

TOWN OF ULSTER TOWN BOARD MEETINGS (06)

MARCH 19, 2020

***MEETING CLOSED TO THE PUBLIC DUE TO CORONAVIRUS (COVID-19)
Meeting Audio Recorded (standard procedure) and Broadcast Live via Facebook.
Audio and Video available on the Town of Ulster Website***

ALL VOTES on Each Motion and Resolution are Cast Via ROLL CALL VOTE

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

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN ERIC KITCHEN	via telephone
TOWN COUNCILMAN JOHN MORROW	
TOWN COUNCILMAN ROCCO SECRETO	via telephone
TOWN COUNCILMAN CLAYTON VAN KLEECK	
SUPERVISOR JAMES E. QUIGLEY 3 rd	via telephone

ALSO IN ATTENDANCE:

1. Bill Kemble, Daily Freeman
2. Lauren Hommel, Deputy Town Clerk

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

APPROVAL OF MINUTES – February 6th (2020-M-93)

MOTION: Councilman Kitchen
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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APPROVAL OF MINUTES – February 20th (2020-M-94)

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

COMMUNICATIONS – None

ABSTRACT OF CLAIMS (2020-M-95 and 2020-M-96)

December 2019

Prepaid Bills:	\$	
Abstract Bills:	\$	8,110.84
Escrow Bills:	\$	-
Reserve:	\$	-
TOTAL:	\$	8,110.84

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

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March 2020

Prepaid Bills:	\$	299,394.94
Abstract Bills:	\$	292,529.40
Escrow Bills:	\$	-
Reserve:	\$	-
TOTAL:	\$	594,666.34

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

BUDGET MODIFICATIONS (2020-M-97 and 2020-M-98)

2019

GENERAL FUND:	Modify Revenue A2615 (NYS STOP DWI-Drug Evaluation) and Appropriation
	A3120.101 (OT Wages) check from NYS STOP-DWI FOUNDATION for drug evaluation services by Officer Miller - Nov. 8, 2019
	172.44

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2020

General Fund:

Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Reserve-Bddy Basketball) Jeffery Hayner for refereeing 12/16/19 1/7/2020 & 1/8/2020	180.00
Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Reserve-Bddy Basketball) Andrea Clausi for refereeing services on 1/14/20 1/20,1/27,1/28,2/3,2/4 & 2/11/2020	420.00
Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Reserve-Bddy Basketball) Justin Horvers for refereeing services on 1/7, 1/14,1/21,1/28,,2/4 & 2/11/2020	360.00
Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Reserve-Bddy Basketball) Ed Horvers for refereeing services on 1/7, 1/14,1/21,1/28,2/4 & 2/11/2020	360.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball) basketballs,scorebooks,cold packs,whistles, t.shirts purchased from BSN Sports	3,705.82
Modify Revenue A3089 (St.Aid-Oth Gen.Aid-Court Grant) and Appropriation A1110.200 (Court Grant) JCAP Grant #4673 - Construction & Furniture Grant Wheelchair-Accessible Entry \$18,500.00 - Furniture-Lectern \$208.50	18,708.50
Ulster Sewer: Modify Appropriation SS2.8130.201 (Truck) to be funded through SS2.5990 (Approp.Fund Bal.) purchase of a sewer cleaner 12yd. Truck from Cyncon Equip.	399,380.70

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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

BUDGET TRANSFERS

2019

General Fund:	Transfer From	Transfer To	
	A1930.400 Judgement & Claims	A1110.403 Office Supplies	503.00
	A1930.400 Judgement & Claims	A1220.100 Supervisor Salary	0.04
	A1930.400 Judgement & Claims	A1220.200 Office Equipment	141.00
	A1930.400 Judgement & Claims	A1345.400 Meetings & Instructions	125.00
	A1930.400 Judgement & Claims	A1410.403 Office Supplies	84.00
	A1930.400 Judgement & Claims	A1410.404 Law Books	492.00
	A1930.400 Judgement & Claims	A1420.400 Legal Fees	1,965.00
	A1930.400 Judgement & Claims	A1440.400 Engineering	1,950.00
	A1930.400 Judgement & Claims	A1460.400 Records Management	4.00
	A1930.400 Judgement & Claims	A1620.406 Telephone	202.00
	A1930.400 Judgement & Claims	A1622.407 Electric	218.00
	A1930.400 Judgement & Claims	A3120.431 Detective Division	28.00
	A1930.400 Judgement & Claims	A5132.454 Maintenance	697.00
	A1930.400 Judgement & Claims	A5182.400 Lighting	377.00
	A1930.400 Judgement & Claims	A7140.400 Program Supplies	28.00
	A1930.400 Judgement & Claims	A8020.400 Planner	164.00
	A1930.400 Judgement & Claims	A8160.421 Veh.Maint.	482.00
Highway Fund:	Transfer From	Transfer To	
	D5130.429 Oil & Lubricants	D5130.100 Mechanics Wages	1,798.00
	D5130.429 Oil & Lubricants	D5130.101 Mechanic Overtime	19.00

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Ulster Water:	Transfer From	Transfer To	
	SW1.8310.403 Office Supplies	SW1.8310.437 Schools	93.00
	SW1.9060.800 Hosp.&Dental	SW1.9010.800 State Retirement	3,925.00
Halcyon Park Water:	Transfer From	Transfer To	
	SW2.9080.800 Employ.Ben.Liab.	SW2.9010.800 State Retirement	422.00
Spring Lake Water:	Transfer From	Transfer To	
	SW3.8320.423 Supplies & Tools	SW3.8320.407 Electric	106.00
	SW3.9080.800 Employ.Ben.Liab.	SW3.9010.800 State Retirement	264.00
Bright Acres Water:	Transfer From	Transfer To	
	SW4.8320.409 Rep.&Supplies	SW4.8320.250 Meters & Hydrants	106.00
	SW4.9080.800 Employ.Ben.Liab.	SW4.9010.800 State Retirement	329.00
Cherry Hill Water:	Transfer From	Transfer To	
	SW5.9080.800 Employ.Ben.Liab.	SW5.9010.800 State Retirement	171.00
Glenerie Water:	Transfer From	Transfer To	
	SW6.9080.800 Employ.Ben.Liab.	SW6.9010.800 State Retirement	79.00
East Kng. Water:	Transfer From	Transfer To	
	SW7.9080.800 Employ.Ben.Liab.	SW7.9010.800 State Retirement	79.00
Ulster Sewer:	Transfer From	Transfer To	
	SS2.8110.404 Postage	SS2.8110.403 Office Supplies	297.00

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MOTION: Councilman Secreto
SECOND: Supervisor Quigley

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

CARRIED

New business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of March 2020 (2020-M-99)

MOTION: Councilman Kitchen
SECOND: Supervisor Quigley

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

CARRIED

Motion to add Suzanne Reavy to the Recreation Committee (2020-M-100)

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

MARCH 19, 2020

Resolution authorizing Final Site Plan approval for Kukuk Farm, 71-77 Kukuk Lane, Kingston, NY, SBL:39.16-4-7.100 (2020-R-101)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Site Plan Amendment Approval
Kukuk Farm Project

S-B-L: 39.16-4-7.100

WHEREAS, the applicant – *Press Leap, LLC – David Moyal (Owner) c/o North Engineering & Design Associates* – has submitted an application for *Site Plan* approval for a change-in-use within an existing 35,374 square-foot (sf) warehouse building to grow herbs indoors for sale to restaurants and to construct 3,000 sf of new green houses on the site; and

WHEREAS, the project consists of growing arugula and herbs indoors using 31,642 square-feet of Gross Floor Area within the 33,970 square-foot building; and

WHEREAS, the proposed use is an Agricultural Operation as defined in the Town Code, which is an allowed use in the OM-Office Manufacturing Zoning District subject to site plan review and approval by the Town Board since more than 2,500 sf of new building area is proposed (i.e., 3,000 sf of greenhouses); and

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

- *Consent Form* signed by David Moyal (Owner) authorizing North Engineering (Agent) dated 1/26/20;
- *Application for Sketch Plan Review* prepared by David Moyal dated January 26, 2020;
- *SEQRA Short Environmental Assessment Form* by John Wasyluk-North Eng. dated January 23, 2020;
- *Site Plan for Press Leap, LLC* prepared by North Eng. & Design Assoc. dated January 26, 2020; and
- *Site Plan for Press Leap, LLC* by North Eng. & Design Assoc. revised February 28, 2020; and
- *Floor Plan (Sheet 2) for Press Leap, LLC* by North Eng. & Design Assoc. dated February 28, 2020.

WHEREAS, the Proposed Action did not require further referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster since the site has channelized access and sufficient parking spaces are provided on the site to accommodate the amended Site Plan; and

WHEREAS, the Site Plan provides for sufficient on-site parking and loading spaces for the proposed use; and

WHEREAS, the Town of Ulster Town Board upon review of the entire record determined the Proposed Action is a *Type II Action* pursuant to 6NYCRR Part 617 of State

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Environmental Quality Review (SEQR) Law and found no further action pursuant to SEQR is required.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby classifies the Proposed Action as a SEQRA Type II Action pursuant to NYCRR Part 617.5(c)(9) of the SEQRA regulations; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board grants Conditional Site Plan Amendment approval for the Proposed Action 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 site plan, design plans and all details as cited herein;
4. 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
5. All fees, including consultant fees, shall be paid.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

MARCH 19, 2020

Resolution approving the Designation of the Town of Ulster Town Board as SEQR Lead Agency for Catskill Park Self Storage, LLC, 436-448 NYS Route 28, Kingston, SBL: 47.2-4-11.100 (2020-R-102)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Designation as SEQRA Lead Agency
Catskill Park Self-Storage, LLC

436-448 NYS Route 28

S-B-L: 47.2-4-11.100

WHEREAS, the applicant – Catskill Park, LLC with the Consent of Gary Ain (Owner) c/o Praetorius & Conrad, LLC – is seeking Site Plan Amendment approval to construct 222 self storage units totaling 27,000 square-feet (sf) over the existing gravel pad area and previously disturbed area of the site. ; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

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

- Consent Form signed by Gary Ain (Member), Catskill Park, LLC dated 2/25/2020;
- Site Plan Application signed by Gary Ain (Member), Catskill Park, LLC dated 2/25/2020;
- Short Form EAF for Romeo KIA prepared by Khatter Elmassalemah, P.E., dated February 25, 2020;
- Existing Site Plan prepared by Praetorius & Conrad, P.C., dated February 28, 2020; and
- Proposed Site Plan prepared by Praetorius & Conrad, P.C., dated February 28, 2020.

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was an Unlisted Action pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, Involved Agencies include: The Town of Ulster Town Board (Site Plan);
and

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WHEREAS, Interested Agencies include the Town of Ulster Planning Board (Site Plan Recommendation) Ulster County Planning Board (NYSGML 239 Review), New York State Department of Transportation (site access), New York State DEC (consultation regarding Threatened and Endangered Species), and NYS Office of Parks Recreation and Historic Preservation (CRIS consultation for archeological); and

WHEREAS, Unlisted Action Review is recommended with the Town Board so designate the Lead Agency.

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board so that it could designate itself as Lead Agency for this Unlisted Action SEQRA review, since it is the only Involved Agency; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby designates itself as Lead Agency for this Unlisted Action SEQRA review, since it is the only Involved Agency and request that the Town Clerk circulate such notice to all Interested Agencies.

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

MARCH 19, 2020

Resolution approving the Designation of the Town of Ulster Town Board as Lead Agency for Paul Alley dba Pestmaster, 15 Barbarosa Road, Kingston, SBL: 48.14-3-29 (2020-R-103)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Referral to the Town Board for Lead Agency Circulation
Paul Alley dba Pestmaster
15 Barbarosa Road
S-B-L: 48.14-3-29.1

WHEREAS, the applicant – Paul Alley dba Pestmaster c/o Brinnier & Larios, P.C., – is seeking Site Plan approval to develop a 1-Story 6,000 square-foot (sf) office-warehouse building on the subject site, which is situated within the OM-Office Manufacturing Zoning District; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

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

- Consent Form by Kingston Congregation of JW consenting to the filing of the application undated;
- Application for Site Plan Review prepared by Paul Alley (Applicant) dated February 24, 2020;
- Short EAF Part 1 prepared by Paul Alley (Applicant) dated February 24, 2020; and
- Site Layout prepared by Brinnier & Larios, PC dated November 2019;
- Utility Plan and Sediment & Erosion Control by Brinnier & Larios, PC dated November 2019;
- Landscape and Lighting Plan prepared by Brinnier & Larios, PC dated November 2019; and
- Details prepared by Brinnier & Larios, PC dated November 2019; and
- Floor Plan and Building Elevations by Dutton Architecture, PLLC dated January 13, 2020.

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was an Unlisted Action pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, Involved Agencies include: The Town of Ulster Town Board (Site Plan and

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Special Permit), Town of Ulster Highway Superintendent (Site Access), NYSDEC (General Permit for Construction Activities and SWPPP), NYS Parks, Recreation Historic Preservation (Consultation Archeological), and Ulster County Department of Health (Septic System Design);
And

WHEREAS, Interested Agencies include the Town of Ulster Planning Board (Site Plan Recommendation) and Ulster County Planning Board (NYSGML 239 review; and

WHEREAS, the Town of Ulster Planning Board recommended Unlisted Action Coordinated Review with the Town Board so designate the Lead Agency.

NOW THEREFORE BE IT RESOLVED, the Town of Town Board herby declares itself Lead Agency and request the Town Clerk circulate such notice to all Involved and Interested Agencies.

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

MARCH 19, 2020

Resolution approving the Designation of the Town of Ulster Town Board as Lead Agency for Romeo KIA with the consent of 64 Properties, LLC (Owner), 1670-1678 & 1680-1694 Ulster Avenue, Kingston, SBL: 39-82-2- 3.110 & 12 (2020-R-104)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Declaration of Intent to Serve as lead Agency

Romeo KIA with the Consent of 64 Properties, LLC (Owner)
1670-1678 & 1680-1694 Ulster Avenue
S-B-L: 39.82-2-3.110 & 120

WHEREAS, the applicant – *Romeo KIA with the Consent of 64 Properties, LLC (Owner)* – is seeking *site plan approval* for construction of a 18,991 square-foot (s.f.) KIA automobile dealership along with associated parking, access, landscaped areas and utility infrastructure; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

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

- *Consent Form* signed by Lucia Romeo, Corporate Council for 64 Properties, LLC dated 2/27/2020;
- *Site Plan Application* by Romeo KIA, signed by Lucia Romeo, Corporate Council, dated 2/27/2020;
- *Short Form EAF for Romeo KIA* prepared by Bruce D. Utter, P.E., dated February 29, 2020;
- *Approved Site Plan* prepared by Bohler Engineering, P.C., dated October 4, 2006; and
- *Cover Sheet* prepared by Praetorius & Conrad, P.C., dated February 27, 2020;
- *Existing Site Plan* prepared by Praetorius & Conrad, P.C., dated February 27, 2020;
- *Proposed Site Plan* prepared by Praetorius & Conrad, P.C., dated February 27, 2020;
- *Floor Plan* prepared by Syvertsen Rigosu, Architects dated December 5, 2019; and
- *Building Elevations* prepared by Syvertsen Rigosu, Architects dated December 5, 2019.

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, Involved Agencies include: The Town of Ulster Town Board (Site Plan), New York State Department of Transportation (Site Access and Traffic Circulation), NYSDEC (General Permit for Construction Activities and SWPPP); and

WHEREAS, Interested Agencies include the Town of Ulster Planning Board (Site Plan Recommendation and Lot Line Adjustment) Ulster County Planning Board (NYSGML 239 Review), New York State DEC (consultation regarding Threatened and Endangered Species),

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and NYS Office of Parks Recreation and Historic Preservation (CRIS consultation for archeological); and

WHEREAS, Unlisted Action-Coordinated Review is recommended with the Town Board so designate the Lead Agency.

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board so that it could declare its Intent to Serve as Lead Agency for this *Unlisted Action - Coordinated* SEQRA review.

NOW THEREFORE BE IT RESOLVED, the Town of Town Board herby Declares its Intent to Serve as Lead Agency for this *Unlisted Action - Coordinated* SEQRA review and request that the Town Clerk circulate such notice to all Involved and Interested Agencies.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

PUBLIC COMMENT

1. Councilman Van Kleeck: For next meeting we could include take comments and questions received through emails and address them in public comment.
2. Councilman Morrow: Note from Town Board to department heads– Cease any non-essential spending.

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MOTION to adjourn: 7:13 pm (2020-M-105)

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

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk