

TOWN OF ULSTER TOWN BOARD MEETING (20)

OCTOBER 18, 2018

~Public Hearings Scheduled:

7:10pm – Public Hearing on Local Law # __ of 2018; A Local Law authoring the override of the Tax Cap for the 2019 Budget Year

7:15pm – Issuance of a Bond to borrow \$3.7 million for the replacement of the Ulster Water District’s South Water Tower

7:30pm – Budget Workshop to review the 2019 Town of Ulster Tentative Budget

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

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK - *Excused*

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILMAN 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. Assessor, James Maloney
4. Police Chief, Kyle Berardi
5. 26 Audience Members

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF MINUTES – September 6th and 20th

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

ANNOUNCEMENTS –

Letter received from 11 residents of Otis Street asking the Town that a 15 MPH speed limit be set, as there are no posted speed limit signs now.

Councilman Secreto: Suggests installation of a “No Outlet” sign.

Supervisor: **MOTION to authorize the Highway Superintendent to install the most appropriate sign(s) necessary on Otis Street**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

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ABSTRACT OF CLAIMS

Presented by Councilman Secreto (previously review by Secreto & Morrow)

October, 2018

Prepaid Bills:	\$ 284,983.25
Abstract Bills:	\$ 409,624.74
Escrow Bills:	\$ 4,770.00
Reserve:	\$ 430.49

TOTAL: \$ 699,808.48

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

BUDGET MODIFICATIONS

Presented by Councilman Secreto (previously reviewed by Secreto & Morrow)

General Fund:

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric at Orlando St. Ballfield	407.49
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) water usage at Orlando St. Ballfield	23.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) posts & plaques from Deuire's Trophies	130.00

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Reserve Budget	Reduce A5110 (Approp.Reserve-Softball League) and Appropriation A7140.401	
Mod. Of 6/21/18	(Rec.Equip.Reserve) payment to Eastern States Electric-bulbs for scoreboard	14.24
Highway Fund:	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Aug. Gas Reimb.-Oper.Funds	8,480.09
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Aug. Gas Reimb. (Ruby Fire Dist.)	112.09
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Gas Reimb. (Town of Kng. Hwy. Dept.)	
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Aug. Gas Reimb. (Ulster Fire Dist.#1)	73.57
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Gas Reimb. (E.Kng.Vol.Fire Co.)	
	Modify Revenue D2680 (Insur.Recoveries) and Appropriation D5130.422 (Equip. Maint.) supplement check from U.S. Specialty Insur. Co. for damages to 2015 Ford Truck-date of loss Mar.7,2018	1,695.30
	Modify Revenue D2680 (Insur.Recoveries) and Appropriation D5130.200 (Equip.) check from U.S. Specialty Insur. Co. for 2006 Pelican Sweeper accident DOL-5/11/18 - less reimb. To Towns of Hurley, Shandaken & Woodstock in the amount of \$27,410.19	10,136.75
Highway:	Modify D5130.200 (Equipment) to be funded through D5110 (Approp.Reserve-	

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	Equip.Reserve) payment to H.O. Penn Machinery for a new 2017-930M Caterpillar Loader per Quote #115154-01 - NYS Bid PC66988	175,000.00
UI. Water:	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants)	
UI. Water:	Modify Revenue SW1.2680 (Insur.Recoveries) and Appropriation SW1.8320.250 (Meters & Hydrants)	
Hwy. Salt Shed Replace.Cap.Proj.	Modify Revenue HH4.5031 (Interfund Transfer) and Appropriation HH4.5197.400 (Engin. Servs.) payments to Brinnier & Larios	
Ulster Water:	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants) purchase of	

BUDGET TRANSFERS

General Fund:	Transfer From	Transfer To	
	A1320.404 Data Process.&Consult.	A1220.410 Computer Technology	2,000.00
	A1320.400 Computer & Supplies	A1220.410 Computer Technology	4,000.00
	A1320.402 Auditor	A1220.410 Computer Technology	20,000.00
	A1320.402 Auditor	A1440.400 Engineering	8,000.00
	A1990.400 Contingency	A1620.400 Twn.Hall Roof Replacement	20,000.00
Halcyon Pk. Water:	Transfer From	Transfer To	
	SW2.8320.201 Radio Meter Reading	SW2.8320.250 Meters & Hydrants	220.00
	SW2.8320.201 Radio Meter	SW2.8330.458 DEC Permit	50.00

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		Reading		
Glenerie Water:	Transfer From SW6.8320.250 Meters & Hydrants	Transfer To SW6.8330.401 Lab Testing		425.00
Whittier Sewer:	Transfer From SS1.8130.409 Rep.&Supplies	Transfer To SS1.8130.422 Equip. Maint.		1,200.00

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

COMMITTEE REPORTS:

1. Sewer Department – Councilman Kitchen:
Went over budget last week with Vincent Maggiore. Ulster Sewer seeking engineering report and plan of strategy to update systems. Large rags getting into systems. Engineering to evaluate needs of plant. Dept getting ready for winter; working on manhole structures.
2. Water Department – Councilman Secreto:
Met with John Rose with Councilman Kitchen. October – they painted all fire hydrants and replaced 8” main valve on Harwich St. Repaired south tower holes; 118 service calls; 130 markouts; with assistance of highway dept flushed all hydrants except Bright Acres, which is done in April.
3. Recreation Department – Councilman Kitchen:
344 campers this year; \$15,000 below budget; basketball registration underway; adult men’s softball completes in October; Town park closing 10/31.

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4. Finance – Councilman Secreto:
Nothing to report.
5. Buildings and Grounds – Councilman Morrow:
Nothing to report.
6. Highway Department – Councilman Morrow:
He and Councilman Secreto met with highway department; leaf and brush cleanup will be coming up; paving underway.

New business:

Motion to authorize the 60-day temp hire of a Water/Wastewater Maintenance Worker for the Sewer Dept.

Michael DiFiore: full time; non-competitive; union; \$13.31/hour; start date 10/21/18; requested by Department Head, Vincent Maggiore

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	- <i>Excused</i>
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 September 2018

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (20)

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Presentation and Acceptance of the Supervisor's Monthly Report for the month of September 2018

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Motion to authorize the hiring of two part time Police Officers

1. Justin Dixon: part time; union; non-competitive; PBA; Step 1; \$21.61/hour; start date 10/22/18; requested by Chief Berardi
2. Tynan Rodriguez: same as above

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

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Motion to authorize the hiring of two part time Police Dispatchers

1. Justin Kelly: union; PBA; non-competitive; \$15.91/hour; requested by Chief Berardi
2. Brandon North: same as above

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

Motion to temporarily assign Officer Faulkner to the Detective Division

Full time; union; non-competitive; \$31.64/hour; requested by Chief Berardi

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

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~Public Hearing Scheduled: 7:10pm – Public Hearing on Local Law # ___ of 2018; A Local Law authoring the override of the Tax Cap for the 2019 Budget Year

Supervisor: Not the desire of the Town Board to go over the tax cap. Passing of the local law to override tax cap is the process. Does not necessarily mean that the Town Board will vote to override.

MOTION to open the Public Hearing (7:15 PM):

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

COMMENTS - None

MOTION to close Public Hearing (7:16 PM):

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (20)

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~Public Hearing Scheduled: 7:15pm – Issuance of a Bond to borrow \$3.7 million for the replacement of the Ulster Water District’s South Water Tower

MOTION to open the Public Hearing (7:22 PM):

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

Supervisor: South tower built in 1985; paint is in failing condition. Est to cost \$2.2M to paint and will have to be replaced in another 15 years. Engineering proposal on Town Website involves replacing steel tower with concrete with a 50-60 year life expectancy. Does not need recoating. Town recently applied for WIAA grant with the Environmental Facilities Corporation (EFC) for the Halcyon Park tower. In order to submit to the EFC, a bond issue resolution is required in order to affirm that the Town has the funds to complete the entire project should the grant not be provided.

COMMENTS - None

MOTION to close Public Hearing (7:25 PM):

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

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Motion to authorize the Supervisor to sign the 2018-2019 DWI Crackdown Enforcement Agreement with Ulster County

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the Payroll Clerk and Deputy Town Clerk to attend an educational class at Ulster BOCES

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (20)

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Resolution for Conditional Site Plan Approval, Five Star Realty Holdings, LLC dba Begnal Motors, for a 1.6-acre vehicle holding area located at 129 NYS Route 28, Kingston, N.Y. 12401. SBL 48.14-1-23

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Conditional Site Plan Approval
Begnal Motors
S-B-L: 48.14-1-23

WHEREAS, the applicant – Five Star Realty Holdings, LLC – is seeking *Site Plan* approval to construct a 1.6-acre gravel vehicle holding area on a vacant 3.5-acre parcel adjacent to the existing Begnal Motors Car dealership, which is located at 129 NYS Route 28, opposite the Johnson Ford dealership; and

WHEREAS, the subject site is situated within the HC-Highway Commercial Zoning District where an automotive sales and service business is permitted by right subject to Site Plan approval; and

WHEREAS, the Town Board has the authority to approve the Site Plan upon recommendation by the Planning Board since the Proposed Action would utilize a ground area of more than one (1) acre, even though no structure is proposed [see §145-2 A (3) of the Town Code]; and

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

- *Site Plan Narrative* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- *Site Plan Application* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 24, 2018;
- *Site Plan Consent Form* signed by agent of Five Star Realty Holdings, LLC dated July 24, 2018;
- *SEQR Full EAF Part 1* by Brian Begnal, Member Five Star Realty Holdings, LLC. dated July 24, 2018;
- *Cover Sheet* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- *Existing Conditions* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018; and
- *Site Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018; revised 8/15/2018;
- *Erosion Control Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018; and
- *Grading Plan* prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018.

WHEREAS, the Town of Ulster Town Board initiated Unlisted Action-Coordinated review in August 2018 and is the designated Lead Agency for the SEQRA review pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, this matter was referred to the Ulster County Planning Board since the Proposed Action was not exempt from the referral agreement between the County and Town; and

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WHEREAS, the Ulster County Planning Board (UCPB) provided written recommendations concerning the Proposed Action, and recommended disapproval of the Proposed Action; and

WHEREAS, the Town of Ulster Planning Board found the reasons cited for disapproving the vehicle holding area were not sufficient to deny the applicant's request to store new motor vehicles on the subject site, but also found it prudent to follow several of the UCPB's recommendations, in part, as conditions of approval.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby overrides the UCPB's denial recommendation, issues a SEQRA Negative Declaration and grants Conditional Site Plan approval to – Five Star Realty Holdings, LLC – 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 Town Alternate Designated Engineers (TADE) Praetorius and Conrad, PC and acceptance of the SWPPP by the TADE;
5. The applicant provides a revised "Vehicle Evacuation Plan," which identifies those locations controlled by the applicant where vehicles would be transported to in the event of a flooding event along the Esopus Creek;
6. The applicant will be required to secure a *Flood Plain Development Permit* from the Building Inspector prior to storing vehicles on the subject site;
7. The applicant proposed a revised Site Plan, which provides additional landscaping along the interior of the existing fence along the NYS Thruway to help screen the vehicle holding area;
8. 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
9. All fees, including consultant fees, shall be paid.

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (20)

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Motion to accept resignation of Troy Ashdown as an Alternate Member of the Planning Board effective immediately

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Motion to authorize the signing of on Change Order #2 to Contract TU - 171, with Titan Roofing for Town Hall for the reroofing of the Town Hall, front and side roofs and increasing the flashing on the upper roof

MOTION: Councilman Morrow
SECOND: Councilman Kitchen

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

CARRIED

Motion on Setting a Halloween Curfew for Children age 16 or less without a Parent for 8:00 PM on Halloween Night

MOTION: Councilman Morrow
SECOND: Councilman Kitchen

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

CARRIED

OCTOBER 18, 2018

Richard Rider 697 Old Flatbush Road North – Unsafe structure and illegal occupancy of recreation travel trailer as a permanent residence

Discussion: Strategy

Supervisor: Specifically, Ryder living in a travel trailer.

Councilman Secreto: No proof he is residing/sleeping in trailer. We need residents to sign affidavits. Would like the building inspector to visit and an engineer to assess the safety of the structure.

Councilman Kitchen: Many years of complaints. Would like town attorney and building inspector to get together and see blatant code violations. Engineers report to verify if structure is safe or not. Does not want residents to live in fear. Need residents' complaints in writing.

Supervisor: Makes the following proposal—

MOTION to authorize the alternate Town attorney to gather appropriate documentation including affidavits and for the building department to commence action in New York State Supreme Court to gain access to house, obtain an engineering report to analyze the structural integrity of the house:

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

Supervisor: Asks Jason Kovacs to communicate with the alternate Town attorney (Rebecca Millouras-Lettre)

OCTOBER 18, 2018

Presentation of Standard Form Range Agreement for 2019 for Inter-Municipal use of the Town Police Dept Firing Range

No action – consideration and vote on at next meeting.

Old business:

~Out of Order from the Original Agenda~

Resolution Accepting Conveyance of Land from Esopus Agricultural Center, LLC and Authorizing Supervisor to sign Boundary Agreement

RESOLUTION OF THE TOWN BOARD TOWN OF ULSTER
Resolution Accepting Conveyance of Land from Esopus Agricultural Center, LLC and Authorizing Supervisor to sign Boundary Agreement

WHEREAS, Esopus Agricultural Center, LLC has conveyed to the Town of Ulster (the “Town”), a municipal corporation organized and existing under the Laws of the State of New York, the real property as defined in the attached Schedule A, which is immediately adjacent to Town of Ulster owned parkland, and

WHEREAS, the Town’s acceptance of said real property resolves a boundary line dispute between the Town of Ulster and Esopus Agricultural Center, LLC, and

WHEREAS, the Town of Ulster Planning Board has approved a lot line adjustment agreement between the Town and Esopus Agricultural Center, LLC, conditioned on Town Board approval and acceptance of said real property; and

WHEREAS, Town Law Section 64 authorizes a Town to take and hold real property absolutely upon such terms or conditions as may be prescribed by the grantor and accepted by said Town, and

WHEREAS, the Town is desirous of indicating its acceptance of such conveyance from Esopus Agricultural Center, LLC; and it is hereby

RESOLVED, that the Supervisor of the Town be and hereby is authorized and empowered to execute and acknowledge the TP 584 and RP 5217 forms required to be filed in order for the deed to be recorded for the purpose of indicating the acceptance and approval by the Town to accept this property from Esopus Agricultural Center, LLC pursuant to the provisions of Town Law Section 64, and be it further

RESOLVED, that the Supervisor of the Town may sign a Boundary Agreement with Esopus Agricultural Center, LLC in a form to be approved by the Attorney for the Town, and be it further

RESOLVED, that this Resolution shall take effect immediately.

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Supervisor: Several meetings ago, Board voted to pursue action of Eminent Domain in order to protect the town's use of the softball fields. Resulted in negotiation and settlement. Esopus Agriculture will deed to town 1 acre of land adjacent to the third base line. Resolution authorizes the Supervisor to sign the boundary agreement which is required to settle this matter.
[Kovacs will provide documentation to Supervisor]

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

Motion to accept the NYS Model Sexual Harassment Policy

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

OCTOBER 18, 2018

Resolution authorizing Attorney for the Town, Jason Kovacs, Esq., to Commence a Civil Action in New York State Supreme Court on behalf of the Town of Ulster against David W. Reynolds and Lory J. Reynolds

RE: 58 Bringham Lane, Lake Katrine, N.Y. 12449, SBL # 39.15-3-17

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 David W. Reynolds and Lory J. Reynolds

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 after due deliberation, hereby declares the property at 58 Bringham Lane, Lake Katrine, New York is a Public Nuisance pursuant to Town Code Section 64-8 and further determines that said structure on said property is unsafe and dangerous and unfit for the purposes for which it may lawfully be used

Section 2. 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 David W. Reynolds and Lory J. Reynolds as Defendants. In said civil action, the Town of Ulster as the Plaintiff, shall, among other things, ask the Court: (a) for permission to dismantle and remove the structure at 58 Bringham Lane, Lake Katrine, on the grounds that it is unsafe, a threat to public safety and health, and uninhabitable, and being in violation of the Town of Ulster Town Code and the New York State Property Maintenance Code; (b) to direct that the Defendants comply with the Town Code; and (c) to permanently prohibit all other persons from using the subject premises in violation of the Town Code; (d) to enjoin and restrain the Defendants from creating and maintaining a public nuisance; and (e) to grant the Plaintiff, Town of Ulster, such other and further relief as to the Court may seem just and proper, together with the costs and disbursements of the action, and for an order allowing all costs, expenses, legal fees, and costs to dismantle the premises on the tax bill for said property.

Section 3. For its services hereunder, the Attorney for the Town, Jason J. Kovacs, Esq. shall be compensated at the rate of \$150.00 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 4. This Resolution shall take effect immediately.

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MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

Presentation and Acceptance of the Environmental Impacts Study prepared by Cypress Creek Renewables, LLC for the Landau Solar I & II, Route 32S, Kingston, N.Y.

Supervisor: Applicant has presented to the Town Board the Environmental Impact Study (EIS). Town Board Motion to accept the presentation, order the EIS be published to the Town of Ulster Town Website.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

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Motion to set a Public Hearing on the Environmental Impact Study for Monday, November 19, 2018 for 7:00 PM

Supervisor: We agreed to a 30-day comment period after receipt of the EIS, culminating with a public hearing.

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

Motion to set a Public Hearing for Site Plan Approval, Special Use Permit and Open Development Area designation for the Landau Solar, LLC and Landau Solar II LLC, 2986 – 3040 Route 32, Kingston, N.Y. 12401, SBL # 56.14-1-24, 56.14-2-18 and 56.14-2-36.1 for Monday, November 19, 2018 for 7:15 PM

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

BUDGET WORKSHOP

Supervisor went over General Fund and Highway budget line by line, citing increases and decreases.

TOWN OF ULSTER TOWN BOARD MEETING (20)

OCTOBER 18, 2018

PUBLIC COMMENT –

1. Regis Obijiski, Ledge Rd RE: Budget
Requests presentation of budget on a single spreadsheet to look at all sources of revenue and expenditures.
2. Laura Hartmann, 45 Birch St. RE: Lincoln Park Grid Support Center
Attachment #1 – Handout provided and read
3. Eileen Murphy, Quail Drive RE: Lincoln Park Grid Support Center
Attachment #2 – Handout provided and read
4. Dan Furman, Riseley St. RE: Lincoln Park Grid Support Center
Attachment #3 – Handout provided and read

~ End of Public Comment ~

MOTION to adjourn (8:15 pm):

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk