

ULSTER TOWN BOARD MEETING

June 6, 2013 at 7:00 PM

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

SALUTE TO THE FLAG

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 - Absent

Public Comment

Mrs. Cahill stated that she was pleased with the new parking plan on Plainfield St.

APPROVAL OF MINUTES

Councilman Brink moved to approve the minutes of the April 4, 2013, April 15, 2013 and April 18, 2013 meetings.

2nd by Councilwoman Hendrick

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

CARRIED

Plainfield Street Parking Situation

Police Chief Anthony Cruise reported that he has reviewed the Plainfield Street situation. The covering of the “No Parking” signs has been successful in relieving many of the issues and complaints in the area. He recommended, with the Town Highway Superintendent’s approval, that the “No Parking” signs be removed.

Report back from Highway Committee regarding No Parking Sign request at the intersection of Church Hill and Creek Locks Road

Police Chief Anthony Cruise reported a complaint was registered with the Town Supervisor’s Office that a box truck was parking at the intersection of Church Hill and Creek Locks Road causing an obstruction, as the roadway narrows where the vehicle was parking. A study was performed and it was recommended that a “No Parking - From Here to Corner” sign be installed from that point to Canal Street. This would prevent any further obstructions and help with snow removal during the winter months. Highway Superintendent Frank Petramale concurred with the report. A resolution would be prepared for the next meeting.

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7:15 PM Public Hearing - Plainfield Street Parking Situation

The meeting was opened up at 7:15 PM.

Public Comment

Mrs. Ruth Porter stated that she was satisfied with the results of removing the no parking signs and she thanked everyone who worked on the problem.

Police Chief Anthony Cruise recommended that the “No Parking” signs be removed.

Discussion on Speed Limit adjustment for Ulster Avenue/Route 9W from Route 209 to Old Stage Road

Deputy Supervisor Kitchen stated that, because of the development that is occurring in the area on Ulster Avenue near Bread Alone that the speed limit needs to be reviewed.

Police Chief Anthony Cruise recommended that the Town ask the NYS DOT to perform a traffic study.

The request is that the NYS DOT reduce the speed limit from 45 MPH to 35 MPH from Route 199/209 overpass to Old Stage Road, then from 55 MPH to 45 MPH from Old Stage Road to North Drive. Then resume to 55 MPH past North Drive.

Councilwomen Hendrick moved for the Town to submit a letter to the NYS DOT to request a reduction in the speed limit as discussed.

2nd by Councilman Morrow

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

CARRIED

Approval of the form of Agreement for Out of District Water Sale – RML

MOTION: Councilman Brink

SECOND: Councilwoman Hendrick

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

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CARRIED

Approval of the Whittier Sewer District Sewer Overflow Response Plan (SORP) prepared by Brinnier & Larios, P.C. May 2013 as required by NYS DEC SPDES Permit #0021571, Incident Reporting

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

Approval of the Ulster Sewer District Sewer Overflow Response Plan (SORP) prepared by Brinnier & Larios, P.C. May 2013 as required by NYS DEC SPDES Permit #0021563, Incident Reporting

MOTION: Councilman Brink

SECOND: Councilwoman Hendrick

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

CARRIED

Resolution granting Site Plan Approval for McDonald's USA, LLC for the reconstruction of a 3900 sq. McDonald's Restaurant on a parcel of land identified as SBL 48.08-1-17 and 31 on Ulster Avenue, Town of Ulster

**Site Plan Approval
McDonald's USA, LLC
Section-Block-Lot: 48.08-1-17 and 31**

WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water & Sewer Departments have reviewed an application by *McDonalds USA, LLC* seeking *Site Plan approval* to demolish an existing 2,730 sq. ft. restaurant and reconstruct a 3,911 sq. ft. McDonald's Restaurant on the 0.952-acre site, which is situated within the RC-Regional Commercial Zoning District; and

WHEREAS, the Planning Board has advisory powers in the review of the site plan and

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makes recommendation to the Town Board and Town of Ulster Town Board has the authority to approve the site plan for this action, since the new building exceeds 2,500 square feet; and

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

- *Cover Letter* prepared by Lauren Monaghan, P.E. Bohler Engineering dated 3/8/2013
 - *Stormwater Management Summary* prepared by Bohler Engineering dated 3/8/2013;
 - *Site Plan Application* prepared by McDonald's USA, LLC dated March 8, 2013;
 - *Cover Sheet for Amended Site Plan* prepared by Bohler Engineering dated 3/7/2013;
 - *Demolition Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Site Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Grading Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Drainage & Utilities Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Landscape Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Lighting Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Soil Erosion & Sediment Controil Plan* by Bohler Engineering dated March 7, 2013;
 - *Drive-Thru and ADA Plan* prepared by Bohler Engineering dated March 7, 2013; and
 - *Detail Sheets* prepared by Bohler Engineering dated March 7, 2013; and
 - *Building Elevations and Floor Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Boundary and Topographic Survey* prepared by Bohler Engineering dated March 7, 2013
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- *Cover Letter* prepared by Lauren Monaghan, P.E. Bohler Engineering dated 4/5/2013;
 - *SEQR Short EAF* prepared by Bohler Engineering dated 3/7/2013;
 - *Trip Generation Analysis* prepared by Atlantic Traffic dated 4/4/2013;
 - *Cover Sheet for Amended Site Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Demolition Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Site Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Grading Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Drainage & Utilities Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Landscape Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Lighting Plan* prepared by Bohler Engineering revised 4/4/2013;
 - *Soil Erosion & Sediment Controil Plan* by Bohler Engineering revised 4/4/2013;
 - *Drive-Thru and ADA Plan* prepared by Bohler Engineering revised 4/4/2013; and
 - *Detail Sheets* prepared by Bohler Engineering revised 4/4/2013; and
 - *Building Elevations and Floor Plan* prepared by Bohler Engineering dated March 7, 2013;
 - *Boundary and Topographic Survey* prepared by Bohler Engineering dated March 7, 2013;
 - Northern & Western Elevations for McDonald's by B.A. Bohler Engineering, dated 4/4/13.
 - *Cover Letter* prepared by Lauren Monaghan, P.E. Bohler Engineering dated 5/10/2013;
 - *Town of Ulster ZBA Notice of Decision* by the Zoning Board of Appeals dated 5/1/2013;
 - *Blasting Protocol for McDonalds* by Bohler Engineering dated 5/10/2013;

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- *Specifications for Construction of Water Service* by Bohler Engineering dated 5/10/2013;
- *Cover Sheet for Amended Site Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Demolition Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Site Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Grading Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Drainage & Utilities Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Landscape Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Lighting Plan* prepared by Bohler Engineering revised 5/10/2013;
- *Soil Erosion & Sediment Control Plan* by Bohler Engineering revised 5/10/2013;
- *Drive-Thru and ADA Plan* prepared by Bohler Engineering revised 5/10/2013; and
- *Detail Sheets* prepared by Bohler Engineering revised 5/10/2013; and
- *Lot Line Consolidation prepared by Control Point Associates, Inc. dated 4/25/2013.*

WHEREAS, the Town of Ulster Planning Board granted Lot Line Adjustment Approval at its May 21, 2013 meeting to allow the combination of 48.08-1-17 and 31; and

WHEREAS, the proposed McDonald's restaurant 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 April 3, 2013; and

WHEREAS, the UCPB recommended Disapproval of any sign variances and a Required Modification that the lighting levels be in compliance with the Town of Ulster Town Code; and

WHEREAS, the Town of Ulster Zoning Board of Appeals, overrode the UCPB Disapproval and Required Modification as cited above and granted an area variance for the wall sign and to allow a lighting level of up to 3.0 footcandles, instead of 2.0 footcandles; and

WHEREAS, the UCPB also recommended Site Plan-specific Required Modifications and upon review of these Required Modifications, the Town of Ulster Planning Board has concluded these issues were satisfactorily addressed through plan revisions and recommended conditions on the Site Plan approval; and

WHEREAS, the Proposed Action was classified as an Unlisted Action and an *Unlisted Action-Uncoordinated Review* was pursued to allow the ZBA and Planning Board's to make their SEQR Determination prior to acting on the Area Variances and Lot Line Adjustment approvals respectively, and

WHEREAS, the Town of Ulster ZBA issued a SEQR Negative Declaration on the area variances and the Planning Board a SEQR Negative Declaration on the Lot Line Adjustment; and

WHEREAS, the Planning Board upon review of the entire record (including SEQR

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Short Environmental Assessment Form (EAF)) recommended the Town Board issue its own SEQR Determination of non-significance and issue a *Negative Declaration* on the Site Plan Application; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby issues a SEQR Negative Declaration; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board grants Site Plan Approval to *McDonald's USA, LLC* to demolish an existing 2,730 sq. ft. restaurant and reconstruct a 3,911 sq. ft. McDonald's Restaurant on the 0.952-acre 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. Applicant to conduct Title Search, Survey Map of lands of PCK (Hudson Valley Mall owners), which is needed to dedicate lands to NYSDOT;
5. Applicant shall secure a NYSDOT Highway Work Permit and post a bond of \$25,000 with NYSDOT, which would be released contingent upon dedication of right-of-way to the NYSDOT for the purpose of allowing sidewalk construction;
6. Applicant to construct sidewalk and crosswalk improvements upon securing appropriate authorization from the PCK and the NYSDOT; and
7. 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
8. All fees, including consultant fees, shall be paid.

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

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

CARRIED

Resolution granting Site Plan Approval for Volkswagen of Kingston to construct a 2580 sq. ft. addition to the existing 16,424 sq. ft. building on a parcel of land identified as SBL 48.7-1-23.10 on Ulster Avenue, Town of Ulster

Site Plan Approval
Volkswagen of Kingston
Section-Block-Lot: 48.7-1-23.10

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WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water & Sewer Departments have reviewed an application by *Volkswagen of Kingston* seeking *Site Plan approval* to add a new front façade and construct a 2,580 square foot (sf) addition to the front elevation of an existing 16,424 sf Volkswagen Dealership, which is situated within the RC-Regional Commercial Zoning District; and

WHEREAS, the Planning Board has advisory powers in the review of the site plan and makes recommendation to the Town Board and Town of Ulster Town Board has the authority to approve the site plan for this action, since the new building exceeds 2,500 square feet; and

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

- *Site Plan Application* prepared by John F. Capobianco, A.I.A dated February 15, 2013;
 - *SEQR Short Form EAF* prepared by John F. Capobianco, A.I.A dated February 15, 2013;
 - *Application for Area Variance* by John F. Capobianco, A.I.A dated February 15, 2013;
 - *Proposed Alteration Plan* by John F. Capobianco, A.I.A dated February 6, 2013;
 - *First Floor Plan* by John F. Capobianco, A.I.A dated February 6, 2013;
 - *Elevations* prepared by John F. Capobianco, A.I.A dated February 6, 2013; and
 - *Plot Plan* prepared by John F. Capobianco, A.I.A dated February 6, 2013.
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- *Site Plan Application* prepared by John F. Capobianco, A.I.A dated February 15, 2013;
 - *SEQR Short Form EAF* prepared by John F. Capobianco, A.I.A dated February 15, 2013;
 - *Application for Area Variance* by John F. Capobianco, A.I.A dated February 15, 2013;
 - *Proposed Alteration Plan* by John F. Capobianco, A.I.A revised March 29, 2013;
 - *First Floor Plan* by John F. Capobianco, A.I.A dated February 6, 2013;
 - *Elevations* prepared by John F. Capobianco, A.I.A dated February 6, 2013;
 - *Plot Plan* prepared by John F. Capobianco, A.I.A dated February 6, 2013; and
 - *Lighting Plan* prepared by Meddenbach & Eggers, P.C. dated April 8, 2013.
 - *Map of Survey prepared by Michael F. Vetere, P.L.S dated April 10, 2013;*
 - *Town of Ulster Zoning Board of Appeals (ZBA) Notice of Decision* dated 5/1/2013;
 - *Plot Plan* prepared by John F. Capobianco, A.I.A revised May 1, 2013;
 - *Foundation Plan* prepared by John F. Capobianco, A.I.A revised May 1, 2013;
 - *First Floor Plan* prepared by John F. Capobianco, A.I.A revised May 1, 2013;
 - *Elevations* prepared by John F. Capobianco, A.I.A revised May 1, 2013;
 - *Details Plan* prepared by John F. Capobianco, A.I.A revised May 1, 2013;
 - *Lighting Plan* prepared by Meddenbach & Eggers, P.C. revised May 1, 2013;
 - *Landscaping Plan* prepared by Meddenbach & Eggers, P.C. revised May 1, 2013; and
 - *Signage Details for Wall and Pole Sign* by Pattison Sign Group dated July 30, 2010.

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

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WHEREAS, the Town of Ulster Zoning Board of Appeals granted an area variance to allow the proposed building addition to encroach the front yard setback; 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 April 3, 2013; and

WHEREAS, the UCPB issued several Required Modifications, which were all addressed in subsequent revisions to the Site Plan application; and; and

WHEREAS, the Planning Board upon review of the entire record (including SEQR Short Environmental Assessment Form (EAF)) found the Proposed Action was a Type 2 Action pursuant to Part 617 of State Environmental Quality Review (SEQR) law and recommended the Town Board also classify the Proposed Action as a Type II Action.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby issues its own SEQR Determination that the Proposed Action is a SEQR TYPE II Action, for which no further environmental review is required; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Site Plan Approval to *Volkswagen of Kingston* to add a new front façade and construct a 2,580 square foot (sf) addition to the front elevation of an existing 16,424 sf Volkswagen Dealership, 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. Applicant shall secure a NYSDOT Highway Work Permit for proposed modifications to site access from U.S. Route 9W;
5. Submission of final sewer details, which complies with the Town's consultant engineers' and Town Sewer Superintendent's required modifications;
6. Easement for future cross access to be provided for Town Attorney's review; and
7. 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
8. All fees, including consultant fees, shall be paid.

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

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

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CARRIED

7:30 PM Public Hearing - Proposed Local Law of 2013 – A Local Law to allow purchasing of the Best Value

Deputy Supervisor Kitchen opened the hearing at 7:30 PM

There was no public comment.

Councilwoman Hendrick moved to close the hearing at 7:31 PM
2nd by Councilman Morrow

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

CARRIED

Resolution Denying the Application for a Logging Permit for Carbone, Stickles Terrace

SPECIAL PERMIT APPROVAL

Timber Harvest

Lands of Kyriacou & Carbone

S-B-L: 47.4-1-26

47.4-1-30.12

47.2-3-36

47.2-3-37

47.2-3-44

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Anthony Del Vescovo for Kyriacou & Carbone (Owner) seeking Special Permit approval to allow a commercial managed timber harvest on a 153 acre site within the Town of Ulster; and

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 §190-25 (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 several town residents who reside close to the proposed timber harvest site spoke

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against the proposed action; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby denies the application, without prejudice; and be it further

RESOLVED, that it is the opinion of the Town Board that Kyriacou and Carbone should both reapply in separate applications to the Town if they would like to pursue logging at the proposed site; and be it further

RESOLVED, that this application is being denied as incomplete; specifically, the applicants are both instructed to include in their application a survey of the proposed timber harvest site prepared by a licensed land surveyor.

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

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

CARRIED

Authorizing the Supervisor to sign up the Town for Participation in the Power Pay New York Program managed by Energy Curtailment Specialists

MOTION: Councilman Brink

SECOND: Councilwoman Hendrick

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

CARRIED

Discussion on Agreement for Shared Municipality purchase of Paver

Highway Superintendent Frank Petramale reported this is a proposed shared service among two other municipalities, to work together to purchase and share a used paver to save money. The cost to each township would be roughly \$15K for the purchase costs and 1/3 of the annual maintenance and insurance costs. Each municipality would have to enter into a legal agreement.

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A resolution would be considered at the next Town Board meeting.

Discussion to alter policy to allow the Building Department to process credit card payments

The Town Board discussed the issue. The Building Inspector had no objections to it.

Motion to hire a summer intern to perform Budget Analysis

Councilman Brink moved to hire John Quigley as a Budget Analysis Officer at a rate of pay of \$10 an hour, full-time, effective June 10, 2013 to September 10, 2013 and thereafter as part-time (20 hours a week) to November 10, 2013.

2nd by Councilman Morrow

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

CARRIED

Discussion on the Town of Ulster hosting a Renaissance Fair, October 18th, 19th and 20th at Robert Post Park

Mrs. Cheryl Olsen requested permission from the Town Board to coordinate a Renaissance Fair at the Robert E. Post Park from October 18 to October 20. They estimate that they can bring 15-30 vendors to display and sell their wares as well as offer outdoor entertainment. The only charges would be donations to their charities and for tickets to themed attractions. There would be no sleepovers.

Communication

Town Clerk Cosenza read a communication from Legislator Carl Belfiglio, chair of the Environmental, Energy and Technology Committee seeking volunteers to serve on the Climate Smart Committee

Motion to authorize the Supervisor to sign Change Order #2 dated 5/25/2013 for Whalen Electric, LLC for Additions and Alterations to the Wastewater Pump Station, Whittier Sewer District

MOTION: Councilwoman Hendrick

SECOND: Councilman Brink

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

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Town Councilman Morrow - Aye
Supervisor Quigley - Absent

CARRIED

Motion to authorize the Supervisor to sign Change Order #1 dated 5/31/13 for Arold Construction Co, Inc. for an additional 535 lineal feet of parallel 2” Force Main for Contract TU-131, Installation of Low Pressure

MOTION: Councilwoman Hendrick
SECOND: Councilman Brink

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

CARRIED

Set a Public Hearing for Proposed Local Law of 2013: A Local Law Providing for the Adoption of a New Section 61-4(A) of Chapter 61 of the Town Code [Building Permits Required] for June 20, 2013 at 7:15 PM

MOTION: Councilwoman Hendrick
SECOND: Councilman Brink

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

CARRIED

Discussion on correction of the structure owned by Horst Bier, 236 Glenerie Blvd., Kingston

There is a dangerous structure on 236 Glenerie Blvd owned by Horst Bier that needs to be fixed or torn down. The owner has been contacted and there has been no response. The Building Department would send one more final notice requesting a response. If no response is received by the next Town Board meeting, the board would proceed to remove the structure and charge it to the owner’s property taxes.

RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS FOR THE GLENERIE STORM DRAINAGE PROJECT OF THE TOWN OF ULSTER

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WHEREAS, the Town of Ulster has received a New York State Homes and Community Renewal Small Cities grant to install storm drainage facilities for the Gleneck neighborhood; and

WHEREAS, the plans designated by the Town Engineer require the obtaining of a certain easements from the following property owners:

PROPERTY OWNER SBL CONSIDERATION

Christine Hadlow	39.7-8-18	\$2,500.00
Thomas Silva	39.35-1-21	\$0.00
Abraham L. Lazala	39.7-10-21	\$0.00
Erica I. Legg & James A. Rustad	39.7-12-8.1	\$0.00
John G. Rell, Jr. & Kari H. Rell	39.7-8-17	\$0.00
Karen Serrano	39.7-10-18	\$0.00
Carolyn H. Salvatore-Schmitt	39.11-5-2	\$0.00
Vivian A. Williams	39.7-12-5	\$0.00
Cazandra Selin	39.7-10-17	\$0.00
Anthony Staropoli	39.7-10-20	\$0.00
Edith Short	39.35-1-20	\$0.00
Richard E. Lehma	39.7-12-3	\$0.00
Carole D. Karen	39.7-10-19	\$0.00
Joseph La Rose & Sharon A. La Rose	39.7-12-1	\$0.00
Roger Personeus	39.35-1-22	\$0.00
Mary Joan Hill	39.27-3-16	\$0.00
David Gomez, et al.	39.7-12-7	\$0.00
Jennifer Schatzel & Christian Artist	39.7-12-2	\$0.00
Gerald E. Swica	39.7-12-4	\$0.00

WHEREAS, said easements have been offered by said property owners to the Town, and

WHEREAS, the Town Board of the Town of Ulster is desirous of accepting said offered easements on behalf of said Town, and

WHEREAS, the Town Board of the Town of Ulster has examined said instruments and finds the consideration described above to be fair and reasonable for the value of such taking,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulster does hereby accept easements from the above-listed property owners in accordance with the terms and conditions contained in said instruments and directs that the same be recorded in the Office of the Clerk of the County of Ulster, the fee for said recording to be borne by said Town.

MOTION: Councilman Brink

SECOND: Councilwoman Hendrick

Town Councilman Brink - Aye

Town Councilwoman Hendrick - Aye

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Town Councilman Kitchen - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Absent

CARRIED

Public Comment

Mr. Robert Crane expressed concern about the town participating in the Power Pay system to ensure that there are no power shortages.

Mr. Brian Rittie was in favor of a lower speed limit along Route 9W all the way to the Town of Saugerties.

Mr. Paul Newsome stated that he has a lease purchase agreement for his house located on Forest Hill Drive and he is seeking the Town's agreement to a right-away agreement. His tenant is having difficulty with the neighbors about her use of the property.

Mrs. Kathryn Moniz, the Town Building Inspector, gave an overview of the property. Some buildings were installed. One of them needed a building permit. An application was submitted from the tenant but was denied due to it being incorrectly filled out. There are a lot of legal complications to the application and the matter was turned over to the Town's Special Attorney for review.

Mr. Jennifer Ennis stated that she lives near the house on Forest Hill Drive and that they are bringing farm animals onto the property and this is ruining the character of the neighborhood.

Mrs. Terri Lynn Valenti, the tenant of the property and an owner of an adjacent property, stated that she has not done anything illegal. The property in question is R-60 and it is a right by use. They are considered pets because she feeds them. They do not graze.

Dr. Kenneth Roll, who is a neighbor in the area, felt there is a lot of tension about this issue in the area. He feels that this should go through the process and be legal.

Councilman Morrow stated that the Town Board does not have the ability to do anything. The Town Board can't tell people who they can sell their property to. The zoning regulation needs to be followed. The Town Board is not taking sides. Whatever is done to the land, it has to be done legally. No one can build buildings without a permit.

Mr. Geoffrey Ring inquired about how long the process will take to deal with to impose the laws of the township. He felt that the Town should reward people who build buildings without a permit. They should be forced to tear them down and start from the beginning rather than letting them get a permit.

Mrs. Bonita Roll grew up on a chicken farm and she doesn't want to live next to one. The area is a quiet residential area and this would be a detriment to it. She felt that Mrs. Terri Lynn Valenti should be respectful of her neighbors' rights.

ULSTER TOWN BOARD MEETING

June 6, 2013 at 7:00 PM

Mrs. Terri Lynn Valenti stated that the area where she lives is R-30 which allows for chickens. R-60 allows for farm animals.

Councilwomen Hendrick left the meeting at 8:15 PM and returned at 8:18 PM

Councilwomen Hendrick moved to close the meeting at 8:20 PM
2nd by Councilman Brink

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

CARRIED

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk