

ULSTER TOWN BOARD
APRIL 19, 2004 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WADNOLA , CHAIRMAN, at 7:17PM

Supervisor Wadnola pointed out the emergency exits to the standing room only crowd.

SALUTE TO THE FLAG

ROLL CALL BY CLERK
COUNCILMAN ARTIST
COUNCILMAN VAN KLEECK
COUNCILMAN BRINK
COUNCIL MEMBER WISE
SUPERVISOR WADNOLA

Supervisor Wadnola asked to deviate from the usual agenda in order to allow the presentation from STEM (Stop The Eddyville Mine)

Attorney March Gallagher, representing STEM, gave a short talk urging the Town Board to change the zoning law to ban residential mining.

Supervisor Wadnola assured the audience that he has a meeting set with an attorney who represented Saugerties when they had the same zoning law dilemma.

COMMENTS –

Supervisor Wadnola asked the audience if they had comments on any agenda items

Brian Cahill: “When will the public hearing for DEIS for the extension of Frank Sottile Blvd. be set? What next? Why now when the funding is not in place?”

Supervisor Wadnola: the public hearing will be set for early June. We will ask the County for more funding. We still have not picked a plan. I personally like plan #3.

Brian Cahill: “It’s the mall that will be profiting the most from the extension. Maybe they should kick in some money.”

Mrs Stark: “There are many people in the audience from the Eddyville area who are opposed to the mine. Please do the right thing.”

Mr. Funccius: thanked attorney Gallagher for the presentation. They now have 1000 signatures on the petitions against mining. “ Please change the zoning law.”

Andrew Delanoy: Opposed because the blasting will hurt foundations & windows. Also 60 truck trips per day will ruin the roads. “This is an environmentally sensitive residential area.”

Others expressed concerns about dust, traffic, blasting (new Ulster Co. jail project is very close) wells, ground water & eventual pollution to Rondout Creek & the Hudson River.

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Mike Briglia: 100% against the mine. "Don't let them get their foot in the door."

Judy Hansen: "a mine makes bad sense for the town & the whole region".

Mr. Funccius: Asked the town board to move quickly. "You can't afford to drag your feet. If the DEC allows a permit, then it will be more difficult to stop."

CORRESPONDENCE - none

COMMITTEE REPORTS

Council Member Wise reported, under the buildings & grounds committee, that the second air conditioning unit that needed repair, now needs replacing. A proposal from Lowe's Plumbing & Heating set the cost to replace the air conditioner at \$10,000. She proposed that the money be taken from the Landfill Closure fund.

Councilman Artist reported, under the finance committee, that the abstract review was done on Saturday morning, everything was fine.

Councilman Brink reported, under the highway committee, that there was a request from Highway Superintendent, Mac Tinnie, to attend a course at Cornell University, June 6-9, 2004. Councilman Brink made a motion that Mr. Tinnie be allowed to attend Councilman Van Kleeck 2nd the motion. All ayes.

Councilman Van Kleeck made a motion to accept the bids from Johnson Ford for two new utility trucks for the highway dept. Councilman Brink 2nd the motion. All ayes.

Councilman Brink reported, under the personnel committee, that the summer employees started at Rider Park on Friday, April 16. The Post Park employees will be starting in a couple of weeks.

The planning committee reported that a letter was received from John R. Crispell Sr., expressing his desire to be considered for the opening on the Zoning Board of Appeals. Council Member Wise made a motion to accept John R. Crispell Sr. as a new member on the Zoning Board of Appeals. Councilman Van Kleeck 2nd the motion. All ayes.

Councilman Artist reported, under the recreation committee, that Rider Park is open and in good shape.

Police Commission: a letter from Chief Watzka was read saying that they are short one police officer and one dispatcher has left. Council Member Wise made a motion to hire James Seyfarth as a full-time police officer with a salary of \$33,600. Councilman Van Kleeck 2nd the motion. A roll call vote was taken. All ayes.

Council Member Wise made a motion to hire Darrell Day as a part-time dispatcher at \$12.11 per hour. Councilman Van Kleeck 2nd the motion.

A roll call vote was taken. All ayes.

DEPARTMENT HEAD REPORTS

Town Clerk – The monthly report was waived since the Town Clerk was out of town

Sewer Department – everything routine

Water Department – everything routine... Glenerie Water Project is progressing nicely.

Assessor – Mr. Maloney has one focus, tentative assessment roll has to be prepared by May 1st

Building Department – The monthly building report was submitted.

Police Department- The monthly report was read.

Set Date for Public Hearing:

A date for the Public Hearing regarding the DEIS for the extension of Frank Sottile Blvd. was set for Wednesday, June 16, 2004 at 7PM. Mr. Shuster said the comment period, which needs to be 10 days, would be extended until July 2, 2004.

Dorothy Carbo gave a report for the Historian committee. The town's 125th anniversary is approaching. The committee is asking for suggestions for the time capsule. So far they have 136 recipes for the cookbook. They are aiming for 200. The re-framing of the Supervisor's portraits is completed. They are on display in the meeting room. Series #1 & #2 of the historic postcards are ready for sale. Each series includes 4 postcards and will sell for \$3.00 per set.

Approval of minutes from previous meeting

Council Member Wise made a motion to approve the minutes of April 12, 2004

Councilman Van Kleeck 2nd the motion. All ayes.

Supervisor Wadnola motioned to approve the following:

ABSTRACT OF CLAIMS

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	401-422	\$ 7,573.93
ULSTER WATER	401-406a	\$ 5,230.33
HALCYON PK. WATER	401-402	\$ 470.45
SPRING LAKE WATER	401-404	\$ 274.53
BRIGHT ACRES WATER	401	\$ 210.15
WHITTIER SEWER	401-403	\$ 2,489.54
ULSTER SEWER	401-405	\$ 12,614.29
SPECIAL LIGHT	401-406	\$ 2,588.82
ALL OTHERS		
GENERAL	401 - 4166	\$ 95,529.19
HIGHWAY	401-452	\$ 40,775.26
WHITTIER SEWER	401-404	\$ 985.98

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ULSTER SEWER	401-428	\$	28,238.47
ULSTER WATER	401-451	\$	33,773.23
HALCYON PK. WATER	401-408	\$	1,789.13
SPRING LAKE WATER	401	\$	25.00
BRIGHT ACRES WATER	401-405	\$	2,535.62
CHERRY HILL WATER	401	\$	25.00
INSURANCE (ALL FUNDS)	401-416	\$	73,648.15
ELECTION	401-403	\$	525.00
CAPITAL PROJECTS			
TRUST & AGENCY	401-402	\$	14,882.00
GLENERIE WATER	401-404	\$	22,689.00
COMMUNITY DEVELOPMENT	401	\$	3,600.00
DRAINAGE PROJECTS	401-407	\$	5,827.97
	TOTAL	\$	356,301.04

2nd by Councilman Brink
A Roll Call Vote was taken – All Ayes

RESOLUTIONS:

To approve the site plan amendment: Completion of taxi-way at Kingston/Ulster Airport

Supervisor Wadnola read and motioned the following:

**PROJECT: KINGSTON / ULSTER AIRPORT
RESOLUTION OF SITE PLAN APPROVAL**

Town of Ulster Town Board

WHEREAS, the Town Board has received an application for site plan revision from Kingston/Ulster Airport for the purpose of constructing a taxi-way adjacent to the northwest end of the existing runway at the airport located at 1161 Flatbush Road and to relocate the existing fuel storage tank; and

WHEREAS, in accord with Chapter 145 of the Town Code, the Planning Board last reviewed said application on March 18, 2004 and recommended to the Town Board that the application be approved; and

WHEREAS, under Section 239 l and m of the General Municipal Law, the County of Ulster Planning Board has declared that there is no County impact; and

WHEREAS, the Town Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood; and

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WHEREAS, the Town Board previously approved a negative declaration under the provisions of SEQR regarding the entire airport master plan;

NOW, THEREFORE, BE IT RESOLVED, that:

The application for revision of the previously approved site plan is hereby approved in accord with Chapter 145 of the Town Code subject to the condition that any landscaping installed in accord with the original site plan that has been damaged or died shall be replaced.

2nd by Council Member Wise
All ayes

Approval of Site Plan Courtyard by Marriott

Supervisor Wadnola read and motioned the following:

**PROJECT: COURTYARD BY MARRIOTT
RESOLUTION OF SPECIAL PERMIT APPROVAL**

WHEREAS, the Town Board has received an application for special permit approval from Tharaldson Corp. for the purpose of erecting a Courtyard by Marriott Hotel on a site owned by S & R Corp. located at 400-998 Frank Sottile Boulevard (S-B-L: 48.008-1-34.100); and

WHEREAS, a Short Environmental Assessment form has also been submitted; and

WHEREAS, in accord with Chapter 190 of the Town Code, the Planning Board reviewed said application on October 16, 2003 and recommended to the Town Board that the application be approved with certain conditions; and

WHEREAS, under Section 239 m of the General Municipal Law, the County of Ulster Planning Board has recommended approval of said site plan with certain required modifications regarding traffic, repair of previous site disturbance, landscaping, retaining walls, drainage and signage; and

WHEREAS, the plans have been reviewed by the Town Water and Sewer Superintendents, Town fire and safety officials and Town Engineer who have determined that the plans are acceptable for approval by the Town Board; and

WHEREAS, the plans have been revised to provide an entrance and exit on the Hudson Valley Mall ring road; and

WHEREAS, the Town Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood; and

WHEREAS, it has been determined that said special permit is an unlisted action under the provisions of SEQR;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Town Board finds that due to the nature of the project and the measures taken to minimize affects on the environment, the project will not have any significant affect on the environment, a Negative Declaration under SEQR is hereby approved and an environmental impact statement will not be prepared.
2. The application for special permit and site plan approval, as depicted on Drawing No. C-1, dated April 15, 2004, is hereby approved in accord with Chapter 190 of the Town Code with the following conditions:
 - a. Approval of this project does not in any way commit the Town Board to approve any subsequent site plan(s) for the remaining land between the hotel site and the access road from Frank Sottile Boulevard to the Hudson Valley Mall ring road.
 - b. The entire area between the hotel and the Mall access road shall be graded, provided with topsoil and seeded, prior to issuance of a Certificate of Occupancy for the hotel, including planting of at least six street trees along the access road.
 - c. The entire area on the east side of the Mall access road between Sottile Boulevard and the Mall ring road shall be graded level to an elevation no more than two feet above the ring road and all excess material shall be removed from the site prior to issuance of a Certificate of Occupancy for the hotel.
 - d. All final designs and detailed requirements regarding sewer and water service and fire protection, including provision of a hydrant at the southwest corner of the hotel, shall be resolved to the satisfaction of the responsible Town Department prior to issuance of a building permit for the hotel and all such improvements shall be in place prior to issuance of a Certificate of Occupancy.
 - e. Seven additional parking spaces shall be provided in the “shared parking” bay at the east side of the site.
 - f. Prior to issuance of a Certificate of Occupancy, the traffic signal at the northern entrance to the Hudson Valley Mall shall be upgraded to current NYSDOT standards so that it may be coordinated with other traffic signals in the Route 9W corridor.
 - g. Prior to issuance of a Certificate of Occupancy, the traffic signal at the intersection of the Mall access road and Frank Sottile Boulevard shall be modified to utilize the currently unused protected northbound left turn arrow.
 - h. A new light standard shall be added at the northwest corner of the intersection of the hotel entrance and the Mall access road.

3. The Ulster County Planning Board's recommendations are hereby accepted as follows:
 - a. Traffic Circulation: The Town's traffic consultants, Creighten Manning Engineers, have reviewed the site plan and determined that vehicle queues at either end of the access road between Sottile Boulevard and the Mall ring road will not obstruct the site entrance and that the queue length at Sottile Boulevard can be reduced by modifications to the timing of the traffic signal. Furthermore, the hotel entrance will be posted for right turn entrance and exit movements only.
 - b. Site disturbance and landscaping: As indicated by conditions 2 a and b above, all previously disturbed areas will be reclaimed and the area adjacent to the hotel site will be landscaped.
 - c. Retaining walls: The proposed retaining slope along Frank Sottile Boulevard has been designed as a stabilized, landscaped slope rather than gabions or rip rap walls.
 - d. Drainage: A detailed drainage plan has been prepared and reviewed by the Town Engineer.
 - e. Signage: No free-standing signs are proposed.
4. A copy of this resolution shall be transmitted to the Ulster County Planning Board within 30 days of approval.

2nd by Councilman Brink
A roll call vote was taken. All ayes

Set Speed Limits for Ruby

Supervisor Wadnola read and motioned the following:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ULSTER DATED THIS 19th DAY OF APRIL, 2004 REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A UNIFORM MAXIMUM SPEED LIMIT OF 30 MILES PER HOUR WITHIN THE AREA KNOWN AS RUBY, TOWN OF ULSTER, ZIP CODE 12475, AS SHOWN ON A MAP ATTACHED HERETO AS EXHIBIT A AND MADE A PART HEREOF

WHEREAS, the area known as Ruby in the Town of Ulster is an area consisting mainly of residences and has been serviced by Town roads rather than any major highways or boulevards, and

WHEREAS, there are people of all ages living within that area, childcare centers, etc., which require special safety considerations,

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NOW THEREFORE BE IT RESOLVED, that the maximum speed limit of 30 miles per hour should be established in the Ruby area of the Town of Ulster, included in zip code 12475, and it is further

RESOLVED, that a copy of this petition be presented to the County Commissioner of Highways and Bridges of the County of Ulster and to the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law as part of a request to the Department of Transportation to establish a uniform speed limit of 30 miles per hour in conformity with this Resolution.

2nd by Council Member Wise
All Ayes

Councilman Brink made a motion to enter into executive session to discuss personnel matters.
2nd by Council Member Wise
All ayes

Council Member Wise motioned to adjourn the meeting at 9:25 PM
2nd by Councilman Van Kleeck
All Ayes

Respectfully Submitted by
Carol A. Bauer
Deputy Town Clerk