

ULSTER TOWN BOARD MEETING

May 2, 2013 at 7:00 PM

CALLED TO ORDER BY DEPUTY SUPERVISOR KITCHEN, CHAIRMAN at 7 PM

THE SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILWOMAN CRIS HENDRICK

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILMAN JOHN MORROW

SUPERVISOR JAMES QUIGLEY 3rd - Absent

PUBLIC COMMENT

There was no public comment.

COMMUNICATIONS

There was no communications available.

Ulster County Police Chiefs Association

Chief Anthony Cruise reported that the Town Police Department earned two awards at the Ulster County Police Chiefs Association dinner: Meritorious Police Service — Investigation Deputies Robert Shamro, Jonathan Geuss and James Mullen and K-9 Triton, Ulster County Sheriff's Office and Meritorious Police Service — Team Unit Saugerties Police Department, New York State Police, Town of Ulster Police Department and Ulster County Sheriff's Office.

Motion to Approve the Hiring of One Seasonal Employee for the Water Department

Councilman Morrow motioned to hire Adam Rua as a seasonal employee at a rate of pay of \$10.00 an hour effective May 13, 2013

2nd by Councilwoman Hendrick

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

Motion Carried

PUBLIC COMMENT – reopened

Mr. Robert Crane stated that he felt the Town could have hosted a more modest Arbor Day Festival where the excess money could have been used to help resolve the employee's labor contract. He didn't feel the town would have held an Arbor Day Festival if the state didn't provide the grant money.

ULSTER TOWN BOARD MEETING

May 2, 2013 at 7:00 PM

**Authorize the Town Clerk to attend the NYS Town Tax Collectors Association Conference
June 9th – 12th in Albany**

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

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

Motion Carried

Motion to cancel the July Workshop meeting

MOTION: Councilwoman Hendrick

SECOND: Councilman Brink

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

Motion Carried

Motion to approve the hiring of Police Officer Miller with temporary status for 90 days

Councilman Morrow motioned to hire Police Officer Michael Miller as a 90 day temporary employee at a rate of pay of \$18.63 an hour effective May 13, 2013

2nd by Councilwoman Hendrick

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

Motion Carried

**Resolution granting a Special Use Permit for Timber Harvesting for property owned by
Lisa Alt [SBL39.018-1-5.1], 677 Sawkill Road, Kingston**

RESOLUTION

TOWN OF ULSTER TOWN BOARD

SPECIAL PERMIT APPROVAL

**Timber Harvest
Lands of Lisa Alt
677 Sawkill Road
S-B-L: 39.018-1-5.1**

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Michael Arnold (MJM Forest Products) for Lisa Alt (Owner) seeking Special Permit approval to allow a commercial managed timber harvest on a 45.7-acre property within the Town of Ulster; and

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

- *Project Narrative* prepared by Mike Arnold, MJM Forest Products dated 2/19/13;
- *Site Plan Consent Form* signed by Lisa Alt dated February 10, 2013;
- *Application for Special Permit* prepared by Mike Arnold, MJM Forest Products dated 2/19/13;
- *SEQRA Short EAF* prepared by Mike Arnold, MJM Forest Products dated 2/14/2013; and
- *Timber Sale Contract* between Lisa Alt and Mike Arnold dated 2/11/13.

WHEREAS, the subject site is situated within the R-60 Residential District in the Town of Ulster, where forestry operations are allowed subject to Special Permit approval by the Town Board pursuant to §190-48 (E) of the Town of Ulster Town Code; and

WHEREAS, the Planning Board considered the application materials submitted by the applicant and recommended this matter should be referred to the Town Board for the purpose of scheduling a public hearing on this matter; and

WHEREAS, the Town Board held a public hearing on this matter on April 18, 2013 during which no public controversy was raised concerning the proposed action, and

WHEREAS, the Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby issues a SEQR Negative Declaration and grants Special Permit approval to – Michael Arnold (MJM Forest Products) for Lisa Alt (Owner) – subject to the conditions, limitations and restrictions set forth below.

1. The transport of logs may only occur between the hours of 8:00 a.m. to 9:00 p.m. daily.
2. All public roads shall be kept free of dust and debris created by the logging operation. The roadway will be inspected and cleaned by the logger on a daily basis as needed and will be cleaned when required by the Code Enforcement Officer as a result of inspections he may perform.

ULSTER TOWN BOARD MEETING

May 2, 2013 at 7:00 PM

3. A performance bond or certified check in the amount of \$5,000 must be posted with the Town Clerk prior to beginning the timber harvesting operation. The bond or check will be returned upon the satisfactory completion of all logging operations, compliance with the conditions of this resolution, and a final inspection of the timber harvesting site by the logger involved, Foresters, the Code Enforcement Officer, and a representative from Ulster County Soil and Water Conservation Service, if deemed necessary.
4. The logger shall obtain and file proof of Vehicle, General Liability Insurance, and Workers Compensation Insurance with minimum liability coverage for personal injury or death of \$1,000,000 and property damage of \$250,000 for logging operations with the Code Enforcement Officer at least two business days prior to commencing any work. Said proof of insurance must name the Town of Ulster as additional insured and be approved by the Town Attorney prior to the commencement of work.
5. As work progresses, the logger shall install diversion ditches and/or water bars as necessary to prevent soil erosion on haul roads, skid trails, and at the landing area.
6. Upon completion of the logging operation, all skid trails, roads and landing areas shall be graded and seeded with rye grass as needed.
7. The logger shall notify the Code Enforcement Office within five days of completion to coordinate on-site inspections.
8. The logging site shall be subject to periodic inspections by the Code Enforcement Officer and Ulster County Soil and Water Conservation Service representatives at any time during the course of the operation. These inspections will be done during the normal working hours of the logger.
9. All fees, including consultant fees, shall be paid.
10. Compliance with all applicable zoning and building laws, rules, and regulations.

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

Motion Carried

Resolution Authorizing Conveyance of Surplus Town Property to Beth Murphy

ULSTER TOWN BOARD MEETING

May 2, 2013 at 7:00 PM

WHEREAS, on or about September 30, 1960, the State of New York, Department of Public Works, abandoned a certain segment of a former state highway, also known as Old Route 213, to the Town of Ulster; and

WHEREAS, the Town of Ulster has never maintained this now abandoned state highway, and this former state highway is surplus property; and

WHEREAS, one Beth Murphy has approached the Town of Ulster and requested to be deeded the Town of Ulster's interest in said abandoned highway so that she may use it in conjunction with her to-be-acquired use of SBL 56.71-2-7- the adjoining tax parcel; now therefore be it

RESOLVED, that the Town Board of the Town of Ulster authorizes the conveyance of the portion of the former state highway as described in Schedule "A" to Beth Murphy, as further shown on a survey map prepared by John J. Post, Jr., Licensed Land Surveyor, dated January 2, 2013 and revised on April 24, 2013, and authorizes the Supervisor of the Town of Ulster to execute a Quitclaim Deed and conveyance documents in a form satisfactory to the Town Attorney for these portions of the former state highway, and be it

FURTHER RESOLVED that such conveyance is subject to the following:

1. Easements, covenants, and restrictions, if any;
2. Zoning Law of the Town of Ulster;
3. Such statement of facts that an accurate survey or personal inspection may reveal, and be it

FURTHER RESOLVED, that this resolution is subject to permissive referendum and the Town Clerk is directed to post this resolution.

DESCRIPTION OF LANDS TO BE CONVEYED TO BETH MURPHY SITUATED, CANAL STREET, HAMLET OF EDDYVILLE, TOWN OF ULSTER, ULSTER COUNTY, NEW YORK.

All that plot, piece or parcel, situate, lying and being in the Hamlet of Eddyville, Town of Ulster, County of Ulster and the State of New York, being a portion of Old S.H. 116 abandoned to the Town of Ulster, bounded and described as follows:

Beginning at a point on the Northerly bounds of Canal Street, said point being the Southerly coner of the herein described parcel;

1) Thence from said point of beginning along the Easterly line of lands of now or formerly Murphy, North 22 degrees 12 minutes 58 seconds West, 123.04 feet to a point;

2) Thence, North 49 degrees 18 minutes 45 seconds East, 52.72 feet to a point on the

ULSTER TOWN BOARD MEETING

May 2, 2013 at 7:00 PM

bounds of the new S. H. 116;

3) Thence along said bounds of said new S. H. 116, South 22 degrees 12 seconds 58 seconds East, 120.08 feet to a point on the Northerly bounds of Canal Street;

4) Thence along said Northerly bounds of Canal Street, South 46 degrees 18 minutes 49 seconds West, 53.73 feet to the point and place of beginning.

All bearings in reference to Magnetic North.
Containing 0.140 Acre, more or less.
Subject to easements on record.

MOTION: Councilman Hendrick

SECOND: Councilman Morrow

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

Motion Carried

Motion approving the Arbor Day Ceremony at Post Park on May 4th

MOTION: Councilman Hendrick

SECOND: Councilman Morrow

A discussion followed about the cost of the Arbor Day Ceremony and the benefit of trees being added to the Town Parks.

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

Motion failed.

Town Attorney Jason Kovacs clarified the motion and the Town Boards actions for the Arbor Day Ceremony. The motion was resubmitted.

A Roll Call Vote was taken

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Nay

ULSTER TOWN BOARD MEETING

May 2, 2013 at 7:00 PM

Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Absent

Motion Carried.

PUBLIC COMMENT

Mrs. Lisa Alt reported a problem on Sawkill Ruby Road at the triangle intersection just past the bridge. She expressed concern that the design would lead to a traffic accident.

(Deputy Supervisor) Councilman Kitchen recommended that Mrs. Alt contact County Legislator James Maloney as it is a County Road.

Mr. Richard Metzger thanked the Highway Department for their hard work in improving the Town Parks. He complained about people cutting bait on the tables at the Rider Park.

Bill Molinaro requested an update on Forest Hill Drive.

Councilman Kitchen would have the Building Inspector update him.

Councilman Brink motioned to adjourn the meeting at 7:36 PM
2nd by Councilman Kitchen

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

CARRIED

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk