

TOWN OF ULSTER TOWN BOARD MEETING (16)

September 5, 2019

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
TOWN COUNCILMAN ERIC KITCHEN
DEPUTY SUPERVISOR JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

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

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS –

COMMUNICATIONS – None

DEPARTMENT HEAD REPORTS

1. Highway Department – Frank Petramale
Thanks all employees. Mowing roadside still. New truck on order and in-service mid-November. Transfer station good. Parks are in good shape. Boat docks removed around December 1. Leaf pickup schedule is on the Website. Just finished paving Morton Boulevard. Thanks other towns, County, and other departments for shared services.

Supervisor: Emphasizes at transfer station the recycling of glass and contamination. Reminds everyone to comply and not to place trash in glass recycling.

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2. Wastewater Department – Vincent Maggiore
Busy with manhole repairs, clearing easements, continued cleaning of disposal of flushed rags and trash. Working with engineers on efficiency and energy consumption. All laid out and ready to go on Katrine Lane sewer project; working with engineers. Starting soon with help from highway and water departments. Whittier and Washington Ave no problems.

Supervisor: Town grant for sewer line on Katrine Lane. Instead of bidding, highway and sewer doing the construction in house to save costs.
3. Water Department – John Rose
Busy. 123 service calls; 180 mark outs; replaced valve on Vincent St and fire hydrant in Spring Lake; repaired two holes in the south tower. Hydrant flushing will be done in October and schedule will be online. No issues with water supply or contract with city of Kingston.
4. Police Department – Kyle Berardi:
Busy. 11000 service calls so far 2019; detectives 168 cases (one homicide). Homicide – apprehended suspect within 24 hours with thanks to other agencies and employees; 464 arrests; 26 impaired drivers; Town responded to nine overdoses (compared to 21 in 2018); combating opioid epidemic; next month receiving Town’s first hybrid vehicles (two total).
5. Recreation Department – Jeff Hayner:
We are in the midst of transfer from summer camp to biddy ball and adult volleyball. Biddy ball signups will be soon at the Town Clerk’s office. Beautiful parks are still open. Post Park closing at 7pm now.
6. Building, Planning, Zoning – Kathy Moniz:
Requests report due at next town meeting.
7. Town Clerk – Suzanne Reavy:
9/11 ceremony is on Wednesday, 9/11 10am at Post Park. Spring Lake Fire Dept ceremony is 9/11 at 6:30pm. Town Clerk’s office obtaining a multi-function printer to print and scan large documents/maps up to 36’. Our office busy with collecting fees and organizing paperwork for summer camp and biddy basketball.
8. Assessor– Supervisor Quigley
Tax rolls completed and filed with County; we have received 13 tax certiorari actions grieving primarily commercial properties with potential exposure of \$63M if applicants are successful which is unlikely; already settled one of the 13; will provide board with list at next meeting.

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New business:

Motion to authorize the purchase of a Large-Format Canon 300 MFP T 36 Printer for the Town Clerk's Office under the Town's Best Value Policy

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 appointment of Officer Killian as the returning SRO Officer for Miller Middle School

MOTION: Councilman Kitchen
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 hiring of one part time Police Officer
Presented by Councilman Brink

Brian Reavy: PT; \$23.36/hour; start date 8/31/19

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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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 one part time Court Officer

Presented by Councilman Brink

Tajea Johnson: Current corrections officer at UCSO; \$20/hour; start date 9/9/19

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 to authorize the hiring of one part time Police Officer Motion to authorize the hiring of one seasonal Park Attendant

Presented by Councilman Brink

Dave Deangelis: \$12.50/hour; requested by Jeff Hayner; start date 9/7/19

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

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Motion to authorize the Supervisor to sign the 2019 Youth Bureau Agreement between Ulster County and the Town of Ulster

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

Presentation of a Resolution in Support of Kingston-Ulster Airport, Inc's application for a FAA Grant for improvements at the Airport and a SEQR Neg Dec for the Project

RESOLUTION

WHEREAS: Kingston-Ulster Airport, Inc. received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Kingston- Ulster Airport:

Remove Runway 33 Obstructions of Approx. 2.4 Acres of Trees, Removal & Replacement of a NYS Salt Storage Shed, Install Obstruction Lights on Route 199 Roadway Replacement Lighting Poles and Airport Boundary Fence in the RW 33 Approach- (Design)

WHEREAS: the New York State Department of Transportation is offering a matching grant to the federal grants for 50% of the non-federal share of eligible costs; and

WHEREAS: the New York State Department of Transportation, under Section 14h of the State Transportation Law, requires privately-owned airports to obtain local municipal support to receive New York State funding.

NOW, THEREFORE, BE IT

RESOLVED: that the Town Board of the Town of Ulster endorses the above described project for the purpose of making the project eligible for State funding;

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RESOLVED: that the adoption of this Resolution shall be solely for the purposes stated herein and in no way binds the Town Board, the Planning Board and/or the Zoning Board of Appeals of the Town of Ulster to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to Kingston-Ulster Airport;

RESOLVED: it has heretofore been determined by the Town Board, under Part 617 of the State Environmental Quality Review Act (SEQR), of the State of New York, that the aforesaid project, including basic data collection, research and engineering studies, constitutes a Type II Action which will not have a significant impact upon the environment. The Supervisor of the Town of Ulster is hereby authorized to sign and date the State Environmental Quality Review form, as attached herewith; and, be it

FURTHER RESOLVED: that this Resolution shall take effect immediately.

Presentation of Central Hudson Confidentiality and Non-Disclosure Agreement for Access to Municipal Portal

Presentation of Memo from Supervisor Quigley with a Resolution calling for an update to the Town's 1990 Traffic Study

Presentation of the Form of Lease between the Town and Tarpon Towers for a land lease for a cell tower at the Ulster Water District South Tower

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Presentation of a Resolution clarifying a Resolution Setting Fees for Solar Facilities of March 7, 2019

Resolution of the Town Board
TOWN OF ULSTER
Resolution of Town Board of the Town of Ulster Adopting a Fee
Schedule for Commercial Solar Facilities and Battery Storage
Facilities

WHEREAS, the Town Board of the Town of Ulster is authorized to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted local law,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the schedule of fees, deposits, and costs is hereby amended as set forth below, effective immediately:

Fee Schedule for Commercial Solar Facilities and Battery Storage Facilities in excess of .5 MW:

Commercial Solar Facility Planning Board Application Fee: \$1,000.00 per MW of Capacity

Commercial Solar Facility Building Permit Application Fee: \$9,000.00 per MW of Capacity

Commercial Battery Installation Planning Board Application Fee: \$1,000.00 per MW of Capacity

Commercial Battery Installation Building Permit Application Fee: \$4,500.00 per MW of Capacity

Presentation of Resolution Standardizing SCADA System for the Ulster Water Department

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Old Business:

Motion to Set a Public Hearing for Local Law _____ of 2019: Business Investment Exemption Law of the Town of Ulster, an adoption of NYS Real Property Tax Law Section 485 (b), Subdivision 2(a) for September 19, 2019 @7:35pm

MOTION: Councilman Morrow
SECOND: Councilman Kitchen

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

CARRIED

Motion to authorize an Advance as a Short-Term Loan in the amount of \$100,000 from the General Fund to the Highway Garage Salt Shed Capital Project

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 the payment to Legacy Building Solutions, Inc. in the amount of \$97,873.75 for Contract #TU-191R for Salt Shed Project

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

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Motion to authorize the Highway Superintendent Petramale to sign Change Order #1 in the amount of \$2050.00 to Contract # TU-191 R with Legacy

Petramale: This change pertains to ice protection.

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

Resolution to Enforce Provisions of Chapter 96 of Town Code (Grass, Weeds & Noxious Vegetation) against Real Property at 901 Grant Avenue, Lake Katrine, NY and 49 Meadowbrook Drive, Kingston, NY

Resolution of the Town Board

TOWN OF ULSTER

Resolution to Enforce Provisions of Chapter 96 of Town Code (Grass, Weeds & Noxious Vegetation) against Real Property at 901 Grant Avenue, Lake Katrine, NY 12449 and 49 Meadowbrook Drive, Kingston, NY 12401

Whereas, the owner and/or tenants of the real properties at 901 Grant Avenue, Lake Katrine, NY and 49 Meadowbrook Drive, Kingston, NY, have been found by the Town of Ulster Building Inspector to be in violation of Town Code Sections 96-1 and 96-2; and

Whereas, the Town of Ulster Building Inspector has sent notice by certified mail to the last known address of the owners of 901 Grant Avenue, Lake Katrine, NY and 49 Meadowbrook Drive, Kingston, NY; said notice advised the owners of said properties that the Town would have to charge the owners the maintenance costs if the Town was forced to maintain the property at 901 Grant Avenue, Lake Katrine, NY and 49 Meadowbrook Drive, Kingston, NY, due to the owners' refusal to maintain the property; and

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Whereas, the owners of 901 Grant Avenue, Lake Katrine, NY and 49 Meadowbrook Drive, Kingston, NY, were unable to maintain the property pursuant to Chapter 96 of the Town Code; and

Whereas, the Town of Ulster Building Inspector has filed a formal assessment of the charges with the Town of Ulster Town Clerk, who has presented the formal assessment of the charges to the Town of Ulster Town Board, now, therefore, be it

RESOLVED, that said formal assessment of the charges is based on the presentation and report submitted to the Town of Ulster Town Board; and

BE IT FURTHER RESOLVED, the owners of 901 Grant Avenue, Lake Katrine, NY and 49 Meadowbrook Drive, Kingston, NY, have not complied with Chapter 96 of the Town Code; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of all garden waste, fallen tree limbs and shall cut and continue to cut the grass to a height not to exceed 6 inches, and any continued maintenance thereafter if the premises at 901 Grant Avenue, Lake Katrine, NY continue not to be properly maintained; and

BE IT FURTHER RESOLVED, that the charges shall be sent to the owners of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 96-5 of the Town Code and shall become a lien against the property and filed with the Ulster County Clerk and the Ulster County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass to a height not to exceed 6 inches and to remove and continue to remove all garden waste and fallen tree limbs, solid waste, debris and litter.

Supervisor: Charge property owners. If not paid, amount added to real property tax bill(s).

MOTION: Councilman Brink
SECOND: Councilman Morrow

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

CARRIED

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Authorization of the Public Interest Order – In the Matter of the Increase and Improvement of the Facilities of the Halcyon Park Water District in the Town of Ulster, Ulster County, New York

Supervisor: Will be submitted for a grant 9/13/19

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

Resolution Authorizing the issuance of \$762,000.00 Serial Bonds of the Town of Ulster, Ulster County, New York, to pay the cost of the increase and improvement of the facilities of the Halcyon Park Water District in the Town of Ulster, Ulster County, New York

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$762,000 SERIAL BONDS OF THE TOWN OF ULSTER, ULSTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HALCYON PARK WATER DISTRICT IN THE TOWN OF ULSTER, ULSTER COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated July 18, 2019, said Town Board has determined it to be in the public interest to increase the facilities of the Halcyon Park Water District in the Town of Ulster, Ulster County, New York, at a maximum estimated cost to the District of \$762,000; and

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WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

Section 1. For the object or purpose of paying the cost of the increase and improvement of the facilities of the Halcyon Park Water District in the Town of Ulster, Ulster County, New York, consisting of the replacement of the existing water storage tank, including costs incidental thereto, there are hereby authorized to be issued \$762,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose to the District is \$762,000 and that the plan for the financing thereof is by the issuance of the \$762,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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Section 5. The faith and credit of said Town of Ulster, Ulster County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall be annually assessed upon all the taxable real property within said Water District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates,

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place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution which takes effect immediately shall be published in summary form in the Town's official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

ROLL CALL VOTE:

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

CARRIED

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PUBLIC COMMENT –

1. Josephine Reina, Brigham St.
What is happening with the survey of the Plotkin property in East Kingston?
Also – RE: Callanan and East Kingston. Engineers should have known about collapsing, weathering effects; magnified from blasting. Wants ridge to be safe. To the Town Board: This should be a positive declaration. Is Callanan going through SEQR process?
2. Trudi Hopp, Addis St.
Please shut Callanan down; stop blasting. House cracking last several years.
3. Ginger Ferrazano, Railroad Ave.
Dogs hear the blasting; her house shakes. Blasting causes problems. Worried about water and mountain ridge. Has Army Corp of Engineers been contacted?
4. Arlene Dugan, Lawrenceville St.
Neighborhood fine. This summer listened to loud mufflers and speeders. Complained to Sheriff's Department. Nothing has been done.

Supervisor: Police Chief here. Please speak to him about your concerns.

5. Lynea & Cliff Cole, John St
How is condition in East Kingston a natural occurrence when there is blasting? Retaining wall fell and cracks in foundation. What is being done? John St – people dumping garbage; significant crimes at end of John St.; no police presence and feels unsafe.

Supervisor: Regarding East Kingston, there are ongoing engineering and geology studies. Callanan in process of installing \$500M radar equipment that will take measurements of movements. The mountain collapsing into itself. Any questions about natural phenomena you should visit Joppenbergh Mountain in Rosendale. Mountain collapsing into itself starting in the 1980s; chain link fence placed on top of mountain; earthen berme built around the base of mountain. Scheduled Planning Board meeting on 9/10/19 public can listen to Callanan's proposal to build a wall in the woods to protect community from falling rocks.

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Supervisor: Calls for MOTION to adjourn (7:41 PM)

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

Supervisor – Off the Record: Callanan public meeting tentatively scheduled for 9/18. Very clear that you want Callanan to go away and Town does not have the authority. Mine established in 1950s prior to Town zoning and State mining laws and SEQR process. They are grandfathered. State Appellate Court decision that supports that decision. Our hands are tied. We are not pro-mining. In 2012 Town Board stopped a mine from establishing in Eddyville. Discussions to change zoning laws to prevent mining in the future. Tuesday, 9/10 is Planning Board meeting; 9/18 meeting here with a geologist and engineer from Callanan; scientific conclusions of their own.

Audience member: Will Callanan have its own engineer?

Supervisor: Town will hire its own engineer.

Audience member: When?

Supervisor: Calls for MOTION to reopen the meeting (7:44 PM)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

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MOTION to authorize the Town of Ulster Supervisor to hire its own geologist for the purposes of studying the East Kingston mines?

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

Councilman Secreto : With them and wants everything done the right way; let's take it one step at a time.

Supervisor; Has anyone seen the rock? Forty feet long and 20 feet deep. It is pivoting on top of the mountain.

Councilman Secreto: that is why dumpsters were brought in and filled with rock.

6. John Arnold, Brigham St: Describes geology of the earth: clay, sand, etc. Transmission of blasting is different in different regions. Do a proper survey of the earth.

Supervisor: Primary agency for this project is DEC. Second round to Assemblyman Cahill and Senator Amedore –they oversee NYSDEC. Federal Mine Authority has control over blasting (Mine Safety and Health Administration)

7. Dawn DeLuca, Sunrise Park:
Ridge affects her. Called several times about the blasting. Is geologist doing the survey on both sides of the ridge?
8. Robert White, Newkirk St.
This has been going on since the 50s and 60s. Water became sulfur water. Reported for years. Why now hire a geologist? Many blasting reports.

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9. Josephine Reina, Brigham St.

Because of Supervisor we got water in East Kingston. These blasts are not just one they are a chain reaction. Wants presence of Army Corp of Engineers. We do not want trees removed – loosens soil.

Supervisor: They (USACE) have no legal jurisdiction here.

10. Audience Member: What has been done for immediate danger?

Supervisor: Engineers' temporary solution was jersey barrier and dumpsters. Long term solution is the gabion wall which requires removing trees. Town wants wall back into tree line at the base of the mountain. Presented next week on 9/10.

Member: Do you feel Callanan is being cooperative?

Supervisor: They stopped blasting immediately; authorized \$500K radar system; moved equipment in front of church; wall will cost \$2M at their expense; stated that they own the mountain, and this is their problem; taking the mountain down and imploding not acceptable solutions.

Discussion between *White, Arnold,* and *Supervisor*

Supervisor: Understands homes are special. Walked the neighborhood. Town does not have authority as this is a State issue.

11. Audience Member: Railroad Avenue is caving in.

Supervisor: Town is aware. That work is on scope of Highway Department to fix before the end of the work season. Result of a washout.

12. Donna Ferrendino, Bogert St

Everyone has cracks and water problems. This problem continues. Blasting does not help. There has to be some way. That is why people are so angry.

Supervisor: The Town level is not able to stop the blasting. State issue. Appellate level. Asking you to call your state assembly and DEC.

13. Audience Member:

What is holding rock in place?

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Supervisor: Cannot answer; does not know how solid it is. Scientific evidence that shows that small, minute movements predict major movements. The device is designed to measure that movement.

14. Robert White:

Is there a way engineers could lightly blast this large boulder, cut it down little by little?

Supervisor: Surface of mountain you can see where collapses took place. Concern is that large equipment on top of mountain would fall through.

15. Ginger Ferrazano – separate issue

Went to rehab for 14 months. Would like to volunteer services to the town for anyone who needs her.

Supervisor: Advises her to speak to the Police Chief.

16. Laura Hartmann, Catskill Ave.

Can help on this issue, is more support needed from DEC?

Supervisor: State Appellate Court decision 1995 respects Callanan's grandfathered status under lack of mining laws since the inception of the quarry in 1957. Established the non-SEQR jurisdiction of the facility. Standard permit sets terms and conditions of the mine that DEC oversees; multiple inspections occur from various agencies to ensure Callanan's compliance of the law. In June, 2019, there was a standard air quality monitoring inspection. On July 24, 2019 a city of Kingston resident complained of foul smell from the blacktop plant. The next day, DEC performed an air quality monitoring permit inspection. They respond when there are complaints. That day (7/25), when rock fell, DEC had a full crew on site at 1pm.

LH: Can we ask that a newsletter go out to contact Cahill and DEC for understanding and to lend support, to have citizens write in?

Supervisor: Concerns over mining and blasting fall under DEC. Wants Callanan to live within the body of the laws that they are required to live in. Will place contacts on the Town Website.

17. Audience Member:

Any danger to Route 32?

Supervisor: No, there is a quarry between the ridgeline and Route 32.

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18. Dan Furman, Riseley St.

Felt the blasts for 20 years; vibrations can travel. This could be erosion, could be

Supervisor: your neighbor (Mr. Barton) complained about the blasting and seismic device was placed in his yard to measure the vibrations. Reports did not trigger the device.

DF: Based on severity of blasts – significant blasts are only once or twice a year.

~ End Public Comment ~

MOTION to adjourn (8:13 pm):

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk