MARCH 1, 2018

CALLED TO ORDER BY SUPERVISOR QUIGLEY, 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

ALSO IN ATTENDANCE:
1. Town Attorney, Jason Kovacs
2. Building Inspector, Kathy Moniz
3. Highway Superintendent, Frank Petramale
4. Town Assessor, James Maloney
5. Police Chief, Kyle Berardi
6. 17 Town residents

ADDITIONS OR CHANGES TO THE AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS -- None

COMMUNICATIONS -- None

New business:

Motion to authorize the Supervisor to send a written request to Lincoln Park DG, LLC dba (Lincoln Park Grid Support Center) to extend the deadline from April 1, 2018 to June 1, 2018 for the Town (Lead Agency) to deliver a Scoping Document for the Draft Environmental Impact Statement (DEIS) (Part 617.8 State Environmental Quality Review (SEQR))

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

Motion authorizing the Supervisor/Deputy Supervisor to sign the Application of Supervisor for Extension of Time for Collection of Taxes to the Commissioner of Finance of the County of Ulster until June 1, 2018

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Motion to proclaim the month of April at the Town of Ulster as World-Wide Parkinson's Disease Awareness Month

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Motion to authorize the Town Clerk to attend the NYS Town Clerks Association 2018 Conference, April 22nd-24th, Albany, NY

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

Resolution to create a Building Inspector 1 position for the Building Department

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER
Resolution Creating the Building/Planning Department Position of "Building Inspector 1"

WHEREAS, the Town of Ulster Building/Planning Department has the need for one additional building inspector due to increase in the volume of Planning & Building Department activities, personnel absences, and timely customer service requirements; and

WHEREAS, in order to attract the most qualified candidates for the position of building inspector, it is imperative to create a building inspector position that corresponds with the Ulster County Personnel Department and civil service requirements; now, therefore, be it

RESOLVED, that the Town of Ulster Town Board hereby creates the Building Department position of "Building Inspector 1," and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Ulster County Personnel Department.

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the hiring of a full time Building Inspector

Warren Tutt**:** Requested by Building Inspector Kathy Moniz; Full Time; Union; Grade 9; Step 1; $16.72/hour; start date 3/12/18; lateral transfer from Town of Shandaken

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Discussion on hosting an UC Office of Economic Development Public Information Session March 21st or 29th

Presentation of a Resolution establishing a Restricted Reserve for the Storm Water Management Contribution from Michael Provenzano for the maintenance of the storm water facilities in the Cedar Ridge Sub-development
Supervisor: To be voted on at the next meeting. No action taken.

Discussion on start of Eminent Domain Proceedings on a portion of Parcel SBL 48.12-1-20, corner of Miron Lane and Sottile Blvd, owned by Kingston Landing Development Corp.

*Supervisor***:**
Corner of Miron Lane and Sottile Blvd., owned by Kingston Landing Development Corp. Property that directly fronts the Town transfer station; road for access to the transfer station used by the Highway Dept. No recorded easement for the Town of Ulster to use that portion of the roadway. Reminded by former Town Supervisor that the Town had similar issue for 20+ years on Massa Drive when the road to the Town landfill went through the now Home Depot property.

To avoid a future problem, asks:

1. Permission to authorize the Town Attorney to draft a memo outlining Eminent Domain proceedings for Town Board to consider at the next meeting; and

2. Town Board authorize spending $2,500 for a survey so that we have a proper legal description of the property for the Eminent Domain proceedings.

Councilman Morrow: Very timely. Town should own that property for liability reasons and access to that site.

Councilman Secreto: Extends our access to the transfer station. All should know that there are wetlands nearby.

Councilman Morrow: Makes a Motion for Town to proceed on both

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize purchase of one new 2018 Police Utility Interceptor AWD from Beyer Ford, Morristown, N.J. under NYS Contract #PC66676 in an amount not to exceed $33,400 and transfer of existing equipment from old vehicle to new vehicle by Moore Electronics, Kingston N.Y. in an amount not to exceed $4,420.00

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Discussion on cleanup of fire damaged structure, 59 Brigham St., East Kingston N.Y. SBL # 48.52-6-1 owned by Atlantic North Properties Inc. and Highway Superintendent Petramale soliciting bids on an "Emergency Basis" for the demolition and disposal of the damaged structure as contaminated waste in accordance with NYSDOL directive

Supervisor: Saturday night (2/24/18) there was a fire that destroyed the former Methodist church in East Kingston. Building collapsed, also onto the adjacent property and roadway. Thank you to the Highway Department for cleanup of the site; cleanup of neighboring property; and demolition of the church steeple.

Kathy Moniz: Reached out to property owner and informed him of the fire. He was unaware. He expressed that he will be in Town on Friday, 3/2. Meeting scheduled. Requested that he provide letter to the Town that he be responsible for the cleanup. Nothing received to date. Moniz now working on environmental/emergency cleanup.

Supervisor: Similar situation at the Hurley Ave. convenient store. Allowed owner time to clean up property, and almost took a year to clean up. Asks the Board for opinion on concept that depending on the outcome Kathy has with the owner, if she is unsatisfied that he is making commitments that Town requested, that the Supervisor authorize the Town Attorney to begin legal action through NYS Supreme Court and Ulster County to allow the Town through the bid process for property cleanup with independent contractor. If report after the meeting is negative, Supervisor asks that simultaneously, the Highway Superintendent solicit bids on emergency basis for the cleanup for demolition and disposal of debris with waste removal contractors. Once Town done with legal decision/security, will be in a position to award a contract to clean up the fire debris.

Councilman Kitchen: What was the cost of the Hurley Ave cleanup? These are hazardous materials.

Supervisor: Approximately $80,000.00. Town went to bid – prevailing wage contractor.

Councilman Kitchen: What options does Town have? Town may never get the money back.

Jason Kovacs: Hurley Avenue situation, the Town started legal action against owner of property – UL & J Corporation. Town received a court order authorizing the Town to clean the site and add the costs to the tax bill for that property. Now that we are already in litigation with the East Kingston property, we are likely to receive a similar order to clean up the site and impose costs on to the tax bill. Town would be made whole through the tax collection process.

Supervisor: Amounts would be relevied on next Town/County tax bill. Amount to be relevied and collected with the tax bill. If not paid, amounts are turned over to the County and County assumes receivable.

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

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

CARRIED

Old Business:

Motion to award bid for Water and Sewer to purchase Chemicals for 2018

WATER DEPT: SALT

COMPANY	PRICE
US SALT	*$196.00/ton*

WATER DEPT: CHLORINE

COMPANY	CYLINDER	PRICE	DEPOSIT
Slack	*150#*	*$119.32/cylinder*	*$100 refundable*

SEWER DEPT: CHLORINE

COMPANY	CYLINDER	PRICE	DEPOSIT
Slack	*150#*	*$119.32/cylinder*	*$100 refundable*

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

Motion to award bid for Request for Qualifications – Engineering Services, Spring Lake Sewer Extension Project
Supervisor: Awarded to Brinnier & Larios, P.C. (future design at a future meeting)

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

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

CARRIED

Motion to award bid for Request for Qualifications – Administrative Services, Spring Lake Sewer Extension Project
Supervisor: Awarded to Mark Blauer – amount not to exceed $30,000.00

Councilman Kitchen: Great decision. Mark Blauer has done extremely well by the Town.

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Motion to award bid for RFQ- Spring Lake 'Legal Services'
Supervisor: Awarded to Jason Kovacs – amount not to exceed $5,000.00

MOTION: Councilman Brink
SECOND: Councilman Kitchen

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

CARRIED

PUBLIC COMMENT

1. Regis Obijiski, 170 Ledge Rd *RE: Lincoln Park Grid*
Assuming there is an extension to scoping, would the Town Board consider receiving comments from citizens beyond 3/22?

Supervisor:
Town will and would be obligated under SEQR regulations to accept comments after the close of the scoping period, if they are presented in the proper format in SEQR regulations.

Councilman Kitchen:
Is Regis aware that we have asked for the (extension)?

Supervisor:
According to SEQR regulations, as Lead Agency, the Town Board has an obligation to deliver the scoping document 60 days after the publication of the draft scoping document, unless there is a mutual agreement between the applicant and the Lead Agency.
Tonight's Motion to authorize the Supervisor to ask for an extension of the deadline for the deliverance of the scoping document is merely a request. They do not have to say yes and Town Board has no ability to force that.
We accept written comments and public testimony up until 30 days after the close of the public hearing, which would be 3/22 (a week after the 3/15 Town Board meeting). Hopes to receive an answer to the request and make an announcement at the 3/15 meeting.
Residents will have notice prior to the current deadline for written comments. Comments and public testimony will be taken and put together; the scoping document will be modified and delivered to the applicant by April 1. This is the current process UNLESS it is modified.
Next steps after April 1 are that applicant has to perform studies in order to satisfy the scoping document. The period of time is open-ended. No deadlines in SEQR. All based upon what is reasonable and necessary for professionals to do their work to meet the needs of the scoping document.

2. Dan Furman, 273 Riseley St. *RE: Lincoln Park Grid*
Thanks Town Board for asking for extension.
Regarding the parcel for eminent domain? Is that part of what GlidePath is buying?

Supervisor:
Yes

Furman:
They may buy it and lose it.

Supervisor:
Eminent domain may take it away from the current owner before GlidePath purchases.

Furman:
Is Town aware of what is happening in Orange County/Wawayanda?

Supervisor:
Under construction for natural gas extension from the pipeline and testing existing facility with petroleum-based fuel.

Furman:
Our plant won't be as large as that plant. Supposed to use natural gas but unforeseen by them, the natural gas got tied up and now testing with diesel and now apparently diesel fumes making people sick. Probably was not discussed in planning. Mayor of Middletown wrote a letter to stop. Giving an example of the same type of project. That company is experienced/built six of these. GlidePath has no experience with these. Impact should be studied.
On a personal note -- If this goes bad, this is your legacy; trusting this company.

Councilman Kitchen:
Interrupts Furman. This Board is impartial. We have to allow this company to go through the process. This will not be my legacy. Getting personal. Has not expressed any opinion on this project at all.

Furman:
Stated that this will be personal. When you are in charge, something that happens on your watch is your legacy. Stated that Kitchen has a fair point.

Supervisor:
Dan, your comments are duly noted.

~END OF PUBLIC COMMENT ~

MOTION to adjourn (7:33 pm):

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk