

ULSTER TOWN BOARD MEETING
MARCH 21, 2005 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WADNOLA, CHAIRMAN At 7:18 PM

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

CORRESPONDENCE

Supervisor Wadnola announced that the town celebrated its 125th anniversary yesterday and the turnout was tremendous. He had received a Pride of Ulster County Award from the County Legislature, presented by Legislator Alice Tipp. The town also received a Legislature Chamber Proclamation presented by Legislator Chairman Richard Gerentine. The Town received a Legislative Citation from the NYS Assembly through Assemblyman Kevin Cahill. Senator John Bonacic came down from Albany to present the town with a legislative resolution from the New York Senate. Mr. Wadnola announced that the Historian Committee is selling a Town of Ulster Cookbook for \$10.00. Funds raised would be applied to the publication of the Bruce Burgher's manuscript, "The First One Hundred Years of the Town of Ulster" (1879-1979).

Supervisor Wadnola reported that he is invited to Pace University, School of Law, for a course in "Land Use Leadership Alliance Spring Training Program." It is an invitation only event. This is a four day event that happens over a two month period that will be held at Stewart Airport.

COMMITTEE REPORTS

Council Member Wise reported from the Building and Grounds Committee, that the committee wants to perform a study of the space needs of the township.

Councilman Artist reported from the Finance Committee, that the abstract review went well and thanked all the people who participated.

Council Member Wise reported from the Parks and Recreation Committee, that they are seeking summer help for the town parks. She further announced that the Town Easter Egg Hunt will be held on Friday, April 25, 2005 at 10 AM.

Councilman Artist reported that the newly formed Police Commission will hold its first meeting Wednesday.

Councilman Artist reported from the Information Service Committee that the highway department needed a computer system update to aid in the management of the newly established NYS mandate for the storm water drainage program.

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DEPARTMENT HEAD REPORTS

Town Clerk – Read the monthly clerk report
Sewer Department - Monthly report was read.
Water Department - Monthly report was read.
Highway Department – The monthly Highway report was read.
Town Assessor – Office is busy.
Police Department- The monthly Police report was read.

Historian Committee – Mrs. Dorothy Carbo reported that the 125th Anniversary celebration took place on Sunday, May 3, 2005. Over 300 people attended the event. She stated that Senator John Bonacic read Senate Resolution #766 honoring the town’s anniversary, that a citation was received and displayed from Kevin Cahill's office. Alice Tipp read a legislative proclamation and presented a Pride of Ulster County Award from the County Legislature to the Township. Plaques were awarded to the Town of Ulster Police, Ulster Hose Co. #5 and East Kingston Fire Department for their outstanding actions during the Mall shooting. A re-enactment of the secession of the Town of Ulster from the Town of Kingston was performed by Supervisor Wadnola and guests. Demonstrations and displays were made by the Spinning Club, the Crazy Quilters, the Wiltwyck Quilters, the NYS Archeology Club, The Rose Society, The Postcard Club, The Art Society, The First U.C. Militia, The U.C. Collectors Club, Highway Dept., Police Department, Water Department, and the Historian Committee. Power Point presentations were made by Larry Decker of the Post Card Club and Frank Rittie from East Kingston. Hot Dogs were donated and distributed by Magnum Provisions. Cookies were made by the Historian Committee Members from recipes in the Historian 125th Anniversary cookbook "Sharing Our Best" which was for sale along with historic postcards. Punch and a beautiful cake were made and served by Cynthia Wadnola. Anniversary balloons and chocolate coins were distributed. Orvil Norman was the official greeter and saw to the signing of the guest book. Photographs were taken by George Lucente. The events were organized by the Historian Committee: Pat Duggan, Star Brueckner, Karen Markisenis; Frank & Peggy Almquist; David Brink; Judith Hansen; Larry Decker; Rob Sweeney; Susan Wick; Cynthia Wadnola & Dorothy Carbo.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Wise motioned to approve the minutes of February 7, 2005, February 8, 2005 and February 23, 2005.

2nd by Councilman Brink

All Ayes

Councilman Brink motioned to approve the following:

ABSTRACT OF CLAIMS

FUND	CLAIM #	AMOUNT
GENERAL	301-335	\$ 12,276.78
ULSTER WATER	301-306	\$ 6,973.73
HALCYON PK. WATER	301	\$ 566.00
SPRING LAKE WATER	301-303	\$ 274.34
BRIGHT ACRES WATER	301	\$ 338.34
GLENERIE WATER	301	\$ 13.16

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WHITTIER SEWER	301-302	\$ 1,702.07
ULSTER SEWER	301-305	\$ 7,045.29
SPECIAL LIGHT	301-306	\$ 3,055.07
GENERAL	301-3138	\$ 85,175.31
HIGHWAY	301-332	\$ 132,352.85
WHITTIER SEWER	301-303	\$ 121.92
ULSTER SEWER	301-312	\$ 6,004.69
ULSTER WATER	301-320	\$ 18,201.66
HALCYON PK. WATER	301	\$ 25.00
SPRING LAKE WATER	301	\$ 25.00
BRIGHT ACRES WATER	301-304	\$ 784.01
CHERRY HILL WATER	301	\$ 25.00
GLENERIE WATER	301	\$ 25.00
INSURANCE (ALL FUNDS)	301-316	\$ 78,807.31
MEDICARE REIMB.		\$ 6,647.00
ELECTIONS		
TRUST & AGENCY	301	\$ 505.00
GLENERIE WATER	301	\$ 18.35
EAST KINGSTON WATER	301	\$ 1,425.00
	TOTAL	\$ 362,387.88

2nd by Councilman Artist

A Roll Call Vote was taken – All Ayes

To award Bids for salt & chemicals for Ulster Water and Whittier Sewer

Councilman Brink motioned to award the following to the salt and chemical bidders (bids opened on 3/18/2005 at 3:00 PM):

Companies	Product
Cargill	Salt - \$ 82.00 per ton
Jones Chemicals Inc	Chlorine Gas - \$125.00 per cylinder

2nd by Councilman Van Kleeck

A Roll Call Vote was taken – All Ayes

Approval of site plan for Grace Community Church Seremma Court/Neighborhood Road

Supervisor Wadnola motioned to approve the following SEQRA for Grace Community Church;
Reasons Supporting This Determination:

The Proposed Action is an Unlisted Action, pursuant to the criteria set forth in Sections 617.4 and 617.5 of the SEQRA regulations,

1. The project site is a vacant parcel located in a commercially-zoned area. The site abuts a town highway which provides access to major roads to the north and south.

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The site is located within a Town water and sewer district. Abutting land uses include residential, commercial and health related. The site includes some soils that are poorly-draining, and “hydric”, federal wetlands. These soils will be avoided by construction activities.

2. The proposed structure will be connected to the Town’s water supply and sewage disposal systems.
3. An erosion and sedimentation control plan has been developed to address anticipated construction-related site disturbance; and a storm water management plan has been developed to attenuate runoff from 1 2, 10 and 100 year storm events, as required under the state’s stormwater SPDES requirements,
4. All of site’s generated traffic will be directed onto the town and county highway system. Although some noise will be generated by construction activities, it will be mitigated by use of noise control procedures. During occupancy, noise levels can be expected to be similar or less than ambient levels in the surrounding area. Occupancy is not expected to generate significant, adverse amounts of solid waste.
5. The Town Board has conducted its own independent review and analysis of the information provided and the potential environmental effects from the proposed project, as required under the provisions of the Town of Ulster code and under state regulations. The Town Board was assisted in its review by its planning and engineering consultants.
6. Based upon all of the information generated for the proposed project and the careful and thorough independent review by the Board and by its consultants, the Town Board has identified no potentially significant adverse environmental impacts that might result from the proposed amendment, and therefore will not require the preparation of an Environmental Impact Statement (“EIS”)

2nd by Council Member Wise

A Roll Call Vote was taken - Four Ayes – Councilman Van Kleeck abstained

Supervisor Wadnola motioned to approve the following:

PROJECT: GRACE COMMUNITY CHURCH

RESOLUTION OF SITE PLAN APPROVAL

Town of Ulster Town Board

WHEREAS, the Town Board has received an application for site plan approval from Grace Community Church, for the purpose of erecting a new house of worship and supporting facilities on a site located at Neighborhood Road and Seremma Court (SBL:39.019-3-48.4) and

WHEREAS, a Full 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 November 19, 2004 and recommended to the Town Board that the application be

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approved with certain conditions; and

WHEREAS, under Section 239 l and m of the General Municipal Law, the County of Ulster Planning Board has recommended certain required modifications; and

WHEREAS, the storm water pollution prevention plan was referred to a licensed professional engineer for review and was determined to comply with current DEC requirements; 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 site plan is an unlisted action under the provisions of SEQRA;

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 effect on the environment. The attached EAF Part 2 and Negative Declaration under SEQRA are 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. Revision of the plans to show disturbance areas and area calculations that will include the disturbance associated with construction of the water, sewer, gas and electric lines.
3. The Ulster County Planning Board's required modifications are hereby addressed as follows:
 - a. The revised plans incorporate details on proposed signs, include provision for glare-shielded lights, delineate limits of disturbance and provide end islands for the parking bays;
 - b. Due to the nature of the proposed use, its peak hour traffic generation characteristics, and peak-hour traffic generation of other land uses in the area of Seremma Court, a traffic impact study is not required and said recommendation is hereby over-ridden by a vote of majority plus one of the Town Board.

2nd by Councilman Artist

A Roll Call Vote was taken - Four Ayes – Councilman Van Kleeck abstained

Approval of Site Plan for Campers Barn Expanded Building

Supervisor Wadnola read and motioned to approve the following:

RESOLUTION OF SITE PLAN APPROVAL

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Town of Ulster Town Board

WHEREAS, the Town Board has received an application for site plan approval from Johnson Route 28, LLC, for the purpose of expanding the existing Campers' Barn structure on a site located at 124 Route 28 (S-B-L: 48.014-1-29) 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 February 17, 2005 and recommended to the Town Board that the application be approved with certain conditions; and

WHEREAS, under Section 239 l 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 site plan is an unlisted action under the provisions of SEQRA;

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 effect on the environment. A Negative Declaration under SEQRA 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. All wall mounted lights facing the NYS Thruway shall be provided with full cut-off glare shields.
 - b. Proper lanes for access for emergency vehicles shall be provided in the vehicle storage area.
 - c. Existing landscaping along the Thruway ramp shall be maintained and replaced as necessary, if diseased or damaged.

2nd by Councilman Brink
All Ayes

Approval of Site Plan for Kenco Rte 28 Expanded Building

Supervisor Wadnola read and motioned to approve the following:

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RESOLUTION OF SITE PLAN APPROVAL

Town of Ulster Town Board

WHEREAS, the Town Board has received an application for site plan approval from Kenco Holding Co. for the purpose of expanding a retail structure on a site located at the intersection of Route 28 and Hurley Mountain Road (S-B-L: 4801 3-2-2); 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 February 17, 2005 and recommended to the Town Board that the application be approved with certain conditions; and

WHEREAS, under Section 39 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 site plan is an unlisted action under the provisions of SEQRA;

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 effect on the environment, a Negative Declaration under SEQRA 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 canopy extension toward Route 28 shall not be erected unless a variance for the seven foot front yard encroachment is granted by the Zoning Board of Appeals.
 - b. Detailed data concerning light fixtures should be provided and cross-referenced to the site plan. Glare shields should be provided,
 - c. County Health Department approval must be obtained for relocation of the septic reserve area.
 - d. The plan should be revised to remove the proposed sign end to remove the "proposed" label on previously completed improvements.

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3. The Town Board finds that the proposed landscaping plan is sufficient given the nature and location of the proposed building and hereby overrides the recommendation of the Ulster County Planning Board by a majority plus one vote.

2nd by Councilman Van Kleeck
All Ayes

To implement new measures for financing public education

Supervisor Wadnola read and motioned the following resolution:
RESOLUTION

By action of the Town of Ulster Town Board, adopted at its meeting on March 21, 2005, it was

RESOLVED that the following recommendations be submitted to New York State Senators John Bonacic and Joseph Bruno, New York State Assembly Representatives Kevin Cahill and Sheldon Silver, and Governor George Pataki, with a letter on behalf of the citizens of The Town of Ulster urging their immediate attention.

WHEREAS the residents of the Town of Ulster have collectively considered the local issues of greatest concern to them and identified high property taxes as one of the highest priority among them; and

WHEREAS funding for local governmental services, including public education, is provided primarily through a tax on the estimated value of property; and

WHEREAS the welfare of Town of Ulster homeowners is jeopardized by the rapid increase in the costs of public education and the inability of many homeowners to pay these increased costs; and

WHEREAS the increasing burden of public education on taxpayers also impacts the ability to raise other taxes to provide services and to fund Town-specific and local initiatives important to the well-being of the community.

THEREFORE the Town Board of the Town of Ulster appeals to New York State public officials to implement new measures for financing public education, including the following suggested actions:

1. Ensure equity in a formula for funding public education based on the taxpayers ability to pay.
2. Decrease the revenue raised from tax sources based on the value of dwellings.
3. Refrain from imposing state mandated requirements upon school systems without corresponding state funding.

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4. Adjust the formulas on revenues earmarked as aid to education from state lottery and other future gaming activities so that the annual percentage is substantially increased from current levels.
5. Maintain the enhanced STAR exemption for the town's neediest citizens, but also increase the STAR exemption for senior citizens specifically at all income levels.
6. Regain lost tax revenue from the above actions through income tax.

2nd by Councilman Artist
All Ayes

Inter-Municipal Agreement Resolution Regarding Cooperation to Comply with the Federal Phase II Stormwater Regulations in Ulster County

Supervisor Wadnola explained that inter-municipal resolution was not on the agenda because he received it Friday, but needed to pass it due to time constraints. Essentially it's an agreement to allow the County to perform a drainage study for the town. This is a service they are doing countywide as a cost savings for the local municipalities so that they can meet the Federal Mandates for Stormwater regulations.

Supervisor Wadnola read and motioned the following resolution:
Appendix C -- Municipal Resolution

Resolution authorizing the items listed below pursuant to Article 5-G of the General Municipal Law.

WHEREAS, Town of Ulster, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in an INTER-MUNICIPAL AGREEMENT REGARDING COOPERATION TO COMPLY WITH THE FEDERAL PHASE II STORMWATER REGULATION IN ULSTER COUNTY dated January 1, 2004 hereinafter called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and,

WHEREAS, Article 5-G of the General Municipal Law authorizes such inter-municipal agreements and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Ulster Town Board;

1. That Frederick J. Wadnola, Supervisor, or such persons' successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to the "Project". The representative is also authorized to appoint a municipal representative to act as the municipality's liaison to the "Project", submit "Project"

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documentation, and otherwise act for the Municipality's governing body in all matters related to the "Project".

2. That the Municipality agrees that it will comply with the terms of the "Project" and that it will deliver its share of outputs as specified in a Cooperating MS4 Letter of Intent as signed by the municipality's representative and herein attached.
3. That one (1) certified copy of this Resolution be prepared and sent to the Ulster County Environmental Management Council/Water Quality Management Agency (EMC/WQMA) at PO Box 557 Stone Ridge, NY 12484.
4. That this Resolution shall take effect immediately.

2nd by Councilman Artist
All Ayes

Councilman Brink motioned to adjourn the meeting at 7:55 PM
2nd by Councilman Artist
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk