

ULSTER TOWN BOARD MEETING  
November 19, 2015 AT 7:00 PM

**CALLED TO ORDER BY SUPERVISOR QUIGLEY at 7:00 PM**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN JOEL B. BRINK  
TOWN COUNCILMAN ERIC KITCHEN  
TOWN COUNCILMAN JOHN MORROW  
TOWN COUNCILMAN ROCCO SECRETO  
SUPERVISOR JAMES QUIGLEY 3<sup>rd</sup>

**AGENDA ADDITIONS**

Motion to accept Chief Cruises' Retirement  
Resolution to accept a Tax Cert settlement  
Motion to set a Public Hearing

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

Councilman Brink motioned to accept the minutes of the October 5, 2015 and October 15<sup>th</sup>, 2015 and October 26, 2015 meetings, 2<sup>nd</sup> by Councilman Morrow.

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

**COMMUNICATIONS**

None

**ABSTRACT OF CLAIMS**

Councilman Secreto motioned to approve the November, 2015 abstracts as presented as submitted, 2<sup>nd</sup> by Councilman Morrow.

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

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**BUDGET MODIFICATIONS**

**November**

**General Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) electric-Orlando St. Ballfield	392.68
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) electric-Orlando St. Ballfield	216.53
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) refereeing servs-Wm.Colombo & Tom Hart (10/10/15)	225.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) cheer music & certification-Cheyenne Bouyea	75.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) trophies,plaque-Deuire's Trophies	86.40
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) spray paint-Herzog Supply	32.72
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League )refereeing servs. - Steve O'Connor,Glenn Pomerantz, & Peter Wade (11/1/15)	225.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) mileage reimb. (10/1-11/5) Greg Maisch	316.80
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) banquet-Dana Gisiano	1,800.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Rec.Equip.Rsrv) Highway Dept- labor reimb. \$15,451.00, catch basin,grate&frame \$365.00 and equip.rental \$11,361.50	27,177.50
Modify Revenue A3089 (State Aid,Oth Gen.Aid) and Appropriation A3120.410 (Computer Technology) grant to re-design police dept. web site	5,000.00

**Highway Fund:**

Modify Revenue D3501 (CHIPS AID) and Appropriation D5112.200 (CHIPS Program) addl. CHIPS Aid	18,865.66
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Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Oper.Funds)	5,959.35
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (East Kingston Vol. Fire Co.)	382.29
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Aug. Gas Reimb. (Town of Kingston Hwy. Dept.)	325.24
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Town of Kingston Hwy. Dept.)	527.30
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ruby Fire Dept.)	116.72
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Aug. \$77.26 & Sept. \$62.76 Gas Reimb. (Ulster Fire Dist.#1/Spring Lake)	140.02
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ulster Hose #5)	29.68
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Oct. Gas Reimb. (Ulster Hose #5)	97.21

**Whittier Sewer**

Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital Project) to be funded through SS1.5990 (Approp.Fund Bal.) expenses for Whittier Sewer Cap.Proj.- Brinnier & Larios - Inv.#6 - Primary Clarifier Replacement	5,235.00
Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital Project) to be funded through SS1.5990 (Approp.Fund Bal.) expenses for Whittier Sewer Cap.Proj.-Grant Street Construction - Inv.#3 - primary clarifier replacement	54,910.00

**Whittier Sewer:**

Modify Appropriation SS1.9950.900 (Interfund Transfer,Capital Project) to be funded through SS1.5990 (Approp.Fund Bal.) expenses for Whittier Sewer Cap.Proj.- Brinnier & Larios - Inv.#7 - Primary Clarifier Replacement	6,455.50
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**Whittier Sewer Cap. Proj.:**

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400 (Engineering) payment to Brinnier & Larios - Inv.#6 - Primary Clarifier Replacement	5,235.00
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Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation  
HWS.8110.400 (Engineering) payment to Brinnier & Larios - Inv.#7 - Primary  
Clarifier Replacement 6,455.50

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation  
HWS.8110.200 (Construction) payment to Grant St. Constr. - Inv.#3 - primary  
clarifier replacement 54,910.00

<b>HIGHWAY FUND:</b>	<b>Transfer From</b>	<b>Transfer To</b>	
	D5110.442 Road Oil	D5110.443 Culverts	5,000.00
	D5130.413 Rental	D5130.429 Oil & Lubricants	3,000.00
	D5110.420 Gas & Diesel	D5142.446 Salt	41,160.55
	D5110.413 Equipment Rental	D5130.422 Equipment Maint.	8,500.00

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Brink - Aye  
Town Councilman Kitchen - Aye  
Town Councilman Morrow - Aye  
Town Councilman Secreto - Aye  
Supervisor Quigley - Aye

CARRIED

**NEW BUSINESS**

**Motion to adopt the 2016 Preliminary Budget**

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink - Aye  
Town Councilman Kitchen - Aye  
Town Councilman Secreto - Aye  
Town Councilman Morrow - Aye  
Supervisor Quigley - Aye

CARRIED

ULSTER TOWN BOARD MEETING

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**Motion to authorize the Highway Superintendent to auction off surplus Town equipment with Auction International with the Highway Superintendent reserving the right to accept or reject any bids.**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Motion to accept the resignation of part time Police Officer J. D. Roosa, Jr.**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

A letter was read into the record by Supervisor Quigley from Chief Cruise, which was delivered to the Police Commission today, advising of his intent to retire due to health reasons. He thanked the Town for their support during his three years as Chief.

**Motion to Accept the Retirement of Chief Cruise in Good Standing**

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

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**Motion to authorize the Supervisor to sign the engagement letters for the 2015 Town Audits with Toski & Co., P.C., Certified Public Accountants in the following amounts: General Town Audit and Single Audit \$36,050.00, Town Justice Court \$2,700.00 and Town Clerk's Office \$3,100.00.**

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Motion to authorize the Supervisor to sign the Tax Collection Agreement with The Bank of Greene County.**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Motion to authorize the Highway Superintendent to purchase a 2016 F350XL Extend Cab, 4X4 Chassis from Van Bortel Ford as per Onondaga County Bid #7974**

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Motion to authorize the Highway Superintendent to go to bid on a Stahl Utility Body.**

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of October 2015**

MOTION: Councilman Morrow  
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Presentation and Acceptance of the Supervisor's Monthly Report for the month of October 2015.**

MOTION: Councilman Morrow  
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

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**Presentation and Acceptance of the NYS Comptrollers Report dated November 2015 and titled “Town of Ulster, Fire Protection Services, Report Examination”.**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Resolution granting Conditional Site Plan Approval for The Vitamin World, 1273 Ulster Avenue, Kingston NY SBL #48.7-1-21**

**WHEREAS**, the applicant – *Skyline Development and Management Co., LLC with the consent of Dennis DiDonna (Owner)* – is seeking *site plan approval* for construction of 3,000 square foot (sf) Vitamin Shoppe retail store on the subject site, which is located at 1273 Ulster Avenue (U.S. Route 9W); and

**WHEREAS**, the application materials in support of the Proposed Action includes:

- *Application for Site Plan Review* by Skyline Development and Management Co., LLC, dated 10/6/2015;
  - *Site Plan Consent Form* signed by Dennis DiDonna, property owner dated 10/3/15;
  - *SEQR SHORT Environmental Assessment Form* prepared by Barry Meddanbach, P.E. dated 9/30/15;
  - *Site Plan* prepared by Medenbach & Eggers, Civil Engineering and Land Surveying, dated 10/07/15;
  - *Grading & Utility Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 10/07/15;
  - *Landscaping-Lighting Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 10/07/15;
  - *Site Details* prepared by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 10/07/15;
  - *Sign Details* for the Vitamin Shoppe prepared by Access – Your Sign Department – dated 10-/02/15;
  - *Exterior Elevations for The Vitamin Shoppe* dated 9/25/2015.
- 
- *Stormwater Mngt. Report* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/03/15;
  - *Site Plan* prepared by Medenbach & Eggers, Civil Engineering and Land Surveying, dated 11/02/15;
  - *Grading & Utility Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15;
  - *Landscaping-Lighting Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15;
  - *Site Details (2)* prepared by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15;
  - *NYSDOT Details (2)* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15; and
  - *Soil & Sediment Control Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15.

**WHEREAS**, pursuant to 6NYCRR Part 617 of the SEQR Law, Involved Agencies included the Ulster Town Board and the New York State Department of Transportation (for road access); and

**WHEREAS**, the NYSDOT consented to the Town of Ulster Town Board being the Lead Agency in a letter dated November 3, 2015; and

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**WHEREAS**, the Town of Ulster Town Board, as Lead Agency, determined the Proposed Action was a Type II Action pursuant to 6NYCRR Part 617 Section 617.5 (c) (7) of the SEQRA regulations for which no further review pursuant to 6NYCRR Part 617 was required; and

**WHEREAS**, the Proposed Action was referred to the Ulster County Planning Board by the Town of Ulster Planning Board pursuant to Section 239 1 and m of NYS General Municipal Law and written comments were received, which included required modifications; and

**WHEREAS**, the Ulster County Planning Board's required modifications were addressed through revisions to the Site Plan as agreed to by the applicant; and

**WHEREAS**, the Town's Water and Sewer Departments have asked for some minor revisions, which would be addressed through conditions of this resolution; and

**WHEREAS**, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Town Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Town of Ulster Planning Board has referred this matter to the Town Board with a recommendation of referral this matter back to the UCPB and granting Conditional Site Plan approval.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board hereby grants Conditional Site Plan approval 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. Submission of revised Plan Set to address technical revisions as may be requested by the Town's consulting engineer's Brinnier & Larios;
5. Submission of revised Plan Set to address technical revisions as may be requested by the Town of Ulster Water and Sewer Departments;
6. *Submission of a revised Site Plan showing cross-access consistent with Ulster County Planning Board's required modification and revised landscaping plan in response to Planning Board request;*
7. The Town's consulting planner 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.

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MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Resolution approving SEQR Negative Declaration and Lead Agency for Ulster-Brigham Lane Water District Extension**

**Whereas**, the Town of Ulster intends to install approximately 2,285 lineal feet of 8 inch diameter ductile iron water main, 475 lineal feet of 10 inch diameter ductile iron water main and 5 fire hydrants on portions of Leggs Mill Road and Brigham Lane as its Brigham Lane Water District Extension project, and;

**Whereas**, funding for the project exists in the form of a \$600,000 grant from the New York State Office of Community Renewal Small Cities Program (Project #1159PW62-14) and an estimated \$12,645 in Town funds, and;

**Whereas**, the Action requires that an Environmental Review be conducted pursuant to Article 8 of the Environmental Conservation Law, Part 617 of NYCRR (SEQRA), and;

**Whereas**, a preliminary engineering report and conceptual map was prepared by the project engineer, Brinnier and Larios, P.C., Professional Engineers, of Kingston, New York, and;

**Whereas**, by Town Board Resolution (October 15, 2015), a Lead Agency Coordination Form, Short Environmental Assessment Form, and supporting documents were distributed to involved agencies, declaring the Town Board's intention to be Lead Agency, and;

**Whereas**, none of the involved agencies had any objection to the Town Board of the Town of Ulster being Lead Agency, and;

**Therefore**, be it resolved that after careful consideration, analysis and review, the Town Board, as Lead Agency, determines that the Action will not have a Significant Impact on the Environment and that a Determination of Non-Significance (Negative Declaration) shall be adopted and that an Environmental Impact Statement will not be required, and;

**Be it further resolved** that the Town Clerk is hereby authorized and directed to file the Negative Declaration and any appropriate notices of this determination in accordance with 6 NYCRR Part 617.12(b).

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A copy of the Negative Declaration shall be filed with:

- < Ulster County Health Department
- < NYS Department of Environmental Conservation - Region 3
- < The Environmental Notice Bulletin (ENB)

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Resolution requesting Local Transportation Funding from the State of New York.**

Whereas, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

Whereas, 85 percent of New York's roads and bridges are maintained by local governments; and

Whereas, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

Whereas, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

Whereas, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

Whereas, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

Whereas, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

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Whereas, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

Whereas, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

Whereas, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

Whereas, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

Whereas, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT; NOW THEREFORE BE IT

RESOLVED, that the Town of Ulster calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and BE IT FURTHER

RESOLVED, that the Town of Ulster calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and BE IT FURTHER

RESOLVED, that the Town of Ulster calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Resolution Awarding Contracts for the Repairs to the Glenerie and East Kingston Water Storage Tanks.**

WHEREAS, the Glenerie Water District and the East Kingston Water District each have glass-lined water tanks; and

WHEREAS, each water tank experienced interior damage to the glass lining caused by the formation of ice during the winter of 2014-15; and

WHEREAS, the repairs are required to be performed by a contractor qualified by the tank manufacturer in order to insure the integrity of the glass lining; and

WHEREAS, the Town has previously adopted a Procurement Policy which includes exceptions for sole source situations which obviate the need for a bidding process; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster, as the governing body of the Glenerie Water District and the East Kingston Water District, hereby awards the following contracts not to exceed the sums set forth, in order to insure the proper repair of the glass lining of the water tanks in the two above-mentioned water districts:

- |                                  |                           |             |
|----------------------------------|---------------------------|-------------|
| 1. Glenerie Water District:      | Statewide Aquastore, Inc. | \$41,950.00 |
| 2. East Kingston Water District: | Statewide Aquastore, Inc. | \$ 7,900.00 |

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Motion to Set a Public Hearing for a Special Use Approval for Thomas and Robert Rice, 12 Leggs Mills Road, Lake Katrine, NY SBL #39.15-5-20 for Thursday, December 3, 2015 at 7:10 PM**

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Discussion and Approval of Crosby Dash 5K Fun Run to be held April 16, 2016.  
Permission is requested to use Town Roads.  
Motion to approve the Crosby's use of the Town Roads.**

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Secreto	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Motion to accept the Resolution Authorizing Tax Certiotati Settlement with Petitioner  
Ulster Business Complex LLC c/o Bank of America for Property Located at 101 Enterprise  
Drive**

**WHEREAS**, petitions have been filed by the property owner below challenging real property tax assessments on the Town's assessment roll; and

**WHEREAS**, petitioner's court challenges are now pending in Supreme Court, Ulster County; and

**WHEREAS**, the Town and property owner have reached a mutually agreeable resolution; and

**WHEREAS**, Special Town Attorney William F. Ryan, Jr., after reviewing information on comparable properties from the Town Attorney and Assessor's office files, believe that this settlement is reasonable and advantageous to the Town; and

**WHEREAS**, the Town Board has had an opportunity to review the Special Town Attorney's file on this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Town of Ulster;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ulster hereby authorizes Special Town Attorney William F. Ryan, Jr. to execute for the property listed below the following settlement on behalf of the Town and all Special Districts at revised assessments of no less than the following amounts:

<u>Petitioner</u>	<u>Address/Description</u>	<u>Year</u>
Ulster Business Complex LLC	101 Enterprise Drive	2013
c/o Bank of America	SBL: 48.7-1-29.100	2014
		2015

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<u>Tax Year</u> <u>Assessment</u>	<u>Current Assessment</u>	<u>Amount of Reduction</u>	<u>Revised</u>
2013	\$18,500,000	\$2,150,000	\$16,350,000
2014	\$18,500,000	\$5,900,000	\$12,600,000
2015	\$18,500,000	\$5,900,000	\$12,600,000

MOTION: Councilman Kitchen  
SECOND: Councilman Morrow

Town Councilman Brink - Aye  
Town Councilman Kitchen - Aye  
Town Councilman Secreto - Aye  
Town Councilman Morrow - Aye  
Supervisor Quigley - Aye

CARRIED

**Motion to set a Public Hearing for Thursday, December 3<sup>rd</sup>, 2015 at 7:20 PM, for the purposes of discussion and public input on the dissolving of East Kingston Fire Protection District.**

MOTION: Councilman Kitchen  
SECOND: Councilman Morrow

Town Councilman Brink - Aye  
Town Councilman Kitchen - Aye  
Town Councilman Secreto - Aye  
Town Councilman Morrow - Aye  
Supervisor Quigley - Aye

CARRIED

**PUBLIC COMMENT**

**Mr. Bob Crane – Town of Ulster resident** asked for clarification on the matter involving the dissolution of the East Kingston Fire Protection District.

Supervisor Quigley responded that we are asking for Public Input on the proposal of dissolving East Kingston Fire Protection District and add it to the Ulster 5<sup>th</sup> District.

Mr. Crane further asked if we had approval from Ulster 5 to accept the proposal and was advised that this would be a Town Board decision.

Mr. Crane asked if a contract was in place with East Kingston and was told No.

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Mr. Crane asked that we work out a way to keep East Kingston as it is, and stated that they are no different than any other volunteer department in this county and others. He believes brainstorming is the issue to resolve matters at hand, even though he commends Ulster Hose for being an exemplary department.

He does not want to see any issues with the residents of East Kingston.

Councilman Morrow moved to adjourn the meeting at 7:21 PM  
2<sup>nd</sup> by Councilman Secreto

MOTION: Councilman Brink  
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Respectfully Submitted by  
Linda A. McDonough  
Ulster Town Clerk