

ULSTER TOWN BOARD SPECIAL MEETING
DECEMBER 29, 2005 AT 10:00 AM

CALLED TO ORDER BY SUPERVISOR WADNOLA, CHAIRMAN AT 10:00 AM

ROLL CALL BY CLERK

TOWN COUNCILMAN CRAIG ARTIST

TOWN COUNCILMAN ROBERT VAN KLEECK - Absent

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCIL MEMBER BARBARA WISE - Absent

SUPERVISOR FREDERICK J. WADNOLA

Supervisor Wadnola stated that the purpose of this emergency meeting was that Ulster Crossing Plaza had a temporary certificate of occupancy that expired on December 31, 2005 and is unable to finish the required work for a certificate of occupancy due to the time of the season. All they had left to do was to install speed bumps and a dumpster enclosure.

Supervisor Wadnola read and motioned to approve the following:

RESOLUTION TOWN OF ULSTER

Authorization to Issue Certificate of Occupancy for Sports Authority at Ulster Crossings Shopping Center

WHEREAS, a site plan was approved on February 24, 2003, for a shopping center known as Ulster Crossings located at the northwest corner of Ulster Avenue and Boices Lane (Tax Parcel 48.042-3-1); and

WHEREAS, the shopping center has been constructed and conditional certificates of occupancy issued for various individual tenants upon completion of internal improvements; and

WHEREAS, certain exterior improvements - speed bumps and dumpster enclosures remain to be completed in accord with the approved site plan and cannot be completed due to winter weather conditions; and

WHEREAS, a temporary certificate of occupancy for one tenant, The Sports Authority, will expire on December 31, 2005; and

WHEREAS, as per §145-10(A) of the Town of Ulster Site Plan Review Law the Town Board may authorize issuance of a certificate of occupancy prior to completion of all necessary site improvements upon provision of a sufficient performance guarantee by the applicant to ensure completion of all incomplete improvements; and

WHEREAS, the applicant, Benderson Development, has provided the Town with a Performance Bond in the amount of \$20,000 for completion of speed bumps and dumpster enclosures;

NOW THEREFORE be it resolved by the Town Board of the Town of Ulster, that:

1. The Performance Bond in the amount of \$20,000 is deemed adequate to cover the cost of

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incomplete site improvements as set forth on the approved site plan.

2. The Building Inspector is hereby authorized to issue a Certificate of Occupancy to the Sports Authority upon his determination that all requirements of the approved site plan have been satisfied other than those for which the Performance Bond has been provided.
3. All improvements covered by the Performance Bond shall be completed within six months of issuance of the Certificate of Occupancy.

2nd by Councilman Brink

Discussion –

Councilman Artist inquired if proper meeting notice was given.
Supervisor Wadnola stated it had been taken care of.

Councilman Brink asked if the project was able to be completed within six months.
Supervisor Wadnola stated all they had to do was install the speed bumps and finish the dumpster enclosure.

A Roll Call Vote was taken – 3 Ayes – Council Member Wise & Councilman Van Kleeck were absent.

Councilman Brink motioned to adjourn the meeting at 10:05 AM

2nd by Councilman Artist

3 Ayes - Council Member Wise & Councilman Van Kleeck were absent.

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk