

TOWN OF ULSTER TOWN WORKSHOP MEETING (10)

MAY 3, 2018

~PUBLIC HEARING SCHEDULED 7:10 pm –Community Choice Aggregation Law

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

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Highway Superintendent, Frank Petramale
2. Town Assessor, James Maloney
3. Police Chief, Kyle Berardi
4. Building Inspector, Kathy Moniz
5. Water Superintendent, John Rose
6. Wastewater Superintendent, Vincent Maggiore
7. Recreation Director, Jeff Hayner
8. Town Attorney, Jason Kovacs
9. 12 audience members

ADDITIONS OR CHANGES TO THE AGENDA—

Supervisor: Two changes

1. No update to report on East Kingston fire –remove
2. A Resolution for Angela Buzzanco (duplicate) - remove

PUBLIC DISCUSSION ON AGENDA ITEMS – None

COMMUNICATIONS –

Letter read from Paul Koczak, owner at 91 Blacks Road, commending Kathy Moniz and the Town's Building and Zoning Codes.

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DEPARTMENT HEAD REPORTS:

Vincent Maggiore, Wastewater

This week is first week for disinfectant for season. Ulster collection: internal manhole repairs and will work with highway in new paving areas. Katrine Lane – moving forward soon for DEC approval. Summer- a lot of collection system clearing and easement work. Purchasing new equipment to clear remote areas

Councilman Morrow: Any expected date for DEC approval?

VM: Right now the draft design is complete, and once finalized, possibly one to three months.

John Rose, Water

To date, 17 main line water breaks since 1/1/18; 126 service calls; fixed three fire hydrants out of service; Bright Acres: cleaned and rechlorinated tank. Glenerie: flushed hydrants. Thanks Vinnie Maggiore and Frank Petramale.

Frank Petramale, Highway

Winter: 49 1/2 “ snow and 23 storms. No major break downs. Roads need patching. Thanks his highway guys for quality job and crew. Waiting on a Ford 450 and recently received utility trailers. Looking to jointly purchase a screener with another town. Preparing the 2018 paving schedule; clearing trees at the parks; drainage projects. Roads in town have been swept. Receiving a \$53,400 FEMA grant and \$8900 from New York State – reimbursement from March 2017 storm Stella: damages from overtime, equipment, and materials.

Thanks his secretary, Paula Perpetua.

Transfer Station: UCRRA having issue with single stream recycling. We use it at the transfer station. Dilemma now – it used to be free for us. Last year = \$20/ton. Discussion now that it could be \$40/ton. Public hearing on 5/24 at the UCRRA. Waiting on results of the public hearing. Reaching out to an outfit in Beacon. This is the biggest problem in the market. May have to go back to co-mingled recycling.

Councilman Secreto: What are you doing on Tuytenbridge Road?

FP: We are widening where we can. New pavement where road was starting to collapse. Fixing blind spot.

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James Maloney, Assessor

Office handled 480 exemption applications as of 3/1/18 (enhanced star, business)

190 building permits inspected – taxable status date 3/1/18 for 2018 roll.

Governor's 2018 budget passed into law that all enhanced star recipients must go through income verification process.

NYS Assessor's Association – the Dark Store Theory is a priority on their list and he thanks the Town Board for passing it.

Thanks Mary Secreto, secretary.

Jeff Hayner, Recreation

Parks opened 5/1/18. Rider open for boat launch. Thanks the water department for new carbon filter at Post Park; thanks highway for work at the parks and Orlando St softball fields. Beach volleyball coming; summer camp signups are underway at the Town Clerk's office.

Councilman Kitchen: Thanks water department and John Rose for work done at Post Park.

Kathy Moniz, Building

To date in 2018, two residential homes built; 32 additions; 23 misc permits; fire inspections 12 weekly; 12 commercial renovations; three new mobile homes; no new commercial; 22 certificates of occupancy; 81 certificates of compliance; complaints; three court cases. Lia is on target and easy to work with; ShopRite just about done.

Kyle Berardi, Police

Prides the Town on how well the department heads get along. This year, 6195 calls for service; 189 arrests; 433 accidents; 787 tickets; detectives adopted 87 cases; 24 full time officers and 10 part time.

Two contract services: Hudson Valley Mall and Cinemas on Friday and Saturday nights

Last year purchased a speed trailer and just deployed it three weeks ago.

1. Kukuk Lane; 2. Mountain Rd.; and 3. Esopus Avenue. Great data, providing enforcement and education.

Suzanne Reavy, Town Clerk

Agrees with Chief Berardi, departments work very well together.

Very busy in the TC/Tax Collector's Office

Tax Collection ends on 6/1/18 – 29 days

TO date we have collected 16,471,055.97, which represents 89% of the total tax warrant (18,478,843.71)Monthly Reports Jan-April : \$118,165.10 This amount reflects fees that we collect for the Town clerk's office including transfer station, recreation, and building dept fees, DEC, vital records, dog licensing. Records Management: Continuing to Scan records and update Town Records to make sure we are in compliance with the State archives

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James E. Quigley 3rd: Supervisor

Finished Annual Update Report for State Comptroller; will be filed on Monday. External auditors completed their field work on Friday, 4/27. Financial statements should be expected within 45 days. Town required to file an annual disclosure statement with Securities and Exchange Commission by 6/15/18. We have two contracts, 1. PBA; 2. Local 17 (Town employees) -- Supervisor's Office, Personnel, and Town Board are working on.

~PUBLIC HEARING SCHEDULED 7:10 pm –Community Choice Aggregation Law

Supervisor: One month ago, the Town Board presented with a form of a law for consideration, called Community Choice Aggregation, whereby the Town would act as the default electric supplier/community representative to purchase electric in bulk based upon consumption from residential and small commercial users. The law has been published on the Town Website. Town policy regarding legislation – the Town holds this public hearing.

MOTION to open Public Hearing (7:28 pm)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

No Public Comments

MOTION to close Public Hearing (7:29 pm)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

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New Business:

Motion to authorize the Town Justices to open two new bank accounts at BOGC

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

Motion to authorize the Bookkeeper to close the Choice One Care- ACH account with Chase Bank

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the hiring of one seasonal employee for the Water Department for a four week period

Geordan Niles: 5/29-6/29/18; non-union; seasonal; \$11/hour; laborer

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
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

Kahlil Worthington: non-union; start date 4/27/18; \$11/hour

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Devin Boice: non-union; start date 4/27/18; \$11/hour

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

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Motion to authorize the Town Clerk to sign the 2018 Poll Site Agreement with the Board of Elections

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of December 2017

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

Discussion on NYS DOT Catskill Park Entrance Sign

Supervisor: An "Entering Catskill Park" sign will be placed at the intersection of Forest Hill Drive and Route 28, in front of a group of cedar trees, to be visible by westbound motorists on Route 28. The sign will be 12' high. NYS DOT offered the Town a review of this matter.

No Comments from the Town Board.

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Old Business:

Motion to set a Public Hearing for Local Law___ of 2018: Modification of Section 190-14 of the Town of Ulster Zoning Code: Storage Containers for May 17, 2018 at 7:10 pm

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

Resolution issuing a Conditional Special Use Permit for Logging Proposed by Angela Buzzanco, Buzzanco Timber Harvest, SBL # 39.18-1-1,2,3,4, 2050 Sawkill – Ruby Road, Kingston, NY

RESOLUTION
TOWN OF ULSTER TOWN BOARD
SPECIAL PERMIT APPROVAL
Timber Harvest
Buzzanco Timber Harvest
2050 Sawkill-Ruby Road (CR31)
S-B-L: 39.18-1-1, 2, 3, 4

WHEREAS, the applicant – Shawn Charles with the Consent of Angela Buzzanco - has submitted a Special Permit application to allow a Timber Harvest in accordance with Section 190-25 (E) of the Town Code; and

WHEREAS, pursuant to Chapter 190-25 (E) of the Town Code, the Town Board has the authority to approve the Site Plan and Special Permit; and

WHEREAS, a public hearing must be held before taking action on the Special Permit request; and

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

- *Cover Letter* prepared by Cory J. Creagan, Forester dated March 9, 2018;
- *Site Plan Consent Form* signed by Angela Buzzanco dated February 14, 2018;
- *Application for Special Permit* prepared by Shawn Charles dated February 14, 2018;
- *SEQRA Short EAF* prepared by Shawn Charles dated February 14, 2018; and
- *Timber Harvesting Plan* prepared by Cory J. Creagan, Forester dated March 9, 2018.

WHEREAS, the subject site is situated within the R-60 Residential District in the Town of Ulster, where forestry operations are allowed subject to Special Permit approval by the Town Board pursuant to §190-25 (E) of the Town of Ulster Town Code; and

WHEREAS, the Planning Board considered the application materials submitted by the applicant and recommended this matter should be referred to the Town Board for the purpose of scheduling a public hearing on this matter; and

WHEREAS, the Town Board held a public hearing on this matter on April 5, 2018 at 7:15 p.m. during which public comment was received concerning the proposed action, and

WHEREAS, the Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby issues a SEQR Negative Declaration and grants Special Permit approval to Shawn Charles with the consent of Angela Buzzanco (Owner) subject to the conditions, limitations and restrictions set forth below.

1. The transport of logs may only occur between the hours of 8:00 a.m. to 9:00 p.m. daily.
2. A permit from the Ulster County Department of Public Works shall be required to be obtained for access usage onto the county road for the duration of the harvesting operation. Access needs to be defined within the extensive pull-off landing area, with a 24-foot wide stone blanket to prevent mud and breaking of the edge of the county road. Furthermore, a work permit from the County of Ulster must be obtained prior to any work being done in the County right-of-way.
3. All public roads shall be kept free of dust and debris created by the logging operation. The roadway will be inspected and cleaned by the logger on a daily basis as needed and will be cleaned when required by the Code Enforcement Officer as a result of inspections he may perform.
4. The logger shall obtain and file proof of Vehicle, General Liability Insurance, and Workers Compensation Insurance with minimum liability coverage for personal injury or death of \$1,000,000 and property damage of \$250,000 for logging operations with the Code Enforcement Officer at least two business days prior to commencing any work.

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Said proof of insurance must name the Town of Ulster as additional insured and be approved by the Town Attorney prior to the commencement of work.

5. Before logging operations begin, the logger shall paint the boundaries of the property in the field or use high-visibility flagging to demarcate the boundaries of the property. Furthermore, a 50-foot buffer area should be established from neighboring properties.
6. As work progresses, the logger shall install diversion ditches and/or water bars as necessary to prevent soil erosion on haul roads, skid trails, and at the landing area.
7. Upon completion of the logging operation, all skid trails, roads and landing areas shall be graded and seeded with rye grass as needed.
8. The logger shall notify the Code Enforcement Office within five days of completion to coordinate on-site inspections.
9. The logging site shall be subject to periodic inspections by the Code Enforcement Officer and Ulster County Soil and Water Conservation Service representatives at any time during the course of the operation. These inspections will be done during the normal working hours of the logger.
10. Prior to beginning any work on the Property, the logger shall submit a restoration bond to the Town of Ulster Building Department in the amount of \$10,000.00 to guarantee the restoration of the Property. The bond must be acceptable to the Town Board as to form, sufficiency, manner of execution and surety and the bond must be approved by the Code Enforcement Officer and Town Attorney.
11. All fees, including consultant fees, shall be paid.
- 12.** Compliance with all applicable zoning and building laws, rules, and regulations.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

MAY 3, 2018

Resolution for Intermunicipal Agreement between TOU and Ulster 5th District for EMS Services in relations to TOUPD Emergency Services Unit

Supervisor: Become a frequent need for Emergency Services Unit (ESU) to be called out from the Police Dept. Program established in City of Kingston; Police is now accompanied by EMS personnel from the Kingston Fire Department. This agreement authorizes Ulster 5th district to provide medical personnel to Ulster Police, including areas outside of the Ulster 5th fire district.

RESOLUTION OF THE TOWN BOARD

TOWN OF ULSTER

Resolution Authorizing Supervisor to Intermunicipal Cooperation Agreement with Ulster No. 5 Fire District

WHEREAS, Section 119-o of the General Municipal Law of the State of New York permits municipal corporations to enter into agreements for the performance among themselves or for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

WHEREAS, the General Municipal Law further provides that municipal corporations that enter into such agreements for a joint service may extend the appropriate territorial jurisdiction of the participants necessary to fulfill such service, and personnel assigned to a joint service shall possess the same powers, duties, immunities and privileges they would ordinarily possess if they performed said services in the area where they are employed or regularly provide said services; and

WHEREAS, the Ulster No. 5 Fire District and the Town of Ulster generally have coexistent geographical boundaries and both corporate entities are located within the County of Ulster; and

WHEREAS, the parties have determined that it is in the best interests of their respective personnel and operations and a mutual advantage to enter into this Agreement on a day to day basis or for certain specialized assignments; 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 execute an Agreement and all related documents between the Town and Ulster No. 5 Fire District in substantial conformity with the Agreement attached hereto as Exhibit A. All final changes are subject to the approval of the Town Supervisor and Town Attorney.

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MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

PUBLIC COMMENT

Lois Smith, Deer Run

Re: Police response to zombie property adjacent to her home

Reminds all that Ulster PD shows up quickly – five minute response time.

Recently Officer Meghan Sutton responded in three minutes. She followed up and filed the report.

Also, Smith recently called the Highway Dept and Frank Petramale answered, to her surprise.

Kudos to both departments.

~~ End of Public Comment ~~

MOTION to adjourn (7:41 pm)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk