

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

~~ PUBLIC HEARING SCHEDULED: 7:30 PM—Local Law No ____ of 2017, a Local Law changing the term of the Office of Supervisor from two years to four years, commencing January 1, 2018 (Continuation) ~~

~~ PUBLIC HEARING SCHEDULED: 7:35 PM—Local Law No ____ of 2017: Town of Ulster Cat Control Local Law (Continuation) ~~

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM

SALUTE TO THE FLAG

MOMENT OF SILENCE for Johann Christoph Arnold, Senior Bruderhof Pastor

ROLL CALL BY CLERK, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO - *Excused*
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Officer in Charge, Kyle Berardi
3. Building Inspector, Kathy Moniz
4. 23 Town Residents

ADDITIONS OR CHANGES TO AGENDA: Committee report deleted and there is no executive session.

PUBLIC DISCUSSION ON AGENDA ITEMS: None

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

APPROVAL OF MINUTES – March 2nd and March 16th:

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

COMMUNICATIONS: Letter read from Dinah Carlson Neals regarding traffic on Rt 9W from Saugerties line into Town of Ulster to the East Chester Bypass/Ulster Avenue split. Concerns about pedestrians, traffic, and signage in all of our communities.

MOTION for the Supervisor to enter into discussions with Town of Saugerties Supervisor to coordinate a bi-town response to this matter

MOTION: Councilman Morrow

SECOND: Councilman Brink

Councilman Morrow: Modify to include Kings Highway and Route 32. Same problems on all three roads.

Supervisor Quigley: Duly noted. Broader focus.

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

ABSTRACT OF CLAIMS:

Presented by Councilman Brink (Previously reviewed by Councilmen Brink & Secreto)

Prepaid Bills: \$ 689,296.10
Abstract Bills: \$ 400,627.51
Escrow Bills: \$ 3,517.50
Reserve: \$ 820.00

TOTAL: \$ 1,094,261.11

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

BUDGET MODIFICATIONS:

Presented by Councilman Brink

**General
Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) payment to BSN for softball clay mats,frght.	820.00
Modify Revenue A2665 (Sale of Equipment) and Appropriation A3120.201 (Veh. Prep.) sale of 3 police vehicles - Auctions International	13,650.00
Modify Revenue A2680 (Insur.Recovery) and Appropriation A3120.421 (Veh. Maint.) damage to 2012 Dodge Charger police vehicle - date loss 3/10/17 from U.S. Specialty Insur.Co. Specialty Insur. Co.	810.00
Modify Revenue A2680 (Insur.Recovery) and Appropriation A3120.421 (Veh. Maint.) damage to #379-2014 Ford police vehicle - date loss 3/02/17 from Joseph M. Guido	500.00

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

Highway Fund:	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb.-Oper.Funds	5,627.10
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Gas) Feb. Reimb. (Ruby Fire Dist.)	119.64
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (Ulster Fire Dist.#1)	\$58.89
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Jan. Gas Reimb. (E.Kng.Vol.Fire Co.)	233.53
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (Town of Kng. Hwy. Fund)	658.03
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (E.Kng.Vol.Fire Co.)	346.87
	Ulster Water:	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrant) purchase of a 1" Sensus IPerl Meter from Sutton Electrical, Plumbing & Heating, Inc.
Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrant) purchase of a 1 1/2" Omni C2 Meter, MXU and Flange Kit from Dahyabhai Patel		1,457.62
Ulster Water:	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrant) purchase of Meters, MXU's and Flange Kit from Judy VanEtten	4,376.41
	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrant) purchase of Meter, MXU and Flange Kit from Sutton Electric Plumbing & Heating for Legg Mill Apts.	1,457.62

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

Whittier Sewer:	Modify Appropriation SS1.9950.900 (Interfund Transfer,Cap Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to Brinnier & Larios, Inv.#15 engin. Servs. - Primary Clarifier Replacement	210.00
Whittier Sewer Cap. Proj.:	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400 (Engineering) payment to Brinnier & Larios, Inv.#15 - engin. Servs. - Primary Clarifier Replacement	210.00

DECEMBER 2016 TRANSFERS

General Fund:	Transfer From	Transfer To	
	A.3120.202 Computers	A3120.201 Police Vehs. & Prep.	1,580.00

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

NEW BUSINESS

PRESENTATION and **ACCEPTANCE** of the Town Clerk's Monthly Report for the month of March 2017

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

PRESENTATION and **ACCEPTANCE** of the Supervisor's Monthly Report for the month of March 2017

Supervisor Quigley: Note that our cash balances are strong. Just completing tax collection and we have not paid majority of expenses for 2017

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

CARRIED

PRESENTATION of Form of UCATS Shared Services Agreement

Supervisor Quigley: Ulster County Assn of Town Supervisors prepared a shared services agreement. Reviewed by Town Attorney and Frank Petramale, Highway Superintendent.

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

PRESENTATION of Resolution authorizing the Supervisor to sign UCATS Shared Services Agreement with Towns of Kingston, Saugerties, Woodstock, Esopus, Hurley, Lloyd, Village of Saugerties and City of Kingston

~ To be considered for signing at the next meeting ~

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Town Supervisor to sign a Shared Services Agreement with the Towns of Hurley, Kingston, Esopus, Saugerties, Woodstock, Olive and Shandaken

Date: May ____, 2017

WHEREAS, the Town of Ulster has determined that it is in the best interests of its citizens to enter into a shared services agreement with adjacent Towns in Ulster County for certain highway, non-highway, specialty equipment and/or skilled personnel for highway and other town functions,

WHEREAS, Article 5-G of the New York General Municipal Law and Sections 102, 133-a and 135 allow such Agreements,

WHEREAS, Senate Bill S.2009-C and Assembly Bill A.3009-C, Section BBB, signed by the Governor on or about April 5, 2017 and enacted into law, titled County-wide shared services property taxing savings plan encourages shared services between municipalities.

RESOLVED that the Town Supervisor is hereby authorized to sign on behalf of the Town of Ulster a Shares Services Agreement, a copy of which is attached hereto, with the Towns of Hurley, Kingston, Esopus, Saugerties, Woodstock, Olive and Shandaken

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

MOTION to hire a part time dispatcher for the Police Department
[Presented by Councilman Brink]

William Gray: \$15.91/hour; Start date 4/21/17; PBA; Step 1; Part time; Recommended by Lieutenant Berardi

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

MOTION to authorize the Police Department to purchase Level 3A ballistic helmets

Supervisor Quigley: Town Board exercises its right under Town procurement policy and Town law to make purchase on basis of best value exclusion in our procurement policy. Materials to be purchased have been reviewed by Town Police Department.

MOTION: Councilman Brink

SECOND: Councilman Kitchen

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

OLD BUSINESS

MOTION to authorize the Supervisor to sign the 2017 OCR Small Cities Competition Grant Application preparation Agreement with Mark Blauer

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

CARRIED

MOTION to accept 2016 Annual Update Report filed with the NYSOSC as the Annual Supervisor's Accounting required by General Municipal Law 30

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

RESOLUTION to accept Supervisor's 2016 Fund Balance Review as required by Town's Adopted Fund Balance Policy and Reserve Funds as indicated in the Report

Supervisor Quigley: Reads Resolution into record.

April 20, 2017

Resolution of the Town Board

TOWN OF ULSTER

Resolution to Accept Fund Balance Accounting for the Year Ended December 31, 2016 and to Approve the Appropriation of Funds into Capital Reserves in Accordance with the Town of Ulster's Fund Balance Policy

WHEREAS, the Town has a Fund Balance Policy that requires the Town Supervisor to report annually to the Town Board, calculations showing compliance with the adopted policy and to present recommendations on the use of surplus funds or the replenishment of funds in the event of a deficit: and

WHEREAS, the Town Board was presented with a Fund Balance Accounting at the Workshop Meeting held April 6, 2017: and

WHEREAS the Fund Balance Policy establishes an acceptable maximum operating fund balance percentage ranging from 10% to 12.5% of budgeted appropriations depending on the fund; and

WHEREAS, the fund balance policy states that balances in excess of the range of budgeted appropriations may be utilized for any lawful purpose; and

WHEREAS, it has been determined that the Town has current and future projects that will require funding; and

WHEREAS, the Town Board has determined funding through reserves for capital projects to be a prudent action; now therefore be it

RESOLVED, that the Fund Balance Accounting presented to the Town Board and attached hereto is accepted by the Town Board; and be it further

RESOLVED, that the Town Board authorizes the Town Supervisor to transfer \$50,000.00 from the General Fund into the Capital Reserve Fund, earmarked for the Town Hall roof replacement; and be it further

RESOLVED, that the Town Board authorizes the Town Supervisor to transfer \$300,000.00 from the Ulster Sewer into the Capital Reserve Fund, earmarked for the waste water treatment plant improvements; and be it further

This resolution shall be subject to a permissive referendum, as permitted by law.

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

Supervisor: Calls attention to fund balance accounting. The Town had fund balances based upon the policy \$2,389,000 in excess of ceilings we set. Of that, wishes to set forth \$1,433,000 aside for any payments that may come due as a result of the Hudson Valley Mall (HVM) tax certiorari actions. Also at a future meeting, set forth \$ 350,000 used to mitigate effects created by decreased HVM assessment value in 2018. Presented by Resolution at the next meeting.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

MOTION to authorize the Supervisor to sign the Lease with the Ulster Fire Rescue Center Association, Inc. for the Ulster Fire Training facility at Charles Rider Park (subject to permissive referendum)

Supervisor: Permissive referendum because this is a transfer of Town property.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

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

CARRIED

MOTION to authorize the Supervisor to sign the VanEtten Lane Ulster Water District – Out of District Water Service Agreement

Supervisor: Eight property owners on VanEtten Lane

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

RESOLUTION authorizing Site Plan Amendment for ShopRite Plaza, 1-801 Miron Lane, Kingston, NY, SBL 48.042-3-25.11 & 25.12

MOTION: Councilman Brink

SECOND: Councilman Morrow

DISCUSSION:

Councilman Kitchen: Conditions of site plan approval.

Supervisor: Conditions on the following language: Following point 3 on page 4 will read, 'Including the execution, delivery, and recording of all easements to the Town of Ulster for water and sewer mains as set forth on the approved site plan.'

MOTION to accept the modification to the language:

April 20, 2017

RESOLUTION
TOWN OF ULSTER TOWN BOARD

Site Plan Amendment Approval
Shoprite Plaza
Section-Block-Lot: 48.042-3-25.11 & 25.12

WHEREAS, the Town of Ulster Town Board and its Planning Board, consultant planner and Town Designated Engineer have reviewed an application by *The Lauro Group with the consent of Harold Sutton of CR Kingston Associates, LLC (Owner)* seeking *site plan amendment approval*; and

WHEREAS, Proposed Phase 1 Construction consists of a 10,250 square foot (sf) addition to the existing ShopRite Supermarket along with ancillary vestibule expansion (669 sf), mezzanine (945 sf), and reconfiguration of driveways and on-site parking areas on the subject site. In addition, approximately 36,500 sf of cleared land (which was originally intended for a 15,830 sf building) will be developed for parking for the ShopRite and the parking lot in front of ShopRite will be regraded to bring it into compliance with current ADA requirements. This phase will also include drainage improvements in accordance with NYSDEC standards, replacement of the existing area lights, restriping of the parking area, additional landscaping and various site improvements;

WHEREAS, Phase 2 Construction would consist of the construction of a 30,961 sf retail building on a previously cleared site and another 7,412 sf building on currently paved lands near the Sonic Restaurant. This phase will also include drainage improvements in accordance with NYSDEC standards, replacement of the existing area lights, restriping of the parking area, additional landscaping, sidewalks and various site improvements. A second cross access to the adjacent Home Depot site will be constructed in this phase, and will include a pipe culvert and stabilized embankment inside the drainage channel at the north side of the property; and

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

- *Written Narrative* prepared by The Lauro Group dated November 3, 2016;
- *Site Plan Consent Form* signed by Harold Sutton of CR Kingston Associates, LLC dated 9/22/16;
- *Site Plan Application* for ShopRite prepared by Wilson Rugel, Shoprite Supermarkets, dated 9/22/16;
- *SEQR Short EAF Part 1* prepared by Wilson Rugel, Shoprite Supermarkets, dated 9/22/16;
- *Cover Sheet* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Overall Site Plan* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

- *Site Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Site Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Removals Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Removals Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Grading & Drainage Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Grading & Drainage Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Utility & Sanitary Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Utility & Sanitary Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Lighting Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Lighting Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Landscape Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16; - *Landscape Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Soil Erosion & Sediment Control Phase 1* prepared by The Lauro Group dated 10/26/16;
 - *Soil Erosion & Sediment Control Phase 2* prepared by The Lauro Group dated 10/26/16;
 - *Detail Sheet 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
 - *Detail Sheet 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- and
- *Fire Truck Exhibit* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16.
-
- *Cover Sheet* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Overall Site Plan* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Site Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Site Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Removals Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Removals Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

- *Grading & Drainage Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Grading & Drainage Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Utility & Sanitary Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Utility & Sanitary Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Lighting Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Lighting Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 11/28/16;
 - *Landscape Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Landscape Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Phase 1 & 2 and Stage 1 & 2 SWPPP* by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Soil Erosion & Sediment Control Phase 1* prepared by The Lauro Group dated 1/13/17;
 - *Soil Erosion & Sediment Control Phase 2* prepared by The Lauro Group dated 1/13/17;
 - *Detail Sheet 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *Detail Sheet 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 11/28/16;
 - *Fire Truck Exhibit* prepared by The Lauro Group – Diversified Alliances in Land Use dated 1/13/17;
 - *SWPPP for ShopRite Supermarket Additions by DSP Engineering, PLLC dated January 31, 2017;*
and
 - *Building Elevations Sheets A-1.1, A-2.1, A-2.2 and A-3.1* by Rand K. Rosenbaum, RA dated 1/30/2017.
-
- *Cover Sheet* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/28/17;
 - *Overall Site Plan* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
 - *Site Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
 - *Site Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
 - *Removals Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
 - *Removals Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
 - *Grading & Drainage Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

- *Grading & Drainage Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Grading & Drainage Plan Detail Sheet 1* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Grading & Drainage Plan Detail Sheet 2* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Utility & Sanitary Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Utility & Sanitary Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Lighting Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Lighting Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Landscape Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Landscape Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *SWPPP Phase 1, Stage 1 & 2* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *SWPPP Phase 2, Stage 1 & 2* by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Detail Sheet 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Detail Sheet 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17;
- *Fire Truck Exhibit* prepared by The Lauro Group – Diversified Alliances in Land Use dated 2/16/17; and
- *Sign Details and area compilation* by Lewis Sign Company dated 1/25/2017 and 1/30/2017.

WHEREAS, the Town of Ulster Town Board has the authority to approve the Site Plan application since more than 2,500 SF of new gross floor area is proposed; and

WHEREAS, The Town of Ulster Town Board – as Lead Agency – adopted a *SEQR Negative Declaration* prior to approving the Site Plan Amendment for the ShopRite Plaza in 2008; and

WHEREAS, The Town of Ulster Town Board initiated Unlisted Action-Coordinated Review to reaffirm its status as Lead Agency for the review of the amended Site Plan application; and

WHEREAS, The Town of Ulster Town Board is the Lead Agency for the SEQRA review of the amended Site Plan application; and

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

WHEREAS, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide; and

WHEREAS, this matter was referred to the Ulster County Planning (UCPB) and discussed at their March 1, 2017 meeting and written comments were received on March 20, 2017 as follows: 1) The applicant should be required to provide compelling evidence of the need to restrict turning movement at the eastern-most curb cut prior to this being permitted. Prior to any restriction being put in place the traffic study should be revisited to ensure that the signalized intersection could handle the increase volume of left turning movements, 2) The UCPB supports this cross-access easement as proposed and recommends it be included as a condition of site plan approval. The UCPB also recommends that the existing eastern cross access be eliminated as it has difficult turning radii and blind spots; 3) We strongly suggest the Town reconsider the pedestrian environment associated with the project through designing a better means of access to and from store entrances as discussed above. In addition, the sidewalks along Miron Lane need to be designed and included in the plans rather than just noted for future development. Furthermore, these sidewalks should be incorporated into the construction phases rather than wait until adjacent sidewalks are developed. The portion east of the lighted intersection should be incorporated into the first phase of development and the portion west of the lighted intersection should be incorporated as part of the second; 4) Landscaping for building # 3 should be shown or approvals should require that when constructed in the future a landscaping plan will be required. Similarly, sidewalk details along Miron Lane should include landscaping or require this issue to be revisited once they are required to be constructed; 5) All signage should conform to the standards of the Town's zoning statute and a master signage plan for buildings, wayfinding, and directional signage should all be provided to the Town for review; and 6) The UCPB recommends that the strip commercial style design proposed for the multi-tenant building and smaller retail building be avoided. While consistency of design is encouraged, a design that does more to break up the mass and scale and provides for public space, including outdoor seating and bicycle racks should be provided; and

WHEREAS, the Town of Ulster Planning Board found and the Town Board concurs with the following in response to the County's required modifications: 1) (Override): A traffic study update is not warranted since there has not been a significant increase in traffic volume in the vicinity of the project since the SEQR Negative Declaration was granted for the original plan to expand the ShopRite Plaza in 2008 and less square footage is proposed with the Current Proposed Action; 2) (Condition of Approval): The cross-access easement is recommended to be a condition of Site Plan approval; 3) (Override): the Phase 2 Site Plan provides for an internal system of sidewalks from Home Depot to Miron Lane, and future connections along Miron Lane and U.S. Route 9W are best covered by the Town's Sidewalk Memorandum of Understanding (MOU); 4) (Condition of Approval): the applicant will be required to provide a landscape plan for building No. 3 and to provide for landscaping along sidewalks along Miron Lane once they are required to be constructed in accordance with the Sidewalk MOU; 5) The proposed signs are in compliance the Town's zoning statues or with prior approvals granted by the ZBA; and 6)

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

(Override): the Town of Ulster Planning Board recommends the Town Board override this required modification.

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 Board upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose any potentially significant adverse environmental impact; and

WHEREAS, the Town Board determined it had complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and thereby reaffirms its SEQR Determination of non-significance for the Current Proposed Action and recommends the Town Board reaffirms its *SEQR Negative Declaration* for the Proposed Action; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board votes to override UCPB conditions No. 1, No. 3 and No. 6 as cited above, but will require the applicant to enter into agreements as cited above to address required modifications No. 2 and No. 4; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board refers this matter to the Town Board with a recommendation to the Town Board to grant conditional Site Plan approval to *The Lauro Group with the consent of Harold Sutton of CR Kingston Associates, LLC (Owner)* to amend the Site Plan as described above 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 final site plan, design plans and all details as cited herein; including the execution, delivery and recording of all easements to the Town of Ulster Water and Sewer mains as set forth on the approved Site Plan.
4. Applicant addresses all technical comments by the Town Designated Engineers Brinnier & Larios, PC;
5. *The applicant/owner shall provide a landscape plan for building No. 3 prior to Phase 2 construction and for the sidewalks along Miron Lane once they are required to be constructed in accordance with the Sidewalk MOU;*
6. *The applicant/owner shall describe the 2nd cross-access easement and finalize the easement agreement with the Town Attorney prior to the issuance of Building Permit for Phase 2 construction;*

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

7. The applicant/owner shall *coordinate with UCAT to provide a location for a UCAT bus shelter on the subject site prior to the issuance of Building Permit for Phase 2 construction;*
8. 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
9. All fees, including consultant fees, shall be paid.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

RESOLUTION authorizing the Town Supervisor and Deputy Supervisor to sign all documents related to State and Municipal Facilities Grant for an Upgrade to Ulster Water Districts SCADA System

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Town Supervisor / Deputy Supervisor to sign all documents related to State and Municipal Facilities Grant for Upgrade of Ulster Water Districts SCADA System

WHEREAS, the Town of Ulster has received preliminary approval for a \$87,500.00 grant from a State and Municipal Facilities Grant number 8921, administered by the Dormitory Authority of the State of New York (DASNY), towards the upgrade of the SCADA System Upgrade for the Cherry Hill, Glenerie, East Kingston, Bright Acres and Halcyon Park Water Districts which is expected to cost a total of \$105,000; and

WHEREAS, it is in the best interest of the Town of Ulster to comply with any additional applications and documentation so the Town may receive this grant; now therefore, be it

RESOLVED that the Town Supervisor / Deputy Supervisor is hereby authorized to sign on behalf of the Town of Ulster any additional required applications or documentation in connection with this grant.

RESOLVED that the Town Board hereby appropriates the total sum of \$17,500 from the Cherry Hill, Glenerie, East Kingston, Bright Acres and Halcyon Park Water Districts Unappropriated Fund Balances to be split based upon actual costs to provide funding for these upgrades.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

~END OF SCHEDULED AGENDA ~

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

PUBLIC HEARING: 7:30 PM – Local Law No ____ of 2017, a Local Law changing the term of the Office of Supervisor from two years to four years, commencing January 1, 2018 (Continuation)

MOTION to open the Public Hearing (7:31 PM): Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

PUBLIC COMMENT – PUBLIC HEARING

1. Brian Cahill, 1106 Dalewood Street:

Four year term for an inadequate Supervisor is too long. As Fiscal Officer of the Town. Risks outweigh reward. Can dig holes. Second point, Cahill has no issue putting this on the ballot, but only *when* it is put on. If this year, there is a popular Supervisor on the ballot at the same time. Voters may think they are voting for the Supervisor for a longer term. If put on the ballot at another time, voters can weigh the issue. Wiser to wait until a year that the Supervisor is not the ballot.

~NO FURTHER COMMENTS~

MOTION to close the Public Hearing (7:34 PM): Councilman Brink

SECOND: Councilman Kitchen

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

PUBLIC HEARING: 7:35 PM – Local Law No ____ of 2017: Town of Ulster Cat Control Local Law (Continuation)

MOTION to open the Public Hearing (7:35 PM): Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

PUBLIC COMMENT – PUBLIC HEARING (TNR = Trap, neuter, release)

1. Adam Saunders, Executive Director, SPCA, 20 Wiedy Rd:

3000 surgeries annually; field work; animal cruelty investigation. Seen cats in every state of health. Three counterarguments to TNR: 1. It is ineffective, 2. Cats are considered invasive species and danger to local wildlife, and 3. Cats themselves are public health risk due to rabies or toxoplasmosis. It is true cats can be a danger to other wildlife. Cats also prey on undesirable rodents. Control population through TNR. Trap and kill leads to problem coming back months later. Dangers of rabies are overstated. TNR provides rabies vaccine. Toxoplasmosis exposure can come in many substances, other than cat species. Exposure from cats is rare, but not impossible. Threat minimized by population management. TNR more effective for long term management, rather than trap and kill. Thank you.

2. Jean Jacobs, 139 Wall St., Kingston:

Former cat advisory task force advisor, city of Kingston. Worked one year. Wants to discuss humanity. TNR humane and effective. Successfully practiced in hundreds of places. 12M cats euthanized last year. County Executive Hein creating a task force since 7/1/15, creating animal advisory task force – humane feral cat program. Hein just signed first animal abuse registry 10/15; put into law pet sellers law 4/17; Cuomo introduced 4/17 \$5M in animal shelters to NYS.

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

3. Leslie Lansing, 770 Lincoln Park Place:

Speaking tonight for neighbor, Beth White, Lincoln Park Place. Her issues – cannot leave garage door open – urination. Rile up dogs. Cats urinated in flower beds. Aunt and uncle’s concerns in Sunrise Park -- overrun with cats and now kittens. Cats urinating flower beds. Cannot garden or sit outside. Catch and release not a success. Urges Town Board pass policy to euthanize all feral cats that are caught.

Lansing questions: Why doesn’t this new law restrict free roaming cats? Can cats be licensed by the Town? Why cannot sanctuaries be set up for proponents to TNR? Use their funds to set up a fenced area for animals to be kept. Regarding rabies – new vaccine for 3 years. Where is guarantee that cats will be re-vaccinated after the 3 year period?

4. Demaris D., 163 Bruyn Ave, Kingston:

Here to speak on non-feral cats in jeopardy of being seized. Cites the law. If no ID on the cat, how will you know who the cat belongs to? Urge you to think about cats that are pets. To eliminate odor of cat urine smell – use white vinegar. Cats cannot remark the area. Removes scent markers. People would be devastated if their cat was euthanized, because they slipped out of the door by accident. Microchipping helps. Please consider TNR.

5. Laura Petit, 145 Prospect St., Port Ewen:

Here because worked with rescue groups in Ulster and Kingston. Did you get my response? There are over 1500 signatures online.

Supervisor: Yes I did, presume most of them are outside of the Town of Ulster.

Petit: Not all of them are. Here to ask that you give rescue groups and UC SPCA that TNR opportunity. Reduce present cat population. Has been proven to work. Has case studies. Points out that hiring animal control person to trap and euthanize is a significant cost to town. Offering to do fundraisers to offset cost not to burden tax payers. Give us chance before you pass this law.

6. Arlene Burhans, Flatbush Rd.:

Proof that TNR works. Caretaker of colony of cats. Her and neighbor started out 10 years ago. Educated by agency in Woodstock. 40+ cats. Now two years later down to 20 cats. No kittens since she has done this.

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

7. Nora Budziak, 142 VanKeuren Hwy, Kingston:

Town knows that I had problem a few years ago with feral cats. Not a happy thing. Project Cat helped her. Paid them to come and trap. Neighbors feeding the cats. Have opossum, raccoons, skunks. If you do feed, bring the food in at night – imperative. Went to other areas nearby/apartment complexes, please bring food in at night – word of advice. There has to be some kind of control law. You can do titers, not vaccinated every 3 years.

8. Cathy Rizoli, 35 Brigham Lane:

Moved in 17 years ago, and 65 cats present. Worked with SPCA now down to 5 cats because of TNR. Feels that this really works.

~NO FURTHER COMMENTS ~

MOTION to close the Public Hearing (8:00 PM): Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

Supervisor: A lot of people here tonight. Town has done TNR in other parts of the Town successfully. Attempted two years ago in Sunrise Park and it failed. The five feeders didn't stop feeding during the course of the trapping. You cannot have successful TNR when T doesn't work. Town had to take this step to get people's attention of the problem. This law does not say "euthanize" or "trap and kill". Town remains committed to TNR projects. Reserves the right to outlaw feeding if individuals do not cooperate. [Calls Adam Saunders to podium]. Provided Town with TNR proposal in entire neighborhood laying out 25 traps. Stated that cats deemed too ill for surgery will be destroyed (cats with feline leukemia/feline AIDS). If the Town Board authorizes the SPCA to take on the project as outlined, how quickly implemented?

Saunders: We need several weeks to notify neighborhood and ensure cooperation from feeders. Have had prior cooperation and they have indicated cooperation. Trapping 2 days, over span of 3-4 weeks in hopes of catching all of them. Upon completion of efforts, reduction of cat population overall. Friendly or pregnant cats would be retained by SPCA and not rereleased.

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

True ferals rereleased with cooperation and monitoring with several colonies. Individuals monitoring the colonies would work with SPCA, notifying of any new cats that entered the area.

Supervisor: What do you need from town to assist in notifying residents?

Saunders: At minimum a mailing following up their canvassing of the neighborhood.

Councilman Morrow: How about reporting back to the Town Board on progress.

Saunders: I can provide spreadsheet, tracking and status of the animals. Pursuing option of transferring these animals to other colonies.

MOTION to authorize the Supervisor to enter in to agreement with the SPCA to engage in TNR in Sunrise Park neighborhood [which includes Fox Run (per Dawn Deluca, 414 Warren St)]:

Supervisor: Town will prepare a mailer from Fox Run to Riseley St for notification and asking for cooperation before implementation of TNR.

Nora Budziak: There is also a ridge and a trailer park.

Councilman Morrow: On your Motion, I would ask the SPCA to make this a bigger area -- Town wide.

Supervisor: This is a clear neighborhood problem. SPCA asking us for opportunity and they have a relationship with these neighbors.

Councilman Kitchen: I would ask that we contain this to the Fox Run area/Sunrise area.

Supervisor: [to Saunders] Over next day or two, we will have a conversation and proceed. Thank you.

Saunders: Thank you.

TOWN OF ULSTER TOWN BOARD MEETING (9)

April 20, 2017

PUBLIC COMMENT:

1. Jessica, 2686 State Route 32, Kingston: Cats eating other animals, it's the food chain.
2. Lori Werner, Sunrise Ave: Lives right across from the feeders. Asks if they spay/neuter the cats, will they bring them right back to the same place?

Councilman Kitchen: They may bring them to other colonies.

Saunders: Goal is to return as few as possible to maintain turf against other new animals.

Werner: I live across from the feeders whether you bring back five or two.

Saunders: I cannot devise a system to eliminate the entire population. Science behind TNR suggest that it will prevent new cats from entering the colony. Our hope is that a minimum number is 8-12 since we hear there are 50 cats there now. If I see there are less than 50, less than 8-12 will be returned.

Supervisor: Allow Town to address this issue as proposed. Without cooperation from the feeders we will not accomplish anything.

~~ NO FURTHER COMMENTS ~~

MOTION to adjourn at 8:15 PM:

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk