

ULSTER TOWN BOARD WORKSHOP
OCTOBER 2, 2008 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WOERNER, CHAIRMAN

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN DAVID BRINK
TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR NICKY B. WOERNER

Proposed Bloomington Fire Protection District Budget

Supervisor Woerner opened the public hearing at 7:16 PM

Supervisor Woerner reported that the proposed contract cost for the Bloomington Fire Protection District is \$51,000.00 for 2009, \$55,000.00 for 2010 and \$60,000.00 for 2011.

There was no public comment.

Councilman Joel B. Brink motioned to adjourn the public hearing at 7:18 PM
2nd by Councilman David Brink
All Ayes

7:15 Proposed East Kingston Fire Protection District Budget

Supervisor Woerner opened the public hearing at 7:18 PM

Supervisor Woerner reported that the proposed contract cost for the East Kingston Fire Protection District is \$134,250.00 for 2009, an increase of \$13,000.00.

There was no public comment.

Councilman Joel B. Brink motioned to adjourn the public hearing at 7:19 PM
2nd by Councilman Secreto
All Ayes

Privilege of the floor: Hon. Al Teetsel – All Around Civic Kiwanis Spokesman

Mr. Al Teetsel, gave an overview of the Town of Ulster Kiwanis Club. He invited the Town Board to attend a local meeting and requested the Town Board make a commitment to the club by October 31, 2008 for the Town of Ulster Christmas Tree lighting, so the club can properly begin planning and preparation.

Mr. Ed Hill – Extension of a Building Permit for Sawkill Meadow Apartments

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Mr. Ed Hill requested that the Town Board extend his site plan approval for his proposed development on Sawkill Road as his project was delayed in meeting site plan approval conditions (See April 18, 2005 minutes for approval). He had to change his septic system from an in-ground to an above-ground as per the terms of the County Health Department.

A general discussion occurred between the Town Board and the developer. The Town Attorney, Andrew Zweben, expressed concern that the change in the septic system may expose the town legally due to the fact that originally it was proposed in the SEQRA that was presented to the public for comment. The building permit extension will be addressed at the next meeting.

Resolutions: Awarding bid for Richmond Park Drainage Project Boring – TU-02

Councilman David Brink motioned to award the boring for the Richmond Park Drainage Project to Arold Construction Company, Inc in the amount of \$73,730.00 (as per the September 20, 2008 bid opening)

2nd by Councilman Joel B. Brink

A Roll Call Vote was taken - All Ayes

Discussion: Town of Ulster Senior Center

Councilman Kitchen reported that he had contacted Mr. Steve Aaron about hosting a Senior Center on the Chamber Housing Project's property. He thought it was an ideal location due to the concentration of seniors in the area. There are questions about the cost of the project and he expressed concerns about the finances of the town with the current economy and various government agencies cutting back. He is in favor of finding other alternatives to cut costs for the project. Supervisor Woerner explained the time line involved for starting the project and the need to hire the engineers to start to get the cost of construction figures. Information is still forthcoming based on a discussion between Councilman Kitchen, Deputy Supervisor Artist, Mark Blauer, the Town Grant Writer and Steve Aaron, the property owner about using grant money on private property.

A general discussion occurred about the Town budget tax increase between Robert Barton and the Town Supervisor.

Mr. Steve Aaron is in favor of the Town placing a senior center in the Chamber Court area and willing to work with the town on such a project.

Mr. William Street spoke about getting the Ulster Hose #5 budget to the Town but it has been delayed due to all the requirements set by NY State. He then read a letter into the record about the Mid-Hudson Valley Federal Credit Union (see attached).

James Maloney, the Town Assessor, reported that the NY state rebate checks for the STAR program will be mailed out on October 20, 2008. At the next Town Board meeting he would like to forward new Cold War Veterans and Veterans Exemptions for consideration in passing.

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Mr. John Marrow thanked Councilman Kitchen and Mr. Aaron for offering alternatives (locations) for the Senior Center. He feels the town needs to find ways to cut costs. He suggested a needs assessment be performed for the Senior Center. Supervisor Woerner reported that a “needs assessment” was submitted as part of the grant application for funding and was available for viewing.

Executive Session: Current Litigation – Quigley v. Town of Ulster & Current Litigation – Chambers Housing v. Town of Ulster

Councilman Joel B. Brink motioned to enter into executive session at 8:18 PM to discuss Litigation for Quigley v. Town of Ulster
2nd by Councilman Secreto
All Ayes

Deputy Supervisor Artist was present in the session and assumed the Chair at 8:26 PM as Supervisor Woerner and Town Attorney Andrew Zweben left the executive session for the Town Board to discussion litigation pertaining to Chambers Housing

Councilman David Brink moved for the following:

Be it Resolved that the Deputy Supervisor is authorized to engage legal counsel to address the existing litigation, brought against the town by Chambers Senior Housing, concerning the tax assessment, by settling the matter based upon an assessed valuation of \$156,000 to extend for a period of fifteen years, all in recognition of the provisions of Real Property Tax Law Section 581-a.

2nd by Councilman Secreto

A Roll Call Vote was taken – 3 Ayes – 1 Nay by Councilman Kitchen – Supervisor Woerner was absent.

Councilman Secreto motioned to adjourn executive session at 9:06 PM

2nd by Councilman Joel B. Brink

4 Ayes – Supervisor Woerner was absent

As advised by Town Attorney Zweben, the motion was revisited in a public forum.

Councilman David Brink moved for the following:

Be it Resolved that the Deputy Supervisor is authorized to engage legal counsel to address the existing litigation, brought against the town by Chambers Senior Housing, concerning the tax assessment, by settling the matter based upon an assessed valuation of \$156,000 to extend for a period of fifteen years, all in recognition of the provisions of Real Property Tax Law Section 581-a.

2nd by Councilman Secreto

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A Roll Call Vote was taken – 3 Ayes – 1 Nay by Councilman Kitchen – Supervisor Woerner was absent.

Councilman Joel B. Brink motioned to adjourn the meeting at 9:10 PM
2nd by Councilman Secreto
4 Ayes - Supervisor Woerner was absent.

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk

William C Street
1077 Stoll Court
Kingston, NY 12401

October 2, 2008

Nick Woerner, Supervisor Town of Ulster
Town Hall Drive
Lake Katrine, NY 12449

Re: Mid Hudson Valley Credit Union

Mr. Supervisor,

I would like to make some comments on this project to date. The Credit Union has listed this project as a SEQR Type 1 action, which carries with it the Presumption that it is likely to have a significant adverse impact on the environment. Referencing SEQR 617.7 "DETERMINING SIGNIFICANCE", Section c xi states changes in two or more elements, when considered together, results in a substantial adverse impact on the environment. The Following 6 criteria apply to this project:

ci--Substantial increase in traffic ,ground or surface water quality or quantity and drainage problems. This property use is going from 1to 2 cars residential use to 60 cars commercial use.

cii—Removal of large quantities of vegetation

civ—creation of a material conflict with the communities current plans or goals approved or adopted. This project conflicts with the adopted TOU Comprehensive plan and the TOU Zoning Code 192-2 E and F.

cv—the impairment of the character or quality of existing neighborhoods.

The Credit Union stated that this parking lot would be less of an impact than two single family homes build on the R10 lot. I have talked to all of the residents on Stoll Ct and the feeling was unanimous. Every resident would rather have the single family homes built on that property.

cviii---substantial change in use. This whole property, the LC lot and the R10 lot, has been used as a single family residence for as long as I have lived on Stoll Ct (26 years). If zoning on the R10 lot is changed to LC, there is nothing stopping future commercial building from being built on Stoll Ct.

cxi—Attracting large number of people compared to the number of people who would come to such a place absent to the action.

The Ulster County Planning Board had recommendations concerning Traffic, Buffering, Need and vehicle access to Stoll Ct. They mentioned section 190-18l of the zoning code. I would also reference sect 190-28-G, which deals with buffering in a residential zone.

The Credit Union provided growth figures in response to the question of why they need extra parking. Their employees increased approx 2.5 times since 2003. Their

membership also more than doubled. What is going to happen in the next 5 years. Will Morton Blvd be able to handle the increase in traffic. Can it handle the extra curb cut now.

The UCPB stated that vehicular access to Stoll Ct from the parcel be specifically restricted so that commercial traffic cannot utilize Stoll Ct. At the Planning Board meeting on 8/20/08, The Credit Union agreed with maybe an emergency vehicle access. There isn't a need for a parking lot to have an emergency access unless, of course, they plan on putting a building on this lot. This statement combined with the fact that they will not put a covenant to restrict commercial building on the R10 lot if rezoned LC, suggest that they are planning more than a parking lot. The credit Union created their own need, so let them build their parking lot on property that is already zoned LC. Leave Stoll Ct as a single family residential neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "William C Street". The signature is written in a cursive style with a long horizontal stroke extending to the right.

William C Street