

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

CALLED TO ORDER BY 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

Michelle Zupa – A letter was read asking for a “yield” sign to be installed at the intersection of Fording Place Road and Costanzi Drive.

Mid Hudson Pattern for Progress – A letter was read asking the Town to consider making the Town Supervisor office term four years so that leadership in the town can have a long term focus and be less affected by political pressures.

COMMITTEE REPORTS

Councilman Brink motioned to hire Ted Mojica to a permanent position of custodial worker at the town hall. The appointment shall be effective July 20, 2005, having a salary rate of \$8.25 per hour, an increase of \$.25 per hour over the temporary pay rate. Receiving this change in employment status will entitle him to all the town negotiated benefits and those establish by the Town Board.

2nd by Councilman Artist

A Roll Call Vote was taken – All Ayes

Councilman Brink motioned to increase the hourly salary of Lisa Petramale to \$10.25, effective May 19, 2005. She is to remain as a part-time employee, working no more than 20 hours per week with overtime only to be authorized by the supervisor or his/her designate.

2nd by Supervisor Wadnola

A Roll Call Vote was taken – All Ayes

Councilman Brink reported from the Water and Waste Water Committee, that he has the information in regard to the City of Kingston Water quality for those who are interested, as per Mr. Robert Barton’s request.

Councilman Artist reported from the Police Commission that the Police Chief was excused from his monthly report as he had another engagement.

DEPARTMENT HEAD REPORTS

Town Clerk – Read the monthly clerk report

Water Department – All is quiet for the six districts.

Town Assessor – Reported that the town’s assessment roll has been filed.

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

Building Department- Supervisor Wadnola read the monthly report.
Highway Department – Mac Tinnie reported he was out checking for drainage problems while it was raining.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman Brink motioned to approve the minutes of June 6, 2005 and June 20, 2005.
2nd by Council Member Wise
All Ayes

Councilman Brink motioned to approve the following:

ABSTRACT OF CLAIMS

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	701-729	\$ 7,254.04
ULSTER WATER	701-706A	\$ 4,388.37
HALCYON PK. WATER	701	\$ 276.20
SPRING LAKE WATER	701-703	\$ 173.74
BRIGHT ACRES WATER	701	\$ 178.00
GLENERIE WATER	701	\$ 14.04
WHITTIER SEWER	701	\$ 44.67
ULSTER SEWER	701-702	\$ 122.15
SPECIAL LIGHT	701-706	\$ 2,419.31
ALL OTHERS		
GENERAL	701-7118	\$ 76,042.00
HIGHWAY	701-745	\$ 40,738.31
WHITTIER SEWER	701-702	\$ 210.00
ULSTER SEWER	701-715	\$ 10,590.47
ULSTER WATER	701-721	\$ 30,363.64
HALCYON PK. WATER	701	\$ 25.00
SPRING LAKE WATER	701	\$ 25.00
BRIGHT ACRES WATER	701-703	\$ 2,186.58
CHERRY HILL WATER	701-703	\$ 7,384.59
GLENERIE WATER	701-703	\$ 2,236.26
INSURANCE (ALL FUNDS)	701-722	\$ 107,126.67
CAPITAL PROJECTS		
TRUST & AGENCY	701-703	\$ 9,384.00
EAST KINGSTON WATER	701-702	\$ 17,273.80
	TOTAL	\$ 318,456.84

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

Supervisor Wadnola reported that the City of Kingston found their sewer line end so that the

town can proceed with the proposed Washington Avenue Sewer District

**AMEND ZONING LAW FOR ADDITION OF BED & BREAKFAST
ESTABLISHMENTS**

Councilman Brink motioned to approve the following:

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 proposed to amend the Schedule of Use Regulations to add Bed and Breakfast Establishments subject to the issuance of a special use permit in the R-60, R-30, R-10, LC and HC Districts under the Town of Ulster Zoning Law (the "Amendment"); and

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

WHEREAS, a resolution was duly adopted on April 18, 2005, 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 2nd day of May, 2005, 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 July 18, 2005, 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 Clerk's 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 April 23, 2005, 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 the public hearing on April 10, 2005, 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 CEO of the municipality providing financial assistance thereto); (b) 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 May 2, 2005, 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 May 4, 2005 pursuant to General Municipal Law Section 239-rn, and the Ulster County Planning

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

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

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 upon the environment 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. 2 of the Year 2005, 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.

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

2nd by Council Member Wise
A Roll Call Vote was taken – All Ayes

AMEND ZONING LAW TO ADDRESS NON-CONFORMING LOT STANDARDS

Supervisor Wadnola read and motioned the following resolution:

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 proposed to establish minimum areas for nonconforming lots based on the availability of central water and sewer systems under the Town of Ulster Zoning Law (the “Amendment”); and

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

WHEREAS, a resolution was duly adopted on March 14, 2005, 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 4th day of April, 2005, 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 July 8, 2005, 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 Clerk’s 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 March 25, 2005, 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 the public hearing on March 10, 2005, 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 CEO of the municipality providing financial assistance thereto); (b) 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 April 4, 2005, 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, no comments or evidence were submitted at said public hearing raising any

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

significant adverse environmental impacts related to the adoption of the Amendment; and

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 interests of the Town of Ulster to adopt the Amendment;

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

1. The proposed action of adopting the Amendment is an Unlisted Action under SEQRA.
2. The proposed action will have no adverse environmental impacts upon the environment 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.2 of the Year 2005, 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.

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

**ULSTER WATER DISTRICT TO ADDRESS WAIVER OF TOWN CODE 177-17 FOR
ROGER YETZER**

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

Supervisor Wadnola read and motioned the following:

RESOLUTION authorizing use of a utility easement in the Glenerie Water District.

WHEREAS, the Town Board of the Town of Ulster, acting for and on behalf of the Glenerie Water District of said Town, has authorized ROGER YETZER and ROSANNE YETZER, owners of 400 Glenerie Boulevard (SBL 39.11-4-31) and 402 Glenerie Boulevard (SBL 39.11-4-32), Saugerties, New York 12477, to utilize the water facilities at 400 Glenerie Boulevard, and

WHEREAS, ROGER YETZER and ROSANNE YETZER are desirous of a utility easement for the town water service running from 400 Glenerie Boulevard (SBL 39.11-4-31) to 402 Glenerie Boulevard (SBL 39.11-4-32) and

WHEREAS, the easement attached hereto has been offered to the Town on behalf of said Water District in consideration for which said property owners will be permitted to utilize the water by said property owners is to be charged at the same rate Schedule as may be in effect from time to time for owners of property situate within said district, and

WHEREAS, Water Superintendent Paul Vogt, duly designated Supervisor of the Glenerie Water District, after reviewing all documents associated with such request as well as examining the physical characteristics of the parcels, finds it in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster acting for and on behalf of the Glenerie Water District approves the request for access to said water service for 402 Glenerie Boulevard (SBL 39.11-4-32) through 400 Glenerie Boulevard (SBL 39.11-4-31) by way of a utility easement pursuant to Ulster Code Section 177-17. Local Law #3 - To amend Town of Ulster Zoning Local Law #9 of 1991

2nd by Council Member Wise
All Ayes

PROPOSAL FOR THE REMOVAL & DEMOLITION OF UNSAFE MOBILE HOMES

Supervisor Wadnola read and motioned the following:

RESOLUTION REGARDING PROPOSAL FOR THE REMOVAL AND DEMOLITION OF UNSAFE MOBILE HOMES

WHEREAS, the Town of Ulster has suffered from a natural disaster as a result of severe flooding which occurred in April of 2005, and

WHEREAS, many mobile homes situated in close proximity to the Esopus and Rondout Creeks in the Town of Ulster have sustained damage beyond repair, and

WHEREAS, these damaged mobile homes are now uninhabitable and constitute an attractive nuisance and pose a hazard to the general public, and

WHEREAS, the Federal Emergency Management Agency and the New York State Emergency

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

Management Office have offered to assist the Town of Ulster in removing these unsafe mobile homes, and

WHEREAS, Volume 6 N.Y.C.R.R. Part 617.5 of the regulations relating to Article 8 of the Environmental Conservation Law of New York State (SEQR) requires that as early as possible in a proposed action an involved agency shall make a determination whether a given action is subject to SEQR; and

WHEREAS, all Town Board members had due notice of this meeting and said meeting was open to the general public and due and proper notice of the time and place of said meeting was given as required by law; and

WHEREAS, the Federal Emergency Management Agency's environmental staff has submitted a Record of Environmental Consideration and the Ulster County Resource Recovery Agency has submitted an Environmental Assessment Form which satisfactorily describes the proposal and all potential environmental consequences following there from;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulster, pursuant to Part 617 of the N.Y.C.R.R. hereby determines that the proposed action is a Type II action and therefore the requirements of SEQR are satisfied.

BE IT FURTHER RESOLVED, that in the event that the proposed action involves more than one agency, then the Town Board of the Town of Ulster hereby notifies all agencies that it shall be lead agency for this project; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ulster hereby determines that the proposed action will not have a significant effect on the environment, and that this resolution shall constitute a negative declaration for the purposes of Article 8 of the Environmental Conservation Law of the State of New York for the following reasons:

1. The project consists of the removal of unsafe mobile homes from various mobile home parks along the Esopus and Rondout Creeks, many of which shall be transported by trailer to the Ulster County Resource Recovery Agency's facility to be demolished without any disturbance to environment.
2. The project includes the removal of hazardous substances from these areas in compliance with all Federal and State regulations.
3. The project includes leaving the land free and clear of any debris and does not include the construction or addition of any structures to the land.
4. The project shall result in only a temporary disturbance to the environment during the demolition process with all equipment complying with all Federal and State regulations concerning noise and emissions.
5. The project shall not affect any historic properties, archeological resources,

ULSTER TOWN BOARD MEETING
JULY 18, 2005 AT 7:00 PM

endangered species, coastal barriers, waters of the U.S., prime or unique farmlands, migratory birds, fish or wildlife nor shall it adversely affect any flood plain or result in any permanent air emissions.

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

HANDICAPPED ACCESSIBLE FISHING PLATFORM AT POST PARK

Councilman Van Kleeck motioned to approve the following:
Resolution to authorize the Town Supervisor to enter into a contract on behalf of the Town of Ulster with the Department of Environmental Conservation for the design of a handicapped accessible fishing platform at Post Park.

Whereas, the Town of Ulster has been selected for a planning grant by the department of Environmental Conservation to construct a handicapped accessible fishing platform at Post Park, and

Now therefore, be it resolved that the Town Board of the Town of Ulster authorize Supervisor Frederick J. Wadnola to sign the contract between the Town of Ulster and the department of Environmental Conservation to provide a sum not to exceed \$10,000.00 for the design of a handicapped accessible fishing platform at post park.

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

Council member Wise motioned to adjourn the meeting at 8:10 PM

2nd by Councilman Artist
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk