

**ULSTER TOWN BOARD WORKSHOP
SEPTEMBER 7, 2004 AT 7:00 PM**

CALLED TO ORDER BY DEPUTY SUPERVISOR WISE, 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 Van Kleeck reported from the Buildings and Ground Committee that the Highway garage needs to replace an older alarm system. He also reported that during the storm over the weekend, it rained so hard and fast that the drainpipes backed up and flooded the basement at the Town Hall. The meeting room's carpet has to be replaced. New carpet will be installed, which would be covered under the town insurance with a deduction.

Councilman Artist reported that the Finance Committee will meet to audit the bills for the abstract on Saturday, September 18, 2004 at 9 AM

Council Member Wise reported under the insurance committee, that she was reviewing the policies to see where cost could be reduced.

Councilman Brink reported from the Personnel Committee, that a person in the court who was hired provisionally has passed the test and needs her status changed. He is waiting to hear back from civil service before doing so.

Council Member Wise motioned to hire Meghan Sutton, for the sole purpose of sponsorship, so she can take the MPTC Training Course (police training). There is no pay involved.

2nd by Councilman Artist

All Ayes

Presentations:

Pride of the Town to Christian J. Reif

Supervisor Wadnola announced that Mr. Reif was an eagle scout recipient and was unable to attend the meeting because he is away at college.

Jeffrey Schreck- Cost Control Associates, Inc.

Mr. Schreck stated that Cost Control Associates, Inc would audit the town's utility bills for overcharges. If they find an overcharge they will split half of the refund with the town. He

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stated that there is a good chance that such charges will be found, but it would not be a large amount.

Brian Cahill - Building Moratorium

Mr. Cahill read a letter:

“On this, the 125th anniversary of the town of Ulster, we feel it is appropriate to discuss the future of our town. The sudden increase of development projects in the town will have a long-term impact on not only the current residents, but on our children and for generations to come. In the course of the past 12-18 months, more than a dozen major development and municipal projects have started or been proposed in the town. At some point, development will outpace the infrastructure that is in place today to support the new development.

After months of serious, careful and honest deliberation, the town of Ulster Democratic committee has come to the conclusion that a 12 month moratorium on future development projects should be put in place. Until the current projects are fully understood and have been reviewed by the appropriate agencies, no further development should be considered for a period of 12 months.

We are calling on the Ulster Town Board to implement this moratorium immediately. Once these projects are given the due process and review that they most certainly deserve, we believe the moratorium could, and should be lifted. We feel that currently, the Building Department, the Planning, Zoning and Town Boards, are very much overwhelmed by the never-ending stream of new projects being proposed or built.

It is our belief, that given the current quantity and breadth of the projects, along with the routine day to day activities of these boards, the town's best interests may not be being served. The fault does not fall on these boards or the people serving on them, but with the magnitude of the workload.

Listed below are some projects being proposed or built as of 8/15/2004.

- Benderson Plaza on the former Wards site.
- The proposal of four fast food restaurants on the site of the closed IHOP restaurant.
- Outback restaurant and CVS pharmacy on the Shop Rite site.
- Chambers senior housing project
- 186 housing units off Memorial Drive,
- 24 housing units on Olds Kings
- 130 2 story townhouses at Rt. 32 and Rt. 199
- 23 housing units at Kukuk Lane
- 350+ units Sailor's Cove project, bordering Kingston and the town of Ulster.
- 48 single family homes off City View Terrace.
- 46 rental units at the intersection of Sawkill road.
- Marriott Hotel behind Wendy's
- Municipal water projects affecting the Sunset/Lincoln Park and Hillside/Spring Lake area
- Glenerie municipal water district
- East Kingston municipal water project

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- A major sewer project on Washington Avenue with Kingston
- Extension of Frank Sottile Blvd.

It is our opinion that development in the town of Ulster has reached critical mass. If we don't act now, it may be too late. It is not our intention to stifle or refuse development to any current or future projects that meet the stringent reviews that are required by law, but more so to take a step back and look at the big picture and ensure that these laws are being met to the fullest extent of their intended purpose. Further, we believe that the town should engage in a cost to benefit analysis for each and every project. At no time, should private commercial development cause an increase in taxes to current homeowners and taxpayers. We believe that is what is happening in Ulster today.

As the retail hub of the County and its largest sales tax generating municipality, we encourage the Town Board to take a much more vigorous approach towards negotiating with the County and the City of Kingston, a greater share of sales tax revenues as well as trade offs for services that will significantly reduce the town budget.” - From the Town of Ulster Democrat Committee

Mr. Cahill added his personal findings while attending a recent Zoning Board meeting. A person came in before the Zoning Board, went through the process to find out later by the Zoning Board that it was unnecessary. Someone should have told him sooner before he wasted his time.

The Bank of America wanted over 500% variance on a sign permit. What is the point of having these laws if such a large variance is going to be allowed?

There was a project on Old King's Highway where a person stated at the public meeting, he was told by a board member "to go ahead with a project and just keep it quite". The project later had a stop work order placed on it by the town. The person stated at the meeting his project was a hardship, but he didn't provide any finical criteria nor did the board look into it.

The Democratic Committee is not trying to stop any development, but wants the town to control it. He requested that the Town Board form a commission to look into these projects and review the zoning law. He also requested that the Town Board talk to the Zoning Board about upholding the law.

Discussion:

Upgrade-training and meeting of Digital Towpath Website users

The supervisor reported that a free one day training seminar to upgrade the digital towpath website was being sponsored through a SARA grant. He also stated that Mrs. Dorothy Carbo, his secretary and the town's webmaster, requested to attend. The only cost would be the mileage. It was noted that Mr. Bob Barton is interested in participating.

Revised Sign Requirements

Mr. Shuster reported to the Town Board that the original sign ordinance was created in 1991 and those provisions were relaxed. About three years ago, the laws were revised to be more

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restrictive to reduce wall signs and freestanding signs. Since then, the ZBA has received a lot of variance requests for wall signs. He recommended relaxing the wall signs, as they are less obtrusive, bound to a wall and serve as an identifier. He proposed the following:

	ZONING DISTRICT	
	LC, HC, OM and I	RC
WALL SIGNS		
Whichever is more (per facade):		
Building Frontage Formula	2 sq. ft./ 3 lineal ft.	3 sq. ft/ 2 lineal ft.
Or Maximum sign area	50 sq. ft.	100 sq. ft.

Wall signs which consist of individual letters or figures, which are not internally illuminated, mounted or painted on a wall surface which is the same color and texture as the rest of the building facade may have an area which is 23 % larger than the maximum area otherwise allowed.

The Town Board would need to hold a public hearing to enact such a law. The new proposal would relieve the ZBA from requests. He further suggested that the fee schedule needed to be reviewed.

Appointment: Board of Ethics

A discussion occurred among the board about the need to establish a board of ethics committee. By law, there would be three members, one appointed or elected official, and two non-employees, residents of the town. The Town Board concurred that this would be a bi-partisan effort. The term limited on the position would be one year. This is non-paid position.

Resolutions:

Special Permit Approval: Cellular One Co-location of cell tower on lands of Coleman H.S.

Supervisor Wadnola read and motioned the following:
RESOLUTION OF SPECIAL USE PERMIT APPROVAL

WHEREAS, the Town Board has received an application for approval of a special use permit from Dobson Cellular, for the purpose of re-using an existing 150 foot tower to provide cellular phone service on a site located at 432 Hurley Avenue (Coleman High School); 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 July 15, 2004 and recommended to the town Board that the application be approved with certain conditions; and

WHEREAS, under Section 239.1 and m of the General Municipal Law, the County of Ulster

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Planning Board has declared that there is no County impact and

WHEREAS, a public hearing was conducted on August 16, 2004 at which time all interested parties were provided an opportunity to be heard; 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 use 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 the special use permit approval is hereby approved in accord with Chapter 190 of the Town Code with the following conditions:
 - a. The site plan shall be revised to delineate the extent of vegetation disturbance.
 - b. Structural stability of the tower shall he certified by a licensed professional engineer and approved by the Building Inspector.

2nd by Council Member Wise
All Ayes

Site Plan Approval: Hudson Valley Cycle Center- Redevelopment of dealership site

Supervisor Wadnola read and motioned the following:
RESOLUTION OF SITE PLAN APPROVAL

WHEREAS, the Town Board has received an application for site plan approval from Rompella Enterprises, for the purpose of developing a new retail cycle center of 18,200 sq. ft. on a site located at 601 Route 28; and

WHEREAS, A Short Environmental Assessment Form has also been submitted; and

WHEREAS, in accord with Chapter 145 of the Town Code, the Planning Board reviewed said application on July 15, 2004 and recommended to the Town Board that the application be approved with certain conditions; and

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WHEREAS, under Section 239.1 and m of the General Municipal Law, the County of Ulster Planning Board has recommended approval with certain required modifications; 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 use 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 site plan approval is hereby approved in accord with Chapter 145 of the Town Code with the following conditions:
 - a. Correction to the zoning “block” to show that 28 parking spaces are required.
 - b. The sewage disposal system must be approved by the Ulster County Health Department, including a designated reserve area.
 - c. Landscaping should be provided on the other side of each driveway similar to that proposed between the driveways.
 - d. The dumpster should be enclosed with an opaque fence.
 - e. Any lighting shall include glare shields.
 - f. A drainage analysis to ensure that the existing culverts and swales can accommodate site run-off from the revised layout must be submitted to and approved by NYSDOT.
3. The required modifications of the Ulster County Planning Board are accepted as per conditions 2. c, e and f, above.

2nd by Councilman Brink
All Ayes

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Site Plan Approval: Lowe's-Garden Center Addition

Supervisor Wadnola read and motioned the following:
PROJECT: Lowe's Garden Center

WHEREAS, the Town Board has received an application for a revised site plan approval from Lowe's (URS Corp), for the purpose of expanding the garden center at an existing retail store by 12,735 sq. ft. on a site located at 901 Frank Sottile Blvd; and

WHEREAS, A Short Environmental Assessment Form has also been submitted; and

WHEREAS, in accord with Chapter 145 of the Town Code, the Planning Board reviewed said application on July 15,2004 and recommended to the Town Board that the application be approved with certain conditions; and

WHEREAS, under Section 239.1 and m of the General Municipal Law, the County of Ulster Planning Board has recommended certain required modifications; 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 use 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 effects 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 site plan approval is hereby approved in accord with Chapter 145 of the Town Code with the following conditions:
 - a. The revised site plan shall accurately indicate all existing conditions to remain.
 - b. All new light fixtures shall include glare shields.
 - c. No outside storage shall take place outside of designated areas indicated on the site plan.
3. The required modifications recommended by the Ulster County Planning Board are

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accepted as set forth in items 2.a.,b. and c. above.

2nd by Councilman Brink
All Ayes

Supervisor Wadnola motioned to remove from the table the budget modifications from the prior meeting (August 16, 2004)

2nd by Council Member Wise
All Ayes

Supervisor Wadnola motioned to approve the following:

Budget Modifications:

General Fund

Modify Appropriation A1460.401 (Records management Grant) to be funded through A5990 (Approp. Fund Bal.) Bal. of 2003 unexpended Grant \$5,360.15

General Fund

Modify Revenue A3060 (Records management Grant) and appropriation A1460.401 (Records Management Grants) 2004 grant expenditures \$6,357.69

General Fund

Modify Revenue A2626 (Forfeiture Crime Proceeds) and A3121.400 (Police-Drug Enforcement) Drug Seizure money from John Doe \$6,361.00

General Fund

Modify Revenue A4389 (Public Safety/Fed. Aid) and appropriation A13120.104 (P/T Police Wages) P/T officers Grant #2002SHWXO704 \$9,901.67

General Fund:

Transfer From:

A1990.400	Contingency
A1110.402	Equip. & Cmptr.
A1355.404	GIS
A1990.400	Contingency
A1990.400	Contingency
A1990.400	Contingency
A1621.407	Electric
A1990.400	Contingency
A8020.200	Office Equip.
A8020.200	Office Equip.
A1990.400	Contingency
A1990.400	Contingency
A1990.400	Contingency
A8010.200	Office Equipment
A3620.405	School. & Conf.

Transfer To:

A1620.400	Town Hall	\$3,456.78
A1110.410	Cmptr. Tech	2,000.00
A1355.403	Off. Suppl.	1,120.00
A1355.403	Off. Suppl.	100.00
A1410.404	Law books	500.00
A1620.409	Rep. & Suppl.	2,500.00
A1621.409	Rep. & Suppl	500.00
A1670.414	Meter Rental	700.00
A3620.200	Off. Rental	120.00
A3620.410	Cmptr. Tech.	800.00
A5133.454	Maint.	60.00
A6010.403	Off. Suppl.	70.00
A5010.403	Off. Suppl.	500.00
A3620.420	Gas & oil	1,000.00
A3620.421	Veh. Maint.	1,800.00

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A1990.400	Contingency	A5132.454	Maint.	2,000.00
A7310.100	Beaut. Wages	A7110.426	Rep. Constr.	8,000.00
A8160.200	Equipment	A8160.421	Veh. Maint.	1,000.00
A8160.404	Printing	A8160.421	Veh. Maint.	2,000.00

Highway Fund:

Modify Revenue D5031 Interfund Transfer				77,672.31
Appropriations:	D5110.100	Wages		20,707.74
	D5142.100	Wages		5,203.68
	D5130.413	Rental		51,760.89

Reimbursement for wages & equipment rental from Drainage Capital Project Fund

Drainage Capital Project:

Transfer From:		Transfer To:		
HDR-5110.200	Constr.	D9950.900	Interfund transfer-cap. Project	77,672.31

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

Council Member Wise motioned to adjourn the meeting at 8:16 PM

2nd by Councilman Artist
4 Ayes – Councilman Van Kleeck was absent

Respectfully submitted by
Jason Cosenza, RMC
Ulster Town Clerk