

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

~Public Hearing Scheduled: 7:10 PM Local Law ___ of 2018: Amendment to Section 190-30 of the Town Zoning Code: Supplementary Sign Requirements – Pertaining to the Regulation of Digital Signs

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:05 PM

ROLL CALL by Deputy Town Clerk, Lauren Hommel:

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILMAN ERIC KITCHEN -- *Excused*

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Highway Superintendent, Frank Petramale
3. Town Assessor, James Maloney
4. Police Chief, Kyle Berardi
5. Building Inspector, Kathy Moniz
6. 18 audience members

ADDITIONS OR CHANGES TO THE AGENDA—

1. Supervisor adds MOTION to authorize the placement of a stop sign at the intersection of Pawan Circle and Costanzi Drive
2. Supervisor adds MOTION to authorize the Town Highway Superintendent to make application to the DEC for a recycling grant covering 50% of the recently purchased containers.

PUBLIC DISCUSSION ON AGENDA ITEMS –

1. Bob Mitchell RE: Sawkill Country Store

Planner asked him to bring colors for the building.

Supervisor: Does not see anything in documents re: colors. Should have been handled at Planning Board. Will leave colors and address during agenda item.

2. Emily Hagen, Scenic Hudson Land Trust RE: Esopus Agricultural Center

Scenic Hudson hoping to acquire conservation easement on this parcel. The larger outcome is to obtain larger easement, as a working and viable farm in the community. Very special opportunity for the Town. Property holds great value. Can answer any questions the Board may have.

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

APPROVAL OF MINUTES – June 7 and 21

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

ANNOUNCEMENTS –

Supervisor: Construction on the Route 209 bridge. The bridge will be closed for the next two nights (8pm-6am) and a detour in place to circumvent the closure.

ABSTRACT OF CLAIMS

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

July, 2018

Prepaid Bills:	\$ 257,520.53
Abstract Bills:	\$ 546,051.84
Escrow Bills:	\$ 6,177.50
Reserve:	\$ 614.18

TOTAL: \$ 810,364.05

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

BUDGET MODIFICATIONS

Presented by Councilman Brink

**General
Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) scoreboard from JVS Graphics	150.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric at Orlando St. Ballfield	411.18
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) 3rd water usage at Orlando St. Ballfield	53.00
Modify Revenue A2680 (Insur.Recoveries) and Appropriation A3310.434 (Signs) check from State Farm Mutual Insur. Co. for repairs to street sign-Mary Ave. Insured-Kevin Shambo - DOL-5/9/18	60.02

**Highway
Fund:**

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) May Gas Reimb.-Oper.Funds	8,276.33
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) May Gas Reimb. (Ruby Fire Dist.)	145.64
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) May Gas Reimb. (E.Kng.Vol.Fire Co.)	316.18
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) May Gas Reimb. (Town of Kng. Hwy. Dept.)	421.48
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Mar. Gas Reimb. (Ulster Fire Dist.#1)	80.86
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) May Gas Reimb. (Ulster Fire Dist.#1)	39.99
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas &	

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Highway Fund:	Oil) May Gas Reimb. (Ulster Fire Dist.#5)	97.23
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.400 (Street Program) reimbursement for 24 traffic cones from the Town of Ulster Water District	211.80
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5110.400 (Street Program) reimbursement for 50 stenciled traffic cones from the Town of Olive Olive Highway	841.50
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5110.400 (Street Program) reimbursement for 25 stenciled traffic cones from the Town of Woodstock	420.75
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip.Maint) reimbursement for repairs to the Pelican Sweeper from Town of Woodstock	143.43
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip.Maint) reimbursement for repairs to the LeeBoy Paver from the Town of Woodstock	123.89
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5110.400 (Street Program) reimbursement for 20 stenciled traffic cones from the Town of Hurley	336.60
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip.Maint) reimbursement for repairs to the Pelican Sweeper from Town of Hurley	143.43
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip.Maint) reimbursement for repairs to the LeeBoy Paver from the Town of Hurley	123.89
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5110.400 (Street Program) reimbursement for 24 stenciled traffic cones from the Town of Lloyd	423.60
Modify Revenue D1270 (Shared Service Charges) and Appropriation D5110.400		

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

	(Street Program) reimbursement for 24 stenciled traffic cones from the Town of Marbletown	403.92
	Modify Revenue D2680 (Insur.Recoveries) and Appropriation D5130.422 (Equip. Maint.) check from U.S. Specialty Insur. Co. for damages to 2015 Ford Truck date of loss Mar. 7, 2018	15,727.08
Highway Fund:	Modify Revenue D2680 (Insur.Recoveries) and Appropriation D5110.100 (Wages) check from State Farm Mutual Insur. Co. for repairs to street sign-Mary Ave. Insured-Kevin Shambo - DOL-5/9/18	134.22
	Modify Revenue D2680 (Insur.Recoveries) and Appropriation D5130.200 (Equip.) check from State Farm Mutual Insur. Co. for repairs to street sign-Mary Ave. Insured-Kevin Shambo - DOL-5/9/18	71.76
Ulster Water:	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants) purchase of a meter from Premier Fire Apparatus	223.00

MOTION: Councilman Secreto
 SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

COMMITTEE REPORTS

1. Buildings and Grounds, Councilman Morrow:
Supervisor noticed last week that the roof at the town hall was leaking during a storm. This item is on tonight's agenda.
2. Recreation, Councilman Brink:
Summer camp in its 4th week; total 325 campers – 100 more than last year; running smoothly; today was annual Zoom Flume field trip. Parks are beautiful. Rider Park will receive a “no swimming” sign. Bidy Basketball signups will begin in the fall, ages 5-13.
3. Highway, Councilman Morrow:
Dept will be asking for permission to purchase a new loader and sell the old loader, approximately \$175,000 for new purchase. Presently a Ford F450 on order in Latham, NY. Assisting water and sewer dept with valve replacements. Mowers are out. Street sweeping done. Parks are tended to. Equipment working well. Having an auction in the next month to sell used equipment. Completed drainage projects. Blacktop beginning in September. Transfer station: Aug 4 changing recycling program – no longer using single stream recycling. Visit the Town Website or Highway Facebook page for more information.
4. Finance, Councilman Brink:
Nothing to report.
5. Water and Wastewater, Councilman Secreto
Wastewater: Spring Lake, Katrine Lane, Washington Ave., Whittier & Ulster Sewer all running fine. Ulster plant – working on primary clarifiers. Workers going through Local 17 training. Thanks Highway Dept for help.

Water: Replacement of carbon filter at Post Park. Three water breaks; installed two hydrants; replacing valves around Town – please be patient; three small breaks have been repaired in south tower.
6. Personnel, Councilman Morrow
Nothing to report.
7. Planning, Assessing, & Building, Councilman Morrow:
Assessor: 2018 final assessment filed on 7/1/18; major changes in Enhanced STAR and Senior Aged exemptions, adopted in Cuomo's 2018 budget; NYS Tax & Revenue working on upgrade to computer software in 2019.

Building: Lia Honda finishing inside and some exterior; SharpShoot getting ready to open; Old Navy moving to former Modell's.

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

8. Constituent Services, Councilman Secreto:
Nothing to report.

Supervisor: Summer camp had field trip today because the senior picnic was at Post Park, sponsored by the Town of Ulster and catered by the Town of Ulster Kiwanis Club.
Thanks the Kiwanis for their service.

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

~Public Hearing: 7:10 PM Local Law ___ of 2018: Amendment to Section 190-30 of the Town Zoning Code: Supplementary Sign Requirements – Pertaining to the Regulation of Digital Signs

Supervisor: Previous presentation performed by Geoffrey Ring, Planning Board Chairman. Tonight's hearing is part of our legislative process.

MOTION to open the public hearing (7:18 pm)

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

NO PUBLIC COMMENTS

MOTION to close the public hearing (7:19 pm)

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

New business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of June 2018

NOTE: Total collected for summer camp thus far: \$48,850.00, reflected in the June report.

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Presentation and Acceptance of the Supervisor's Monthly Report for Months of May and June 2018

Supervisor: Published on Town Website.

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Presentation and Acceptance of the 2017 Financial Reports for the Town Clerk's Office and the Justice Court

Supervisor: Notes that no exceptions found in both departments.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

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

CARRIED

Presentation and Acceptance of the 2017 Audited Financial Reports for the Town
[Will be published on the Town Website]

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Motion for the Town of Ulster to go out to bid for purchase of Diesel Fuel, Gas and Propane for the period ending April 30, 2019

Supervisor: Ulster County completed bidding process; given the current volatile petroleum market, the Town may be better served to go out to bid on own on a fixed contract basis.

MOTION: Councilman Brink
SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Motion to authorize the filing of CFA Application for the Spring Lake Sewer District Phase II

Supervisor: Town held public hearing; identified this project and identified Mark Blauer to prepare the application; Town Board must authorize the filing of the application.

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the hiring of two seasonal employees for the Recreation Department

Presented by Councilman Morrow; Recommended by Jeff Hayner, Recreation Director

Bradley Hack: Recreational aide; part time; \$10.40/hour; start date 7/10/18

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Megan Taylor: Recreational aide; part time; \$10.40/hour; start date 7/13/18

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

Presentation and discussion on Replacement of the existing non-LED Street Lights. Comparison of Central Hudson installed and maintained fixtures versus TOU owned and maintained fixtures

Supervisor: Deferred to next Town meeting.

Motion to post “No Swimming” signs at Rider Park

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Motion to authorize the Highway Superintendent to install stop signs at the intersection of Pawan Circle and Constanzi Drive

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize Highway Superintendent to purchase one new Caterpillar Loader Model 930M under New York State Bid PC66988, NJPA/Sourcwell CAT-032515

Supervisor: Approximately \$180,000

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Motion to authorize Auction International to auction one 2009 Caterpillar Loader Model 930 and give the Highway Superintendent the authority to approve or disapprove any and all bids

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Motion to declare one 2009 Dodge Charger as surplus and authorize the Public Bid of the sale

Supervisor: Currently the animal control vehicle.

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

CARRIED

Motion to set a Public Hearing on the matter of the “Faith House” proposed for 62 Vestal Hills Drive in the Town for Thursday, August 2, 2018 at 7:10 PM

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

CARRIED

Motion to set a Public Hearing on the matter of the Devereux Foundation establishing a 6 unit Supervised Individual Residential Alternative facility under NYS Mental Hygiene Law Section 41.34 for Thursday, August 2, 2018 at 7:30 PM

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

JULY 19, 2018

Old business:

Resolution to authorize the Town Attorney to pursue Adverse Possession proceedings Regarding Property Used by the Town of Ulster belonging to Esopus Agricultural Center, LLC for land adjacent to the Town of Ulster Softball Complex on Orlando Street that has been maintained by the Town in excess of ten years

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Attorney for the Town, Jason J. Kovacs, Esq., to Commence a Civil Action in New York State Supreme Court on behalf of the Town of Ulster against Esopus Agricultural Center, LLC

The Town Board of the Town of Ulster, duly convened in regular session, does hereby resolve as follows:

Section 1: The Town Board of the Town of Ulster hereby authorizes Jason J. Kovacs, Esq., Attorney for the Town of Ulster, to commence a civil action in New York State Supreme Court on behalf of the Town of Ulster and to appear as the attorney for the Town of Ulster, as Plaintiff, against Esopus Agricultural Center, LLC, Defendant. In said civil action, the Town of Ulster as the Plaintiff, shall, among other things, ask the Court for relief, pursuant to Real Property Actions and Proceedings Law Article 15, declaring the Town of Ulster to be the owner in fee simple absolute of approximately four (4) acres of land that is a portion of Ulster County SBL: 48.41-1-1 and 48.49-1-1, currently owned by Esopus Agricultural Center, LLC, along with such other and further relief as to the Court may seem just and proper, together with the costs and disbursements of the action.

SECTION 2. For its services hereunder, the Attorney for the Town, Jason J. Kovacs, Esq. shall be compensated at the rate of \$250.00 per hour and shall also be reimbursed for any costs and disbursements he incurs on behalf of the Town of Ulster in connection with said action.

SECTION 3. This Resolution shall take effect immediately.

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Resolution adopting Local Law ___ of 2018: Establishing a new Chapter of the Town Code ___: Community Choice Aggregation Energy Plan

Resolution of the Town Board

TOWN OF ULSTER

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. 2 of 2018 - A Local Law Providing for Community Choice Aggregation (Energy) Program

WHEREAS, an introductory Local Law entitled “A Local Law Amending Section 87-6 of Chapter 87 of the Code of the Town of Ulster” was introduced before the Town Board of the Town of Ulster on April 5, 2018, and upon notice duly published and posted, a hearing was held on May 3, 2018 at 7:10 p.m., before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significant of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled “A Local Law Amending Section 87-6 of Chapter 87 of the Code of the Town of Ulster” is hereby determined to be a Type II SEQR action, and be it further

RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. 2 of 2018 - A Local Law Amending Section 87-6 of Chapter 87 of the Code of the Town of Ulster, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

JULY 19, 2018

Resolution accepting the Draft Final Scope for Landau Solar I, II and III as final
[to be published on the Town Website]

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Resolution Approving Final Full Environmental Assessment Form Scoping
Document

S-B-L: 56.14-1-24 and 56.14-2-18 & 36.1

WHEREAS, the Town of Ulster Town Board and its consultant planner have reviewed an application by *Cypress Creek Renewables dba Landau Solar I, LLC, Landau Solar II, LLC and Landau Solar III, LLC (with the consent of Isidore Landau for Eddyville Corp)* – is seeking Site Plan, Special Permit, Minor Resubdivision and Open Development Area approval to construct, operate and maintain three (3) 2 Mega Watt (MW) Solar Energy Facilities at State Routes 32 and 213, near the hamlet of Eddyville; and

WHEREAS, the proposed use (i.e. utility and “electric generating”) is allowed subject to *Site Plan and Special Permit* approval within the R60-Residential Zoning District, in accordance with the standards set forth in §190-69 Table of Uses and §190-75 of the Town Code; and

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

- *Owner’s Consent to File Form signed by Isidore Landau (Owner) dated September 16, 2016;*
- *Cover Letter for Landau Solar, LLC prepared by Aaron Mann, AICP, Zoning Manager dated 6/29/17;*
- *Application for Site Plan Review, Special Permit by Cypress Creek Renewables dated June 29, 2017;*
- *SEQRA Full EAF Part 1 by Noale Hyte of Cypress Creek Renewables dated June 29, 2017;*
- *Preliminary Racking Layout prepared by W. Charles Utschg, PE, dated June 27, 2017;*
- *Maintenance Services Schedule prepared by Cypress Creek Renewables dated June 29, 2017;*
- *Decommissioning Plan prepared by Cypress Creek Renewables dated June 29, 2017;*
- *Emergency Response Plan prepared by Cypress Creek Renewables dated June 29, 2017;*
- *Cypress Creek Renewables Operational brochure by Cypress Creek Renewables dated June 29, 2017;*
- *Technical Memorandum prepared by Cypress Creek Renewables dated June 29, 2017;*
and
- *Visual Assessment Report prepared by Cypress Creek Renewables dated June 29, 2017.*

WHEREAS, the Town of Ulster Town Board has the authority to approve the Site Plan pursuant to §145-2 the Town Code as well as the Special Permit in accordance with Chapter 190 of the Town Code; and

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

WHEREAS, the Planning Board, pursuant to §161-10 the Town Code, has approval authority for the 3-lot *Minor Resubdivision*.

WHEREAS, the Town of Ulster Town Board has the authority to approve (pursuant to NYS Town Law §280-a), *Open Development Area (ODA)* designation of the subject site to allow access to the solar farms by right-of-way or easement;

WHEREAS, on March 15, 2018, the Town Board of the Town of Ulster declared itself lead agency with respect to the Proposed Action; and

WHEREAS, a public scoping session in regard to the Environmental Assessment Form was held at the Town of Ulster Town Hall on the 7th day of June, 2018; now, therefore, be it

RESOLVED, that the Final Full Environmental Assessment Form Scoping Document for Lead Agency Review of Environmental Impacts is hereby accepted; and it is further

RESOLVED, that the Town Clerk of the Town of Ulster shall cause the Final Full Environmental Assessment Form Scoping Document to be published on the Town's web site and made available in hard copy to any member of the public upon request and sent to all involved and interested agencies identified in the EAF.

Supervisor: Three solar projects on Route 32 south. Town chose to pursue a town-based process of environmental review similar to SEQR. Had a published public scope for environmental review published on the Town Website; public hearing held on 6/7/18 and comments on scoping document that document did not properly address certain topics. Applicant revised the scoping document as follows:

1. Identified aquifers adjacent to property: Final scope identifies impacts to ground water, identifies mitigation measures and why adverse impacts are not expected.
2. Vegetation and clearing: Final scope addresses concerns and states that CCR will assess the potential impact of vegetation clearing by identifying, classifying, and mapping vegetation communities within limits and the proposed limit of disturbance accounting for the special, assemblages, and age classes of vegetation, age class, and communities. Part three of the FEAF will address this, summarizing the area of each habitat to be disturbed and potential effects of clearing.
3. Scope of environmental review: Final scope ensures that Landau Solar project will receive a full and complete all relevant environmental concerns noted by CCR consultants, the Town of Ulster, and public comments. The final scope is consistent with the public comments.

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

Presentation of the proposed PILOT Agreement for Landau Solar I and II
[follow up at a future time]

JULY 19, 2018

Resolution granting Conditional Site Plan Approval for Sawkill County Store, Robert D. & Ann Mitchell, Sawkill Road at Route 209, Kingston, N.Y. 12401, SBL 48.6-1-14 for the construction of a 5,000 sq. ft. commercial building

Supervisor: Color schemes here tonight

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Conditional Site Plan Approval
Sawkill Country Store

S-B-L: 48.6-1-14

WHEREAS, the applicants – *Robert D. Mitchell & Ann Mitchell* (Property Owners) – are seeking Site Plan approval to develop a commercial building “*Sawkill Country Store*” on the subject site, which is situated within the OM-Office Manufacturing Zoning District; and

WHEREAS, the proposed uses are allowed within the OM-Office Manufacturing Zoning District subject to Site Plan approval; and

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board; and

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

- *Application for Site Plan Review* prepared by Robert D. Mitchell, Jr., dated April 12, 2018;
- *Short EAF Part 1* prepared by Robert D. Mitchell, Jr., dated April 12, 2018;
- *Project Location Map* by Brinnier & Larios, PC, Engineers and Land Surveyors dated 4/2018;
- *Site Layout & Grading Plan* by Brinnier & Larios, PC, Eng. & Land Surveyors revised July 2018;
- *Utility Plan* prepared by Brinnier & Larios, PC, Engineers and Land Surveyors revised July 2018;
- *Landscape Plan* prepared by Brinnier & Larios, PC, Eng. & Land Surveyors revised July 2018;
- *Lighting Plan* by Brinnier & Larios, PC, Engineers and Land Surveyors revised July 2018;
- *Site Details* by Brinnier & Larios, PC, Engineers and Land Surveyors revised July 2018; and
- *Floor Plan, Elevations and Building Section* by Dutton Architecture, PLLC dated March 13, 2018.

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board (UCPB) and the UCPB provided a written response wherein it recommended several required modifications; and

WHEREAS, the upon review of the UCPB required modifications, the Planning Board found the Proposed Action, as revised, complies with the UCPB required modifications; and

WHEREAS, the Town of Ulster Town Board, upon review of the entire record determined the Proposed Action is an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; 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 Proposed Action did not pose any potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Review (SEQR) Law and hereby as Lead Agency issues a SEQR Determination of non-significance and grants a *SEQR Negative Declaration* for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Conditional Site Plan approval to *Robert D. Mitchell & Ann Mitchell* on the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with final site plan, design plans and all details as cited herein;
4. Applicant addresses all technical comments by the Alternate Town Designated Engineers (TDE) Praetorius & Conrad, PC;
5. Compliance with Ulster County Department of Highways & Bridges with respect to Site Access;
6. Compliance with Ulster County Department of Health and Ag & Markets requirements (if required) for water system;
7. 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
8. All fees, including consultant fees, shall be paid.

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Resolution authorizing Town Supervisor to sign all documents related to State and Municipal Facilities Grant for Replacement of the Highway Garage Salt Shed

RESOLUTION OF THE TOWN BOARD

TOWN OF ULSTER

Resolution Authorizing Town Supervisor to sign all documents related to State and Municipal Facilities Grant for Replacement of the Highway Garage Salt Shed

WHEREAS, the Town of Ulster has received preliminary approval for a \$250,000.00 grant from a State and Municipal Facilities Grant number 13198, administered by the Dormitory Authority of the State of New York (DASNY), towards the replacement of the Highway Garage Salt Shed. which is expected to cost a total of \$500,000; and

WHEREAS, it is in the best interest of the Town of Ulster to comply with any additional applications and documentation so the Town may receive this grant; now therefore, be it

RESOLVED that the Town Supervisor is hereby authorized to sign on behalf of the Town of Ulster any additional required applications or documentation in connection with this grant.

Supervisor: Prior meeting, Town board approved setting funds aside for the salt shed. Subsequently, the Town received notice that it is a recipient of a \$250,000 grant, sponsored by Senator Amedore.

NOTE: Original application project budget \$596,000; resolution tonight for approval should be modified from \$500,000 to project cost

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Motion to open a new Checking Account with the Bank of Greene County for the Capital Project Replacement of the Highway Garage Salt Shed

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

Hold for East Kingston Fire Debris Cleanup

Supervisor: Destruction of church on Brigham St in February. Remnants removed by Town Highway Dept for safety reasons. Town worked through process – favorable lawsuit ordering owner to clean up property; owner did not respond/comply and now Town will clean up the property. Town received approval from NYS Department of Labor for a variance to treat waste debris as hazardous. Tonight are two bids related to the removal of the debris. First bid: \$48,000 for Washington Estates Transport to remove the materials, and Second bid: \$1000.00 agreement for air quality monitoring performed by EnviroLogic in NY.

NOTE: Judge's order allows the Town to assess the cost of the cleanup on the owner's next tax bill.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Resolution authorizing the Town of Ulster to withdraw from the Intermunicipal Agreement between the Towns of Ulster, Hurley, Woodstock and Shandaken for the purchase and operation of a Street Sweeper

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Supervisor and Highway Superintendent to withdraw from Intermunicipal Agreement

WHEREAS, on or about February 19, 2015, the Highway Superintendents of the Townships of Hurley, Ulster, Shandaken, and Woodstock jointly purchased a used sweeper and the Town of Ulster entered into an Intermunicipal Agreement for the purchase and operation of said sweeper; and

WHEREAS, said sweeper was involved in an accident and has been rendered permanently inoperative; and

WHEREAS, it is prudent that the Town of Ulster formally withdraw from said Intermunicipal Agreement as the purpose for said agreement is now moot; now, therefore, be it

RESOLVED by the Town Board of the Town of Ulster as follows:

- Section 1: Each Whereas paragraph above is incorporated by reference into This Section 1 and made a part hereof as material and operative provisions of this Resolution.
- Section 2: The Town Board of the Town of Ulster hereby directs that the Town Supervisor and Town Highway Superintendent execute any and all required documents so as to withdraw the Town of Ulster from the aforesaid Intermunicipal Agreement.

Supervisor: Town purchased a street sweeper along with these other Towns. During the street sweeper's use in another Town, there was a motor vehicle accident and the sweeper was totaled. Town of Ulster is pursuing insurance proceeds; this resolution is a formality.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Motion to authorize the Supervisor to proceed to Public Bid for the Replacement of the Town Hall Roof in accordance with the Plans and Specifications prepared by the Town Engineer Brinnier & Larios PC

Supervisor: On 8/3/17, Town Board approved plans for the replacement of a new town hall roof. Recently discovered water in the ceiling; repairs previously done over the last eight years did not hold.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the closing of the Bank of Greene County Checking Account formally used by the Town Clerk

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (14)

JULY 19, 2018

Motion to authorize the Highway Superintendent to take action to file a grant with the NYS Department of Environmental Conservation for the purposes of recovering funds expended by the Town in relation to recycling activity and the purchase of capital improvement

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

PUBLIC COMMENT - None

MOTION to adjourn (7:42 pm):

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk