017-930M Caterpillar Loader	175,000.00

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<b>General Fund:</b>	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball) refereeing services (12/17 & 12/19/18) Jeffery Hayner, Jr.	120.00
<b>Ulster Water:</b>	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants) purchase of a meter from Wm.Summers, NNI Constr. For Smoothie King	155.00

**BUDGET TRANSFERS**

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**

**TOWN OF ULSTER TOWN BOARD MEETING (2)**

January 17, 2019

**New business:**

**Presentation and Acceptance of the Town Clerk’s Monthly Report for the month of December 2018**

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**

**Resolution approving the Initiation of SEQR Type 1 Action-Coordinate Review for Central Hudson Gas & Electric, S-B-L: 48.17-1-10.100, 13.110 & 22.110**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**Initiation of SEQR Type 1 Action-Coordinated Review**  
**Central Hudson Gas & Electric**  
S-B-L: 48.17-1-10.100, 13.110 & 22.110

**WHEREAS**, the Applicant – Central Hudson Gas & Electric – is seeking Site Plan and Special Permit approval to expand an existing “utility company structure” (i.e., substation) located at 435 Hurley Avenue; and

**WHEREAS**, the subject site is situated within the OM-Office Manufacturing Zoning District where a “utility company structure” is an allowed use subject to Site Plan approval; and

**WHEREAS**, pursuant to Section 190-21 C of the Town Code, the applicant is seeking a Special Use Permit for proposed transmission structures exceeding 100-feet in height; and

**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

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

- *Cover Letter* prepared by Caren LoBrutto, Senior Planner, The Chazen Companies, dated 12/21/2018;
- *Application for Site Plan & Special Permit Review* prepared by Ivan Hojsak, CHG&E, dated 12/21/18;
- *Full EAF Part 1 & Report* prepared by The Chazen Companies, dated December 21, 2018;
- *Title Sheet* prepared by The Chazen Companies, dated December 21, 2018;
- *Notes & Legend* prepared by The Chazen Companies, dated December 21, 2018;
- *Existing Conditions Plan* prepared by The Chazen Companies, dated December 21, 2018;
- *Site Plan* prepared by The Chazen Companies, dated December 21, 2018;
- *Grading, Erosion and Sediment Control Plan* by The Chazen Companies, dated December 21, 2018;
- *Earthwork Cross-Sections* prepared by The Chazen Companies, dated December 21, 2018;
- *Site and Storm Details* prepared by The Chazen Companies, dated December 21, 2018; and
- *Erosion and Sediment Control Notes* by The Chazen Companies, dated December 21, 2018.

**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 \(b\)\(6\)](#) and [6 CRR-NY 617.4 \(b\)\(10\)](#) of the State Environmental Quality Review (SEQR) Law; and

**WHEREAS**, Involved Agencies include: Town of Ulster Town Board (Site Plan, Special Permit, [MS4 Acceptance](#)), NYSDEC (General Permit, Stream Disturbance and 401 Water Quality Certificate) and NYSDEC (General Permit for Construction Activities and SWPPP); and

**WHEREAS**, Interested Agencies would include the Town of Ulster Planning Board (Site Plan and Special Permit), Ulster County Planning Board (NYSGML 239 review), [New York State Department of State \(Coastal Consistency Assessment – Esopus Creek Inland Waterway\)](#), New York State Department of Ag & Markets (Filing of Ag Data Statement), 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 (Northern Long-eared Bat, Bald Eagle, Bog Turtle) and Town of Ulster Floodplain Development Permit (activities within the 100-year floodplain/special hazard area); 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.

**WHEREAS**, the Town of Ulster Planning Board, at its January 8, 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 Intent to all Involved and Interested Agencies.

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PRESENTATION by the Chazen Company

*Jason Kovacs:* This came out of the Town Planning Board. This is the first step of the SEQR process.

**Chazen:** David Young, Caren LoBrutto, Senior Planner

**Central Hudson:** Ivan Hojsak

*LoBrutto:* Hurley Avenue substation; Expansion of 2.5 to a 5.3 existing facility; located in Office & Manufacturing District where utility company structures are permitted by use.

*Hojsak:* Area labeled as a point of congestion; installing a series compensation devise as part of the expansion; similar to “opening lanes on a highway” to alleviate congestion.

*LoBrutto:* Rerouting of an existing 301 (345 kV) line; replacement of one structure and additional existing structure; replacement of a kV line.

*Young:* Describes map/site plan shown. Dead end structure opened up.

*Councilman Secreto:* Is this across from Coleman High School? What is height of the tower?

*Young:* Yes. Wires are the same height they are now.

*Hojsak:* 301 line – existing structure is 73’ elevation; new replacement is 77’ minimal change. New installed structure is 88’.

All satisfied.

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 Town Clerk, Councilmember Kitchen and the Assessor to attend the 2019 Annual Meeting & Training School, February 17<sup>th</sup> -20<sup>th</sup> in New York City**

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

*CARRIED*

**Resolution authorizing the Issuance of \$3,480,000.00 Serial Bonds of the Town of Ulster, Ulster County, New York, to pay the cost of the increase and improvement of the Facilities of the Ulster Water District, in the Town of Ulster, Ulster County, New York**

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*

**TOWN OF ULSTER TOWN BOARD MEETING (2)**

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**Resolution authorizing the Supervisor to sign the Labor Contract for Local 17**

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Authorizing the Supervisor to Execute a Collective Bargaining Agreement between the Town of Ulster and the Laborers' International Union Local 17**

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a collective bargaining agreement between the Town of Ulster and the Laborers' International Union Local 17 covering the period from January 1, 2018 through December 31, 2021, subject to the review and approval of the form of the agreement by the Attorney to the Town.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

**Review and Approval of Agreement for the Expenditure of Highway monies per Section 284 of the New York State Highway Law**

*Petramale:* Annual legal agreement between Highway Superintendent and Town Board, done every year.

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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January 17, 2019

*Deputy Supervisor* reads an email from the Town Supervisor regarding the proposal made by Governor Cuomo to reduce state operating aid for municipalities, in the budget plan he released this week. This this will affect towns and villages.

**PUBLIC COMMENT** –

1. Regis Obijiski, 170 Ledge Road RE: Central Hudson documents

Will these documents be posted to the Town Website?

*Deputy Supervisor Morrow: Yes.*

~ End of Public Comment ~

**MOTION to adjourn (7:18 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