

ULSTER TOWN BOARD MEETING

April 18, 2013 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM

SALUTE TO THE FLAG

A moment of silence was observed for victims and residents of Boston after the recent bombing during the Boston Marathon

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILWOMAN CRIS HENDRICK
TOWN COUNCILMAN JOHN MORROW
SUPERVISOR JAMES QUIGLEY 3rd

PUBLIC COMMENT

Mr. Robert Crane encouraged the Town Board to ensure that the grant money and matching funds for the Town's Arbor Day Festival is in place before the event is held.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Kitchen motioned to accept the minutes of the March 7, 2013 and March 21, 2013 meetings.

2nd by Councilwoman Hendrick

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

COMMUNICATIONS

There were no communications.

ABSTRACT OF CLAIMS

Councilman Morrow motioned to approve the April 2013 abstract as submitted
2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

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CARRIED

2013 BUDGET MODIFICATIONS

General Fund:

Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball)Mar. refereeing/Paul Remick 0 100.0

Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball Reserve) pizzas and tip for annual banquet from Savona's 0 725.0

Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball Reserve)annual bowling banquet at Hoe Bowl on the Hill 0 1,344.0

Modify Revenue A3089 (St.Aid, Court) and Appropriation A1110.200 (Equipment) JCAP Grant #1908-Furniture and Equipment 0 6,111.0

Modify Revenue A2610 (Fines & Forfeited Bail) to be funded through A5990 (Approp.Fund Bal.) return of unclaimed bail turned over to the Supervisor in 2012 for Nicholas Liggieri 0 50.0

Highway Fund:

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb.Gas Reimb. (Oper.Funds) 0 9,196.2

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. 2013 Gas Reimb. (Ulster Hose #5) 3 324.1

Whittier Sewer:

Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital Project) to be funded through SS1.5990 (Approp.Fund Bal.) insurance payment from Travelers for Hurricane Irene damage to plant 6 81,143.8

Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to J. Squared Construction Corp. for additions & alterations to pump station 0 153,505.0

Whittier Sewer Cap. Proj.:

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200 (Construction) payment from Travelers Insurance for damage to plant-Hurricane Irene 6 81,143.8

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Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation
HWS.8110.200 (Construction) payment to J. Squared Construction
Corp. for additions and alterations to pump station 0 153,505.0

Whittier Sewer:

Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital
Project) to be funded through SS1.5990 (Approp.Fund Bal.)
insurance payment from Travelers for Hurricane Irene damage to
plant 6 81,143.8

Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital
Project) to be funded through SS1.5990 (Approp.Fund Bal.)
payment to J. Squared Construction Corp. for additions &
alterations to pump station 0 153,505.0

Whittier Sewer Cap. Proj.:

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation
HWS.8110.200 (Construction) payment from Travelers Insurance
for damage to plant-Hurricane Irene 6 81,143.8

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation
HWS.8110.200 (Construction) payment to J. Squared Construction
Corp. for additions and alterations to pump station 0 153,505.0

2012 BUDGET MODIFICATIONS

General Fund:

Modify Revenue A2770 (Misc.Revenue) and Appropriation A9730.600
(BAN/Prin.) PCK Tax Cert. prin.pyts.-Ul.Hose #5 & Ul.Hose #5 Bond 116,093.29

MOTION: Councilman Brink

SECOND: Councilwoman Hendrick

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion to approve the hiring of three seasonal employees for the Recreation Department for Post Park

Councilman Morrow moved to hire the following:

Frank Rittie as Town Park Superintendent at \$10.00 an hour

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Amber Hansen as a Park Attendant at \$8.00 an hour

Trenton Kitchen as a Park Attendant at \$8.00 an hour

These jobs would be seasonal positions effective April 22, 2013.

2nd by Councilwoman Hendrick

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion to approve the hiring of one seasonal employee for the Recreation Department for Rider Park

Councilman Morrow moved to hire Richard Metzger as Park Attendant for Rider park at \$9.00 an hour as a seasonal position effective April 22, 2013.

2nd by Councilman Kitchen

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion to approve the hiring of seasonal employees for the Highway Department

Councilman Brink moved to hire the following people:

Employee Name:	Tentative Start Date	Rate of Pay	Tentative Finish Date	Title
Gerry DeFelicis	04/15/13	\$13.03	TBA	MEO
Joe Alecca	04/15/13	\$10.00	TBA	Laborer
Kyle Petramale	After 04/22/13	\$10.00	TBA	Laborer
Jordan King	After 04/22/13	\$8.50	08/30/13	Laborer
Joseph Killian	After 04/22/13	\$8.50	08/30/13	Laborer
Daniel Killian	After 04/22/13	\$8.50	08/30/13	Laborer
Michael Meyer	04/22/13	\$8.50	08/27/13	Laborer
Jonathan McGee	06/20/13	\$8.50	08/27/13	Laborer
Anthony Scarselli	06/20/13	\$8.50	08/27/13	Laborer
Timothy Quigley	06/20/13	\$8.00	08/27/13	Laborer

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2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize the Supervisor to sign Change Order #1 dated 4/8/2013 for Whalen Electric, LLC for Additions and Alterations to the Wastewater Pump Station, Whittier Sewer District

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize a transfer of \$153,505.00 from Whittier Sewer to Whittier Sewer Capital Project for payment to J. Squared Construction Corporation

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Presentation of a Proposed Local Law to Allow Purchasing of the Best Value.

Supervisor Quigley presented the proposed local law to the Town Board for review and to have it ready for a future meeting to set a public hearing on it.

7:15 PM - Special Permit for Timber Harvesting for property owned by Lisa Alt, [SBL39.018-1-5.1], 862 Sawkill Road

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Supervisor Quigley opened the hearing at 7:15 PM.

Town Attorney, Jason Kovacs, explained that the purpose of this hearing is to issue a special use permit as required by Town Code.

There was no public comment.

Mr. Mike Arnold, from MJM Forest Products, the forester, gave an overview of the process.

Councilman Morrow moved to close the hearing at 7:19 PM
2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

7:20 PM - Special Permit for Timber Harvesting for property owned by Kyriacou – Carbone [SBL: 47.4-1-26, 30.12, 47.2-3-36, 37, and 47.2-3- 44], 386 Station Road, Route 28

Supervisor Quigley opened the hearing at 7:20 PM.

Public Comments

Mr. Don Fuller spoke in favor of the logging process but wanted to ensure that the logging occurs on the owner's land and not on his property. He submitted a copy of his land survey.

Town Attorney, Jason Kovacs, stated that the permit will be reviewed to ensure compliance.

Mr. Joseph Myers expressed concern over the current road conditions, which are bad, and felt that a logging vehicle would cause further deterioration of the roadway. He inquired if the loggers notified the state since they are logging near their property. He also expressed concern about the logger respecting the property lines.

Mr. Adam Nagy – He recently purchased some property in the area and in reviewing the development nearby suggested that the permit define more clearly the access road for the timber.

Mrs. Louise Flood expressed concern that the NYS has land up there and they have no who manages their trees in the area. She wanted to make sure there was no deviation logging from the owners property onto other people's properties.

Mrs. Tammy Farber – Was not in favor of the permit approval due to the noise that would occur. She reported that work has started already and she hears the noise from the trucks. She expressed concern about the roadway and about the area becoming developed.

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Mr. Christopher Ellis – His property borders the logging. He expressed concern about his land being accidentally logged. He further expressed concern about logging trucks going through Stickles Ter.

Mrs. Louise Flood expressed concern that a wood road would turn into a real road and further development of the area would continue.

Mrs. Julie Squires was against the permit because she loves the woods and feels that this disruptive to the wild life and reasons she chose to live in the area.

Town Clerk Cosenza read a letter into the record from Mr. Mathew Farber (see exhibit “A”)

Mrs. Kyriacou stated she hired a professional forester to do the job right and to improve the area as they have a lot of dead trees. She didn't have any intentions of developing the area.

Mr. Anthony Del Vescovo, the forester, stated that this process is not like what is seen on reality TV shows. He was contacted to improve the area and there are many preventative actions that can be taken to relieve many of the public’s concerns. He has studied the maps to ensure there is no harvesting on other peoples properties and to respect the boundaries. The trucking can be timed to prevent road congestion and a flag vehicle can be used as a safety precaution. The trucks are inspected intensely and they have a low impact on the road as they have more tires. The noise level would be within the limits of the Town Code. He would be happy to discuss any concerns about boundaries with the neighbors.

Mr. Adam Nagy inquired if there was an alternative route and if so, that the plan be resubmitted to the County for review.

Mr. Joseph Myers felt that lumber trucks haul more weight than other vehicles (and are more damaging to roadways).

The public hearing was closed at 8:19 PM

Adoption of Standard Work Day and Reporting Resolution for elected officials

WHEREAS, Regulation 315.4 of the New York State & Local Retirement System requires the Governing Body of the town to establish a Standard Workday and Reporting system for all elected and appointed town officers that were elected or appointed after September 12, 2009, and

WHEREAS, persons affected are those that are enrolled in the New York State Retirement System as either Tier 2, 3, 4 or 5 members, and

WHEREAS, the persons affected are those that receive monetary compensation for their duties and do not use the town's Time Clock nor use Time Sheets to document their work hours; now therefore be it

RESOLVED, that seven (7) hours is established as the Standard Workday; and be it further

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RESOLVED, that the recording of time worked consists of a three month Time/Work log starting on January 1, 2012. This Time/Work log shall be created and maintained by the affected worker; and be it further

RESOLVED, that once passed, this Resolution shall be posted on the Town's Website and the Official Sign Board for a period of at least 30 days; and be it further

RESOLVED, that the Ulster Town Clerk shall submit a certified copy of the resolution and an affidavit of its posting to the Office of State Comptroller; and be it further

RESOLVED, that once the three month time period Time/Work log is completed, the affected person shall sign and submit their Time/Work log to the Ulster Town Clerk; and be it further

RESOLVED, that the Governing Body of the Town shall utilize the Time/Work logs to calculate the percentage of the Standard Workday worked over the 3 month time period and report the findings to the New York State & Local Retirement System so that the New York State & Local Retirement System may determine pension credits; and be it further

RESOLVED, that the Ulster Town Clerk shall retain the Time/Work logs submitted for a period of ten years. Elected or Appointed Officers affected by regulation 2 NYCRR 315.4

Name	Title	Term of Office
Marsha Solomon Weiss	Town Justice	1/01/12 to 12/31/15

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution adopting an Open Development Area per Town Law Section 280-a (4) for a proposed subdivided parcel at SBL 39.082-2- 7.1 and 19

Resolution Establishing Open Development Area

WHEREAS, MHMG-KM Kingston, LLC has requested the Town of Ulster Town Board declare an “open development area” with respect to two existing tax parcels, identified as Section 39.82, Block 2, Lot 7.1 and 19 on the Town of Ulster Tax Maps (hereinafter the “property”); and

WHEREAS, a portion of said property’s western boundary is contiguous to an established Town of Ulster open development area, entitled “Development Facilitation Improvement District

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No.1"; and

WHEREAS, under separate correspondence to the Town of Ulster Planning Board, MHMG-KM Kingston, LLC pursuant to Chapter 161 of the Town of Ulster Town Code, is proposing a subdivision of the property, which currently exists in two parcels as described above. This subdivision is being completed to facilitate the proposed Tractor Supply Company Lot and future development lots; and

WHEREAS, the Town of Ulster Town Board referred this matter to the Town of Ulster Planning Board for its review and recommendation; and

WHEREAS, the Town of Ulster Town Board held a public hearing on the Open Development Area application on April 4, 2013, and no comments opposing the application have been presented; and

WHEREAS, the Town of Ulster Planning Board formally referred this matter back to the Town of Ulster Town Board with a recommendation to grant approval of the request by MHMG-KM Kingston, LLC to include the subject site within "Development Facilitation Improvement District No. 1," which is a formally designated Open Development Area (ODA) at its regularly scheduled meeting on April 17, 2013;

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Ulster, in regular session duly convened, as follows:

(1) Development Facilitation Improvement District No. 1 of the Town of Ulster be and the same hereby is expanded to add two existing tax parcels, identified as Section 39.82, Block 2, Lot 7.1 and 19 on the Town of Ulster Tax Maps into the district such that the Town of Ulster Planning Board can, by general or special rule, establish such conditions and such limitations as said Planning Board may deem appropriate in order to permit the erection of any structures hereafter to which access is to be given by means of said right-of-way;

(2) This Resolution shall take effect immediately.

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

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Resolution granting Site Plan Approval for Kirchoff Properties for the construction of on a parcel of land identified as SBL 39.082-2-7.1 and 19, Ulster Avenue, Town of Ulster

Site Plan Amendment Approval

MHMG – KM Kingston, LLC

Tractor Supply Company

Section-Block-Lot: 39.082-2-7.1 and 19

WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water & Sewer Departments have reviewed an application by *MHMG – KM Kingston, LLC* – seeking *Site Plan approval* to construct a 19,067 sf *Tractor Supply Company* store with a 15,000 sf fenced outdoor display area and an additional 3,255 sf of designated display area in front of the retail store, plus an additional 2,645 sf of permanent trailer and equipment and display area on the west side of the building on the above referenced site; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- Written Project Narrative* prepared by Jeff Kane dated February 6, 2013;
 - Site Plan Application* prepared by Kyle Kirchoff dated February 13, 2013;
 - Written Project Narrative* prepared by Kyle Kirchoff dated February 13, 2013;
 - Escrow Agreement* signed by Kyle Kirchoff for KHMKG-KM Kingston, LLC dated 2/13/13;
 - Site Plan Consent Form* by David Silver of 1561 Ulster Properties, LLC dated 2/12/2013;
 - Trip Generation Analysis* prepared by Maser Consulting, P.A, dated 2/12/13;
 - Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
 - Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
 - Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Utility Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Fire Apparatus Access Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Signage Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
 - Town of Ulster Water District Capacity Letter* by Paul Vogt, December 1, 2011; and
 - Town of Ulster Sewer District Capacity Letter* by Corey Halwick, December 1, 2011.
-
- Project Review Notes* prepared by Brinnier & Larios, P.C. dated March 1, 2013;
 - Ulster County Planning Board Recommendation* by Robert Leibowitz dated 3/6/2013;
 - Cover Letter* prepared by Larry Boudreau, RLA GA NY, Project Manager dated 3/6/2013;
 - Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
 - Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
 - Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
 - Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
 - Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
 - Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
 - Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/133;
 - Fire Apparatus Access Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;

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- Signage Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- Site Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Sanitary Sewer System Details* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Erosion and Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Stormwater Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Landscaping Details and Notes* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11; and
- Architectural Elevations* prepared by Oxford Architecture dated 3/12/13.
 - *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11; and
 - *Proposed Exterior Building Elevations* by Optimus Architecture dated November 15, 2011.

- Cover Letter* prepared by Larry Boudreau, RLA GA NY, Project Manager dated 4/3/2013;
- Application for Lot Line Consolidation* by Chazen Engineering & Surveying, P.C, dated 4/3/13;
- Map of Lot Line Consolidation* by Chazen Engineering & Surveying, P.C, dated 4/3/13;
- Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Fire Apparatus Access Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Signage Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/4/13;
- Site Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Sanitary Sewer System Details* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Erosion and Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Stormwater Details* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- Landscaping Details and Notes* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11; and
- Architectural Elevations* prepared by Oxford Architecture, revised 4/5/13.

WHEREAS, the Town of Ulster Planning Board granted Lot Line Adjustment Approval at its April 17, 2013 meeting to allow the combination of 39.082-2-7.1 and 19; and

WHEREAS, the proposed Tractor Supply Company Store is permitted-by-right subject to Site Plan approval by the Town of Ulster Town Board in accordance with the Town Code; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to Section 239 l and m of NYS General Municipal Law and written comments from the UCPB were provided on March 6, 2013; and

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WHEREAS, upon review of the UCPB Required Modifications, the Town of Ulster Planning Board concluded the Town Board should override the required modification to require foundation landscaping should be provided along the southern elevation of the building; and

WHEREAS, the Town of Ulster Planning Board, at its April 17, 2013 meeting referred this matter to the Town Board with a recommendation to approve the Site Plan Amendment application, subject to certain conditions, limitations and restrictions; and

WHEREAS, the Town of Ulster Town Board has reviewed its original SEQR Negative Declaration statement along with comments of the Town Planning Board, Town Engineer, Highway, Water and Sewer Departments and finds the Current Proposed Action would not pose any potentially significant environmental impacts *based upon detailed studies provided and the mitigation measures being employed in the design of the proposed TSC Store development; and*

WHEREAS, the Town Board finds the Current Proposed Action does not exceed any of the thresholds established under the original SEQR Negative Declaration, thus no further SEQR review is required; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby reaffirms its SEQR Determination of Non-Significance (Negative Declaration); and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby overrides the UCPB required modification to require foundation landscaping should be provided along the southern elevation of the building; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Site Plan Approval to *MHMG – KM Kingston, LLC* to construct a 19,067 sf *Tractor Supply Company* store with a 15,000 sf fenced outdoor display area and an additional 3,255 sf of designated display area in front of the retail store, plus an additional 2,645 sf of permanent trailer and equipment and display area on the west side of the building on the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. Approval of final detailed utility plans, SWPPP, etc., by the Town Engineer and Sewer & Water Departments and receipt of water & sewer permits prior to construction;
5. The Town's consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
6. All fees, including consultant fees, shall be paid.

Motioned by: Councilman Morrow

Seconded by: Councilman Kitchen

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Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Resolution Lifting Parking Restrictions on Plainfield Street for 90 Day Trial Period

WHEREAS, the Town of Ulster Town Board has previously authorized the posting of “no parking” signs on Plainfield Street to address concerns of area residents;

WHEREAS, circumstances regarding the parking situation may have changed in the Plainfield Street area so that the parking prohibition previously enacted by the Town Board may need to be changed; now, therefore, be it

RESOLVED that the parking prohibition on Plainfield Street shall not be enforced for a trial period of 90 days from the date hereof; and be it further

RESOLVED, that the Town Board shall, at its regularly scheduled meeting on July 18, 2013, or as soon thereafter as may be appropriate, revisit this issue to determine if the parking restrictions shall be permanently vacated on Plainfield Street; and be it further

RESOLVED, that a copy of this resolution be provided to the Chief of the Town of Ulster Police Department.

Motioned by: Councilman Kitchen

Seconded by: Councilman Brink

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion to Set a Public Hearing at a Meeting after 60 Days to Review the Results of Lifting Parking Restrictions on Plainfield Street

Motioned by: Councilwoman Hendrick

Seconded by: Councilman Morrow

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye

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Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Summer Programs at the Town Park

Councilman Kitchen reported that there have been many improvements to the Town Parks. He reported that Mr. Brian Rittie has requested to host music and movies at the Robert E. Post Park. A further detailed plan would be made available.

Mr. Brian Rittie requested that the events, once composed, be posted with more coverage on the Town Website.

This matter would be referred webmistress.

Councilman Brink moved to authorize and accept Mr. Brian Rittie's proposal for music at the Town Park

2nd by Councilman Kitchen

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Arbor Day Festival for May 4, 2013

Supervisor Quigley reported that the Town has a grant for an Arbor Day Festival in which the paperwork has not cleared. It was recommended that the Town not encumber any cost until the contract for the grant was approved by the State Comptroller's Office, as the town would not qualify for any reimbursement for expenses. He expressed a concern that the contract would not be approved in time for the scheduled date and recommended postponing or rescheduling the event until the contract is approved. The Town Board discussed the issue. Councilwoman Hendrick requested a chance to contact the State Comptroller's Office and the DEC to correct the issue.

Supervisor Quigley moved to postpone Arbor Day to a date to be announced if the grant contract is not in the Town Supervisor's Office at noon by Wednesday, April 24, 2013.

2nd by Councilman Morrow

Town Councilman Brink - Aye
Town Councilman Kitchen - Nay
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye

ULSTER TOWN BOARD MEETING

April 18, 2013 AT 7:00 PM

Supervisor Quigley - Aye

CARRIED

Public Comment

Mrs. Bambi Vernon - A letter was read about the intersection of Church Hill Road being obstructed by people parking there (see Exhibit "B").

Mr. Brian Rittie wanted to report a problem on his roadway.
He was referred to contact Mr. Frank Petramale.

Mrs. Bonita Roll reported that she is having problems with her neighbor who wants to reclaim land from her and have structures built without any permits. They are also raising chickens there. There are several problems including an address problem with the location.

Supervisor Quigley reported that a special meeting was held on April 15, 2013 as there was a need for a deed easement for two properties in the Glenerie Stormwater District where the owner was uncooperative. His properties were up for tax sale, so the Town Board authorized the Supervisor and Town Attorney to procure an easement by purchasing the property or requesting the property be turned over to the county if there was no sale.

Executive Session - Personnel Issue – Employee Discipline

Councilwoman Hendrick moved to enter into executive session at 8:50 PM to discuss an employee discipline issue
2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Town Attorney Jason Kovacs was present throughout the session.

Executive session ended at 9:04 PM

Supervisor Quigley reported that the Town Board authorized him to sign a stipulation of release in regard to an employee discipline matter during the session.

Councilman Morrow moved the motion
2nd by Councilman Brink

ULSTER TOWN BOARD MEETING

April 18, 2013 AT 7:00 PM

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

Councilman Kitchen moved to adjourn the meeting at 9:06 PM
2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk

**Matthew Farber
242 Stickles Terrace
Kingston, New York 12401**

April 16, 2013

Dear Mr. Deforest, Planning Board Chairman

My name is Matthew Farber and I am a resident of Stickles Terrace in the Town of Ulster. I have some concerns over the Kyriacou-Carbone Timber harvest and due to my work Schedule will be unable to attend Wednesday planning board meeting. We live in a very quite and peaceful neighborhood on a dead end street and I am concerned with the traffic and Noise that such an operation would make. Since this operation is going to be over a 3 month period and require the use of heavy equipment and chain saws to remove the over 900 trees, I would like to know what are the applicant's plans for noise control or compensation to the neighborhood for the noise and traffic disruptions. I am aware that the applicant's states there would be 1 to 2 heavy trucks per day passing on my road, but the applicants fail to state how many other employees and support vehicles would be traveling on Stickles Terrace Daily. Another concern is over appearance. Is this project going to be visible to us or Route 28 and how will this project affect the state lands it borders? I feel that no action should be taken on this project until these questions are addressed. I am all for the private rights of a land owner and feel that someone should be able to work on their property as they see fit, but when those rights might infringe on the peaceful enjoyment of a community I draw concerns.

Sincerely,

Matthew Farber

**Cc James Quigley
Ulster County Planning Board**

Exhibit "A"

ULSTER TOWN BOARD MEETING
April 18, 2013 AT 7:00 PM



Town of Ulster Town Board
April 8, 2013
Town Supervisor James Quigley III
1 Town Hall Dr.
Lake Katrine, NY 12449

To Whom It May Concern:

As a concerned community member I am writing to request that the town board consider installing a No Parking sign from the stop sign back along the guard rail located on Church Hill intersecting with Creek Locks Rd. All winter long a truck was park at location. Everyone had to veer around the truck throughout the winter, including the plows, fuel trucks and the many tractor-trailers of the business located at the top of the hill. It was especially dangerous with the serious ice and snow accumulation this winter. I have included a photo of the truck and other vehicles that have parked there in the past

Thank you for your consideration and continued effort to ensure our safety.

Sincerely,

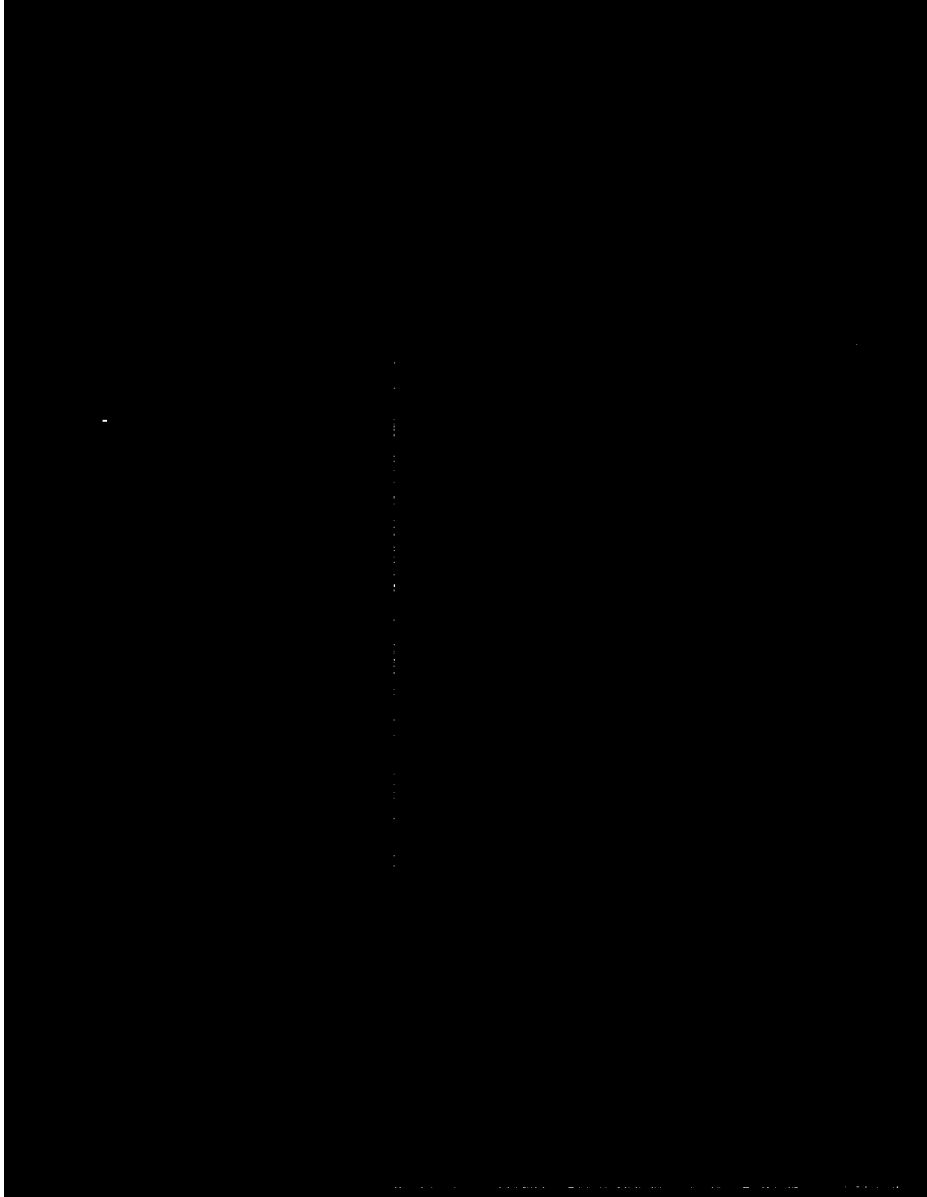
A handwritten signature in black ink, appearing to read "Bambi Vernon".

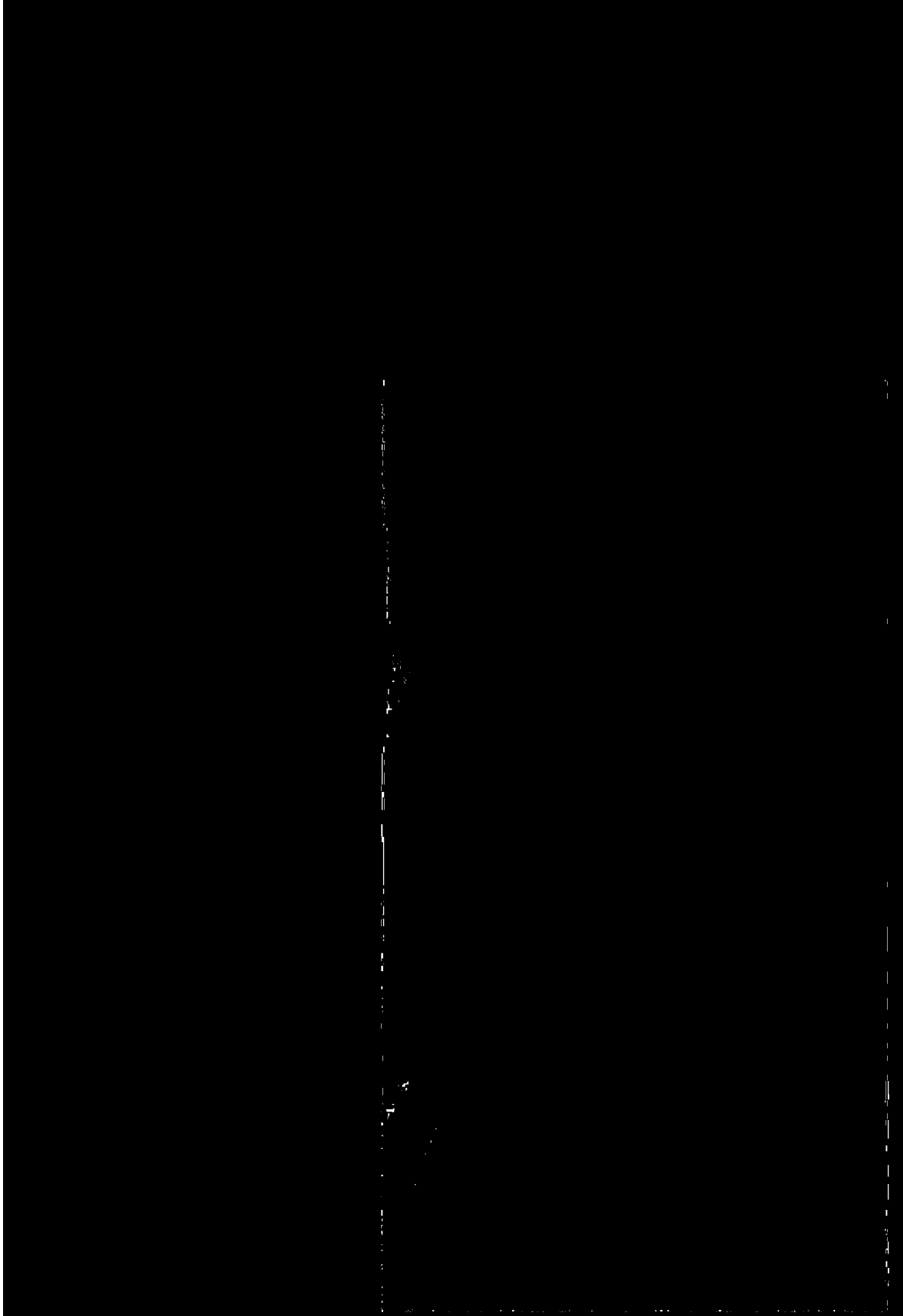
Bambi Vernon
27 Church Hill, Eddyville

(photos enclosed)

Exhibit "B"







ULSTER TOWN BOARD MEETING
April 18, 2013 AT 7:00 PM