

ULSTER TOWN BOARD MEETING  
JULY 19, 2004 AT 7:00 PM

**CALLED TO ORDER BY DEPUTY SUPERVISOR WADNOLA, CHAIRMAN**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN CRAIG ARTIST  
TOWN COUNCILMAN ROBERT VAN KLEECK  
TOWN COUNCILMAN JOEL B. BRINK  
TOWN COUNCIL MEMBER BARBARA WISE  
SUPERVISOR FREDERICK J. WADNOLA

**COMMUNICATIONS - none**

**COMMITTEE REPORTS**

Councilman Artist thanked Nelson White (AKA George Washington from the Flag Day Parade) for his tireless help in auditing the abstract with the Town Finance Committee

Councilman Artist announced that the Town Summer Camp is operating in “full swing” and that the Town Residents can still sign up.

Councilman Brink reported, from the Water & Sewer Committee, that the contract for a tentative agreement between the City of Kingston and Town of Ulster for the sale of water has been reviewed by the City, the Town Board and the Town’s Water Superintendent, Paul Vogt. The Town Supervisor is scheduled to sign the contract on July 20, 2004. Councilman Van Kleeck thanked Judith Hanson, the City of Kingston’s Water Superintendent, for her work on the contract.

Council Member Wise offered congratulations on a job well done from the Police Commission to Officer Palen for saving a person from an attempted suicide.

**DEPARTMENT HEAD REPORTS**

Town Clerk – Read the monthly clerk report  
Highway Department – The monthly Highway report was read.  
Town Assessor – Reported that the final tax assessment roll has been completed  
Building Department- Supervisor Wadnola read the monthly report.  
Police Department- monthly report was read.

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Councilman Brink motioned to approve the minutes of June 7, 2004, June 16, 2004, June 17, 2004 and June 21, 2004.

2<sup>nd</sup> by Councilman Brink

All Ayes

Councilman Artist motioned to approve the following:

**ABSTRACT OF CLAIMS**

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FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	701-731	\$ 6,863.92
ULSTER WATER	701-707a	\$ 4,876.12
HALCYON PK. WATER	701-702	\$ 339.21
SPRING LAKE WATER	701-703	\$ 150.64
BRIGHT ACRES WATER	701	\$ 180.80
WHITTIER SEWER	701-702	\$ 370.73
ULSTER SEWER	701-706	\$ 11,141.31
SPECIAL LIGHT	701-706	\$ 2,332.01
ALL OTHERS		
GENERAL	701-7148	\$ 100,370.22
HIGHWAY	701-734	\$ 63,247.99
WHITTIER SEWER	701-704	\$ 1,085.00
ULSTER SEWER	701-725	\$ 46,876.05
ULSTER WATER	701-720	\$ 8,080.69
HALCYON PK. WATER	701-702	\$ 413.50
SPRING LAKE WATER	701	\$ 25.00
BRIGHT ACRES WATER	701-703	\$ 2,049.62
CHERRY HILL WATER	701-702	\$ 9,970.00
INSURANCE (ALL FUNDS)	701-721	\$ 105,053.83
ELECTION		
ALL OTHERS		
TRUST & AGENCY	701-702	\$ 324.05
GLENERIE WATER	701-702	\$ 20,586.00
DRAINAGE PROJECTS	701-708	\$ 1,160.00
EAST KINGSTON WATER	701-709	\$ 34,931.66
<b>TOTAL</b>		<b>\$ 420,428.35</b>

2<sup>nd</sup> by Councilman Brink  
 A Roll Call Vote was taken – All Ayes

**Privilege of the Floor : Ed Sawick application for approval for change of use to another non-conforming use.**

Mr. Sawick asked the Town Board to review his property for approval for a non-conforming use. It is currently used as a bike shop and he would like to make the property into apartments.

Supervisor Wadnola motioned to refer the proposal to the Town Planning and Zoning Boards for comments

2<sup>nd</sup> by Councilman Brink  
 All Ayes

**To reimburse the County of Ulster for the “Plan, Map and Report for the Washington Avenue Sewer District.**

Supervisor Wadnola read and motioned the following:

Whereas, the Ulster County Planning Board, County of Ulster, provided \$20000 for the preparation of the “Plan, Map & Report” for the Washington Avenue Sewer District and,

Whereas, the Sewer District was established by the Town Board in January, 2004, and bond authorization was established for the amount of \$1,399,000. and,

Whereas, the preparation of the “Plan, Map, and Report” is a legitimate expense that should be borne by the sewer district, and

Whereas, the County of Ulster has requested reimbursement for the monies expended for this “Report” now that the sewer district is established, and

Whereas, the implementation of the sewer district would be enhanced by a “traffic/access management plan” for the properties within it and especially those fronting Washington Avenue, and

Whereas, the County of Ulster through its planning department has agreed to provide monies to develop a “traffic/access management plan” should it be reimbursed for the \$20,000 spent relative to the Plan, Map, and Report by the Sewer District.

Resolved by the Town Board as follows:

The Town Board authorizes the payment of up to \$ 20,000 from the Washington Avenue Sewer District to the County of Ulster concurrent with the obligation of the County of Ulster to fund the preparation of a “traffic/access management plan” with the monies so reimbursed.

The Supervisor is authorized to enter into the necessary contracts/agreements to effectuate the preparation of this “traffic/access management plan” for the Washington Avenue Corridor, including those with Ulster County as well as needed traffic/planning/engineering consultants, not to exceed 320,000.

That The Town of Ulster will act as lead agency for the purpose of this study coordinating with the Washington Avenue Corridor Study Committee, NYSDOT, affected property owners, and others as identified.

2<sup>nd</sup> by Councilman Van Kleeck  
A Roll Call Vote was taken – All Ayes

**Local Law #3 - To amend Town of Ulster Zoning Local Law #9 of 1991**

Supervisor Wadnola read and motioned the following:

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WHEREAS, the Town Board previously submitted to the Town Planning Board, pursuant to Section 190-62 of the Town of Ulster Zoning Law, an amendment to the Town of Ulster Zoning Law which proposes to eliminate special use permit mining, excavation and processing uses in the R-60 District under the Town of Ulster Zoning law (the "Amendment"); and

WHEREAS the Town Planning Board considered the Amendment at its June 17, 2004, meeting and voted a recommendation in favor of its adoption by the Town of Ulster Town Board; and

WHEREAS, a resolution was duly adopted on June 21, 2004, by the Town Board of the Town of Ulster which called for a public hearing pursuant to Section 264 of the Town Law of the State of New York to be held by the Town of Ulster Town Board on the 14<sup>th</sup> day of July, 2004 at 7:00 o'clock p.m., local time, at the Town of Ulster Town Hall located at 1 Town Hall Drive. Lake Katrine. New York in connection with the "Amendment"): and

WHEREAS, the Town Board determined on June 21, 2004, that it would be lead agency under the State Environmental Quality Review Act ("SEQRA") and coordinated review with all involved and interested agencies, and no objection to the Town Board acting as lead agency was received, and the Town Board caused to be prepared a Full Environmental Assessment Form under SEQRA prepared in connection with the Amendment which was filed with the Town Board and made available for public inspection in the Town of Ulster Town Clerks Office; and

WHEREAS, notice of said public hearing was duly published in the Kingston Daily Freeman, the official newspaper of the Town of Ulster, on July 1, 2004, and notice of said public hearing was also conspicuously posted at the Town Hall and the Town Clerk at least ten (10) days prior to July 14, 2004, provided written notice of the Amendment upon each of the following with copies of said letters being filed in the Town Clerk's Office, if the Amendment affects property within 500 feet of the following: (a) property of a housing authority (upon its executive director and the C.E.O. of the municipality providing financial assistance thereto); (h) boundary of a city, village or town (upon the clerk thereof); (c) the boundary of a county (upon the clerk of the board of supervisors or other person performing like duties); (d) the boundary of a state park or parkway (upon the regional state park commission having Jurisdiction); and

WHEREAS, the public hearing was duly held on July 14, 2004, at the time and location specified by said notice, and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to the Amendment and

WHEREAS, the Amendment was reviewed by the Ulster County Planning Board on July 7, 2004, pursuant to General Municipal Law Section 239-m. and the Ulster County Planning Board did not disapprove the Amendment, but offered a non-binding recommendation relating thereto; and

WHEREAS, no comments or evidence were submitted at said public hearing raising any significant adverse environmental impacts related to the adoption of the Amendment; and

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WHEREAS, the Town Board has received and considered all parts of the FEAF and the record of the public hearings on the proposed Local Law and, after due deliberation, at least a majority plus one of the Town Board members find it in the best interest of the Town of Ulster to adopt the Amendment;

NOW, THEREFORE, BE IT RESOLVED by at least a majority plus one of the Town Board that

1. The proposed action of adopting the Amendment is a Type I Action under SEQRA.
2. The proposed action will have no adverse environmental impacts as shown in the FEAF and for the reasons set forth in the Negative Declaration attached hereto as Exhibit "A" and made part hereof
3. The Negative Declaration is hereby approved and it is determined that an Environmental Impact Statement ("EIS") is not required for the proposed action.
4. The Town Supervisor is authorized to sign the FEAF, indicate thereon that an EIS will not be prepared and cause the Negative Declaration to be filed, published and distributed as required by law.
5. The Town Board hereby adopts "Local Law No. 3 of the Year 2004, Local Law Amending Local Law No. 9 of the Year 1991", a copy of which is attached hereto as Exhibit "B" and made part hereof.
6. The Town Clerk is directed to (i) enter this Resolution and its Local Law and Negative Declaration exhibits in the minutes of the Town Board, (ii) cause a copy of Amendment to be published in the Kingston Daily Freeman, (iii) cause a copy of this Resolution and its exhibits to be posted conspicuously at or near the Office of the Town Clerk in accordance with the Town Law, (iv) cause affidavits of the publication and posting of the same to be filed with the Town Clerk; (v) cause a copy of said Local Law to be filed with the Secretary of State in accordance with Article 3 of the Municipal Home Rule Law; (vi) cause a copy of the Negative Declaration to be published in the Environmental Notice Bulletin, NYS Department of Environmental Conservation; and (vii) maintain files of all SEQRA documents and notices which are readily accessible to the public and made available on request.

2<sup>nd</sup> by Councilman Artist  
A Roll Call vote was taken – All Ayes

Councilman Brink motioned to adjourn the meeting at 7:47 PM

2<sup>nd</sup> by Councilman Van Kleeck  
All Ayes

Respectfully Submitted by  
Jason Cosenza, RMC  
Ulster Town Clerk