

**TOWN OF ULSTER TOWN BOARD MEETING (24)**

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December 15, 2016

~ **PUBLIC HEARING: 7:10 PM -- Performance Hearing for Leggs Mill/Brigham Lane Water Project**

~ **PUBLIC HEARING: 7:20 PM – 2017 Town of Ulster Fee Schedule**

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**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM**

**SALUTE TO THE FLAG**

**MOMENT OF SILENCE FOR ANTHONY E. CRUISE – passed away December 8, 2016**

**ROLL CALL BY CLERK, Suzanne Reavy:**

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

**ALSO IN ATTENDANCE:**

1. Jason Kovacs, Town Attorney
2. Kyle Berardi, Officer in Charge
3. Vincent Maggiore, Sewer Dept Superintendent
4. James Maloney, Assessor
5. Mark Blauer, Town Grant Writer
6. Romeo Kia Team (L. Romeo & Larry Boudreau, Chazen)
7. 15 Town Residents

**ADDITIONS OR CHANGES TO AGENDA:** None

**PUBLIC DISCUSSION ON AGENDA ITEMS:** None

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**APPROVAL OF MINUTES – November 3<sup>rd</sup> and 17<sup>th</sup>:**

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**COMMUNICATIONS:**

Letter (petition) read from 23 Town residents residing on Park Road. Quantity and quality of underground water feeding private wells is insufficient and creates a great hardship on all residents. They ask that the Town of Ulster bring municipal water services to Park Rd.

**ABSTRACT OF CLAIMS:**

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

Prepaid Bills:	\$ 1,363,529.82
Abstract Bills:	\$ 252,361.02
Escrow Bills:	\$ 7,525.00
Reserve:	\$ 3,728.80

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**TOTAL:** \$ 1,627,144.64

MOTION: Councilman Morrow

SECOND: Councilman Secreto

*Per Supervisor:* The reason the prepaid bills are in excess of \$1M this month is because the Town has paid the annual contribution to the NYS Retirement System for pension contributions for 2016.

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Town Councilman Brink -Aye  
Town Councilman Kitchen -Aye  
Town Councilman Morrow -Aye  
Town Councilman Secreto -Aye  
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) electric - Orlando St. Ballfield	120.26
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) payment to Kenco Work & Play for t-shirts and sweatshirts	2,360.75
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) payment to Kimberly Ellsworth-reimb. For expenses incurred for Regional Cheer Championships in New Jersey	335.97
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) payment to Nolan Secreto -liming softball field & gas for tractor	110.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) payment to Deuire's Trophies-award plaques plaques	530.28
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) payment to Deuire's Trophies-award plaques plaques	91.80

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	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) payment to Jeffery Hayner,Jr.-Dec. refereeing	60.00
	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) payment to Paul Remick-Dec. refereeing	60.00
	Modify Appropriation A.1930.400 (Judgments & Claims) to be funded through A.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech City, Ulster Business Complex LLC for Court Ordered Tax AG Properties, & Ulster Business Complex LLC for Court Ordered Tax Certiorari Action-Article 7	322,303.26
<b>Highway Fund:</b>	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil ) Oct. Gas Reimb. - Oper. Funds	5,327.55
<b>Highway Fund:</b>	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oct. Gas Reimb. (Ulster Fire Dist.#1/Spring Lake)	60.80
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oct. Gas Reimb. (Ul.Hose #5)	62.13
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Town of Kng. Hwy.Dept.)	322.54
	Modify Appropriation D.1930.400 (Judgments & Claims) to be funded through D.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech City, Ulster Business Complex LLC for Court Ordered Tax AG Properties, & Ulster Business Complex LLC for Court Ordered Tax Certiorari Action-Article 7	151,613.57
<b>Special</b>	Amend Budget Modification of July 21, 2016	

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<b>Districts: Albany Ave. Lght.</b>	Increase Appropriation SL1.1930.400 Judgement & Claims  Decrease Appropriation SL1.5182.400 Albany Ave. Lighting Refund to Ulster County for 2013 and 2014 tax paid to Ulster Business Complex (Bank of America) for Tax Certiorari Action - Article 7	1,074.67
<b>Special Districts: Albany Ave. Lght.</b>	Modify Appropriation SL1.1930.400 (Judgments & Claims) to be funded through SL.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech SL1.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech City, AG Properties & Ulster Business Complex LLC for Court Ordered Tax Certiorari Action-Article 7	8,154.63
<b>Ulster Water:</b>	Modify Appropriation SW1.1930.400 (Judgments & Claims) to be funded through SL.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech SW1.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech City, AG Properties & Ulster Business Complex LLC for Court Ordered Tax Certiorari Action-Article 7	68,778.22
<b>Ulster Sewer:</b>	Modify Appropriation SS2.1930.400 (Judgments & Claims) to be funded through SL.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech SS2.5990 (Approp.Fund Bal.) refund to Ulster County for 2011-2016 taxes paid to Tech City, AG Properties & Ulster Business Complex LLC for Court Ordered Tax Certiorari Action-Article 7	103,513.46
<b>Whittier Sewer:</b>	Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap .Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to	
<b>Whittier Sewer Cap. Proj.:</b>	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400 (Engineering) payment to	

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<b>Whittier Sewer Cap. Proj.:</b>	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200 (Construction)
<b>Whittier Sewer:</b>	Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap .Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to
<b>Whittier Sewer Cap. Proj.:</b>	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400 (Engineering) payment to Brinnier & Larios - Engin.Servs. - Clarifier Replacement
	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200 (Construction) - Primary Clarifier Replacement

<b>General Fund:</b>	<b>Transfer From</b>	<b>Transfer To</b>		
	A.1990.400 Contingency	A1110.200 Court Grant		4,950.00
	A9010.800 State Retirement	A1110.200 Court Grant		22,886.57
	A1110.400 Court Steno.	A1110.410 Computer Tech.		188.00
	A1220.404 Payroll/Acct.Servs.	A1220.410 Computer Tech.		2,500.00
	A1320.404 Data Processing	A1320.403 Office Supplies		3.00
	A1355.401 Cataloging	A1355.403 Office Supplies		750.00
	A1990.400 Contingency	A1910.400 Unallocated Insur.		20,300.00
	A3620.101 Asst.Bldg.Inspect.	A3620.103 Fire Inspector		6,300.00
		Wages		

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	A3620.405	School/Conf.	A3620.403	Office Supplies	200.00
	A5132.454	Maintenance	A5132.406	Telephone	1,300.00
	A3120.200	Equipment	A3120.201	Police Vehs, Prep.	10,582.00
	A7110.420	Gas & Oil	A7110.101	Park Attendant	1,403.00
				Wages	
	A7110.427	Handicap Fish Pltfrm	A7110.426	Repairs,Constr.	1,000.00
	A7110.406	Telephone	A7110.426	Repairs,Constr.	200.00
	A1355.404	GIS	A1355.403	Office Supplies	1.00
	A1620.454	Maintenance	A1620.409	Repairs & Supplies	1,000.00
	A1320.200	Computer Tech	A1910.400	Unallocated Insur.	1,810.00
	A7110.102	Pks/Ground Wages	A5182.400	Lighting	4,500.00
	A7110.421	Veh. Maint.	A7110.426	Repairs,Constr.	500.00
<b>Ulster Water:</b>	<b>Transfer From</b>		<b>Transfer To</b>		
	SW1.8320.400	Maintenance	SW1.8320.409	Repairs & Supplies	5,500.00
	SW1.9060.802	Hosp,Dntl,Retire.	SW1.9070.800	Medicare Reimb.	1,083.00
<b>Halcyon Park Water:</b>	<b>Transfer From</b>		<b>Transfer To</b>		
	SW2.8320.409	Repairs & Suppl.	SW2.8330.458	DEC Permit	50.00
<b>Glenerie Water:</b>	<b>Transfer From</b>		<b>Transfer To</b>		
	SW6.9730.600	BAN/Prin.	SW6.8320.407	Electric	700.00
	SW6.9730.600	BAN/Prin.	SW6.8320.409	Repair & Supplies	391.00
	SW6.9730.600	BAN/Prin.	SW6.8330.451	Chemicals	300.00
	SW6.9730.700	BAN/Int.	SW6.9795.700	Interfund Loans - Int.	40.13
<b>East Kingston Water:</b>	<b>Transfer From</b>		<b>Transfer To</b>		
	SW7.1910.400	Unalloc. Insur.	SW7.8320.409	Repairs & Supplies	500.00

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<b>Whittier Sewer:</b>	<b>Transfer From</b>	<b>Transfer To</b>		
	SS1.8130.409 Repair & Suppl.	SS1.8130.422 Equip. Maint.	500.00	
	SS1.9040.800 Workers' Comp.	SS1.9798.700 Interfund Loans - Int.	98.87	
<b>Ulster Sewer:</b>	<b>Transfer From</b>	<b>Transfer To</b>		
	SS2.8130.200 Equipment	SS2.8110.406 Telephone	500.00	
	SS2.8130.422 Equip. Maint.	SS2.8130.454 Maintenance	2,000.00	
	SS2.9060.802 Hosp,Dntl,Retire.	SS2.9070.800 Medicare Reimb.	563.00	

MOTION: Councilman Secreto  
 SECOND: Councilman Morrow

*Per Supervisor:* The budget modifications reflect the recording of the refunds due to Tech City as memorialized in June or July, 2016 for the tax certiorari actions that were determined by the Appellate Court in April. These are the only numbers that stand out in the report, as out of the ordinary.

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

**CARRIED**



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**NEW BUSINESS**

**PRESENTATION** and **ACCEPTANCE** of the Town Clerk's Monthly Report for the month of November 2016:

MOTION: Councilman Kitchen  
SECOND: Councilman Morrow

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

*CARRIED*

**PRESENTATION** and **ACCEPTANCE** of the Supervisor's Monthly Report for the Month of November 2016:

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*

**MOTION** to declare surplus and authorize the sale of surplus vehicles and equipment from the Highway Dept. and Police Dept. via Auction International [*Modified by Supervisor -- request that the Highway Supt to accept the bids next week since the Town Board does not meet again until January 5, 2017*]:

MOTION: Councilman Morrow (*with the modification*)  
SECOND: Councilman Brink

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

*CARRIED*

**MOTION** to authorize the Supervisor to sign the engagement letters for the 2016 Town Audits with ERPR Group, CPA's in the following amounts: General Town Audit and Single Audit \$33,300, Town Justice Court \$2,900 and Town Clerk's Office \$3,250.00:

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*

**RESOLUTION** to Request that the County of Ulster Name the Sawkill Road Bridge over the Sawkill Creek the "Chief Anthony Cruise Memorial Bridge" and Erect Appropriate Markers or Signs at this Bridge

*[Resolution read by Town Clerk]*

**Resolution of the Town Board**

**TOWN OF ULSTER**

**Resolution to Request that the County of Ulster Name the Sawkill Road Bridge over the Sawkill Creek the "Chief Anthony E. Cruise Memorial Bridge" and Erect Appropriate Markers or Signs at this Bridge**

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Whereas, roads and bridges throughout Ulster County have been named in honor of distinguished citizens who have given of both their time and effort to improve upon their community; and

Whereas, the late Anthony E. Cruise is one of those distinguished citizens who has given his life to public service and to our community; and

Whereas, Anthony E. Cruise began his 27-year law enforcement career in 1988 as an officer at the Ulster County Correctional Facility, and later served as an Ulster County Sheriff's Deputy from 1988 to 1992; and

Whereas, Anthony E. Cruise joined the Town of Ulster Police Department in 1992, and served the Town of Ulster until his retirement in 2015; and

Whereas, Anthony E. Cruise served the Town of Ulster Police Department in various positions during his career with the Town, rising from police officer to detective to detective sergeant to lieutenant, and finally serving as Chief of Police from 2012 to 2015; and

Whereas, Anthony E. Cruise passed away on December 8, 2016, at the age of forty-eight; and

Whereas, it would be fitting and proper to name a bridge in the Town of Ulster, County of Ulster, in honor of the memory of Chief Anthony E. Cruise; Now, therefore,

BE IT RESOLVED, that the Town of Ulster Town Board does hereby request that the County of Ulster name the bridge on Sawkill Road over the Sawkill Creek as the "Chief Anthony E. Cruise Memorial Bridge," and that the County of Ulster erect appropriate markers or signs at this Bridge that contain the words "Chief Anthony E. Cruise Memorial Bridge; and be it further

RESOLVED that the Town Clerk shall within ten days file a certified copy of this resolution with the Clerk of the Ulster County Legislature, the Chairman of the Ulster County Legislature's Public Works and Capital Projects Committee, and the Ulster County Executive.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow (provided that it is named Anthony *E.* Cruise)

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

*CARRIED*

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**DISCUSSION** on setting a date for the 2017 Organizational Meeting, date and time to be announced – Proposed January 5, 2017 at 7pm:

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

**MOTION** for Part Time Tax Season Hire for Town Clerk's Office:

*[Presented by Councilman Morrow, Personnel]*

Shirley Felton: Start date 12/27/16; 20- 24 hours per week; non-union; seasonal;  
\$16.31/hour

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

**DISCUSSION** on the Community Development Block Grant Program Award of \$750,000.00 for the Katrine Lane Sewer Project:

*Mark Blauer: OVERVIEW* -- application announced last Thursday (12/8) was a \$750,000.00 grant award to extend sanitary sewer to the end of Katrine Lane from 9W. Health and safety problems experienced by residents. This is one of three projects awarded in Ulster County last week. Have used Block Grant program for over 30 years for a variety of water, sewer, storm drain improvements within the Town of Ulster. This project was considered by Blauer, Allan Dumas (Brinnier & Larios) and Supervisor – excellent project and need. With assistance of

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Nancy France in Assessor's Office and Councilman Morrow, an income survey was completed this summer. We have two years to spend the money.

Suggests continuing to look for similar projects for Block Grants. There is no local share; tax payers are not burdened with new loans if we keep the project under \$750K. Always important to pick a good need in an area that we can qualify with an income survey. Any questions?

*Councilman Kitchen:* Thank you, you have really come through for the Town and we appreciate your efforts.

**MOTION** to authorize the Supervisor to sign the Community Development Block Grant Agreement for Project #1159PR.163-16, Katrine Lane Sewer Project :

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

**MOTION** to authorize the Supervisor to sign the Contract for the Care and Boarding of Canines with the Town of Saugerties for 2017:

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*

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**PUBLIC HEARING: 7:10 PM -- Performance Hearing for Leggs Mill/Brigham Lane Water Project**

*Supervisor:* [to Blauer] Explain the reason for this hearing.

*Blauer:* Starting by passing attendance sheet around. State recommends and monitors it. With a Block Grant, we are required to have two hearings: one at the beginning and end of projects. This one is a Performance Hearing. This is related to the 2014 award of \$600,000 for expansion of water service beyond the bridge at the Esopus Creek, onto part of Leggs Mill Rd., Brigham Lane – continuing past the trailer park and around the bend where the water main ends. Hope to extend the line to the end of Brigham Lane using the balance of funds. Addressing a serious water need on those two streets – failing wells, sulfur, bacteria. Two years ago income survey and we qualified. Applied in summer, 2014 and awarded in December, 2014. 2015—design and permitting. 2016- bid. Work proceeding very rapidly. Mains are installed in two roadways. Balance of main hung under the bridge where connection to existing water lines. Estimates completion in December-January, 2017. We have until early Jan to complete construction and another month to submit bills. Small surplus => asking the State to buy additional pipe to extend the line to the end of Brigham Lane. Similar when money was leftover in Glenerie four years ago. The point of the hearing is to tell the public what was done, and to hear comments about the work and any suggestions for similar project to consider.

**MOTION** to open Performance Hearing (7:20 PM):

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink -Aye

Town Councilman Kitchen -Aye

Town Councilman Morrow -Aye

Town Councilman Secreto -Aye

Supervisor Quigley -Aye

*CARRIED*

**Public Comments:**

Tom Grega, 451 Park Road: Is this something that we would be able to apply for in our situation? (situation he refers to is the request for municipal water as read in tonight's 'Communications')

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*Supervisor:* The program is designed for low income neighborhoods. As Blauer explained, we were required to do income surveys and obtained income levels. I do not want to hold out any hope. We will consider your neighborhood to see if we can make it work here.

*Grega:* Will approach later this evening.

**~ NO further comments ~**

**MOTION** to close the Performance Hearing (7:22 PM):

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

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**PUBLIC HEARING: 7:20 PM – 2017 Town of Ulster Fee Schedule**

*Supervisor:* The fee schedule sets forth the fees water, sewer, building and transfer station; not required to have a public hearing, but it is his practice to do what is best.

**MOTION** to open Public Hearing (7:23 PM):

MOTION: Councilman Brink

SECOND: 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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~ No comments ~

**MOTION** to close the Public Hearing (7:24 PM):

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

*CARRIED*

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**OLD BUSINESS**

**MOTION** to authorize payment application #3 from Leo Boice and Sons for project TU-16, Brigham Lane Water Capital Project in the amount of \$70,339.95:

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*



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**MOTION** to authorize payment application #4 from Leo Boice and Sons for project TU-16, Brigham Lane Water Capital Project in the amount of \$52,449.50:

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

*CARRIED*

**RESOLUTION** authorizing Interfund Loan from the Landfill Closure Reserve Fund to the Glenerie Water District:

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Authorizing Interfund Loan from the Landfill Closure Reserve Fund to the Glenerie Water District**

**Date: December 15, 2016**

**WHEREAS** on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "LANDFILL CLOSURE RESERVE FUND" to finance the closing of the Town's landfill, and,

**WHEREAS** monies have been deposited in a bank account known as the Landfill Closure Reserve Fund, and

**WHEREAS** the Supervisor was authorized to invest from time to time the monies of said

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fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

**WHEREAS** the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill and,

**WHEREAS** the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another account pursuant to the authority vested in the Town Board by General Municipal Law Section 6-c (9-a), and

**WHEREAS** it is proposed to loan monies from the Landfill Closure Reserve Fund to the Glenerie Water District (hereinafter the "District") to cover the balance of expenses for the Glenerie Water Storage Tank Project; and

**WHEREAS**, such loan from the Landfill Closure Reserve Fund to the Glenerie Water District will save the Glenerie Water District the cost and expense of borrowing the needed funds, and

**WHEREAS**, given these circumstances, the District has requested that the Town Board authorize an interfund loan in order to advance the costs of the Glenerie Water District Water Storage Tank Project from the Landfill Closure Reserve Fund to the District's Fund, until such time that the District can collect such taxes or otherwise generate sufficient revenue; and

**WHEREAS**, pursuant to General Municipal Law § 9-a, all interfund loans must be authorized by Town Board resolution, now therefore be it

**RESOLVED**, that the Town Board of the Town of Ulster hereby authorizes an interfund loan of up to \$92,500.00 from the Landfill Closure Reserve Fund to the Glenerie Water District; and be it further

**RESOLVED**, that, pursuant to General Municipal Law § 9-a, said monies shall be repaid to the Landfill Closure Reserve Fund no later than December 31, 2016; and be it further

**RESOLVED**, that the interest rate established for the borrowing period is 0.5% per annum, and the repayment obligation amount is up to \$72,434.36, plus accrued interest; and be it further

**RESOLVED**, that the source of funding shall be a Landfill Closure Reserve Fund Interfund loan, in the amount of up to \$72,434.36, to the Glenerie Water District and be it further

**RESOLVED**, that the Town Supervisor is hereby authorized to take any and all steps necessary to effectuate said loan.

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MOTION: Councilman Secreto

SECOND: Councilman Brink

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

*CARRIED*

**RESOLUTION** authorizing Interfund Loan from the Landfill Closure Reserve Fund to the Whittier Water District:

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Authorizing Interfund Loan from the Landfill Closure Reserve Fund to the Whittier Sewer District**

**Date: December 15, 2016**

WHEREAS on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "LANDFILL CLOSURE RESERVE FUND" to finance the closing of the Town's landfill, and,

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund, and

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill and,

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WHEREAS the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another account pursuant to the authority vested in the Town Board by General Municipal Law Section 6-c (9-a), and

WHEREAS it is proposed to loan monies from the Landfill Closure Reserve Fund to the Whittier Sewer District (hereinafter the "District") to cover the balance of expenses for the Whittier Wastewater Treatment Plant Upgrade Project; and

WHEREAS, such loan from the Landfill Closure Reserve Fund to the Whittier Sewer District will save the Whittier Sewer District the cost and expense of borrowing the needed funds, and

WHEREAS, given these circumstances, the District has requested that the Town Board authorize an interfund loan in order to advance the costs of the Whittier Wasterwater Treatment Plant Upgrade Project from the Landfill Closure Reserve Fund to the District's Fund, until such time that the District can collect such taxes or otherwise generate sufficient revenue; and

WHEREAS, pursuant to General Municipal Law § 9-a, all interfund loans must be authorized by Town Board resolution, now therefore be it

RESOLVED, that the Town Board of the Town of Ulster hereby authorizes an interfund loan of up to \$200,000.00 from the Landfill Closure Reserve Fund to the Whittier Sewer; and be it further

RESOLVED, that, pursuant to General Municipal Law § 9-a, said monies shall be repaid to the Landfill Closure Reserve Fund no later than December 31, 2017; and be it further

RESOLVED, that the interest rate established for the borrowing period is 1.0% per annum, and the repayment obligation amount is \$100,000, plus accrued interest; and be it further

RESOLVED, that the source of funding shall be a Landfill Closure Reserve Fund Interfund loan, in the amount of \$100,000 to the Whittier Sewer District and be it further

RESOLVED, that the Town Supervisor is hereby authorized to take any and all steps necessary to effectuate said loan.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink -Aye

Town Councilman Kitchen -Aye

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

*CARRIED*

**RESOLUTION** approving the SEQR form and approval of Kingston-Ulster Environmental Assessment Airport's Obstruction Removal project approved by the FAA:

**RESOLUTION approving the SEQR form and approval of Kingston-Ulster Environmental Assessment Airport's Obstruction Removal project approved by the FAA:**

WHEREAS: Kingston-Ulster Airport, Inc. received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Kingston-Ulster Airport: Environmental Assessment for Obstruction Removal

WHEREAS: the New York State Department of Transportation is offering a matching grant to the federal grants for 50% of the non-federal share of eligible costs; and

WHEREAS: the New York State Department of Transportation, under Section 14h of the State Transportation Law, requires privately-owned airports to obtain local municipal support to receive New York State funding.

NOW, THEREFORE, BE IT RESOLVED:

that the Town Board of the Town of Ulster endorses the above described project for the purpose of making the project eligible for State funding;

RESOLVED that the adoption of this Resolution shall be solely for the purposes stated herein and in no way binds the Town Board, the Planning Board and/or the Zoning Board of Appeals of the Town of Ulster to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to Kingston-Ulster Airport;

RESOLVED:

it has heretofore been determined by the Town Board, under Part 617 of the State Environmental Quality Review Act (SEQR), of the State of New York that the aforesaid project, including basic data collection, research and engineering studies, constitutes a Type II Action which will not have a significant impact upon the environment. The Supervisor of the Town of Ulster is hereby authorized to sign and date the State Environmental Quality Review form, as attached herewith; and be it

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FURTHER RESOLVED: that this Resolution shall take effect immediately.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

*CARRIED*

**RESOLUTION** granting a one year extension of the site plan approval for Ulster 9W Holdings LLC, 1680-1694 Ulster Ave & 1670 – 1678 Ulster Ave. SBL 39.082-2-3.2, 39.082-2-3.3 and 39.082-2-3.4:

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**

**Site Plan Approval Extension**  
**Ulster 9W Holdings, LLC**  
**1680-1694 Ulster Avenue and 1670-1678 Ulster Avenue**  
**Section-Block-Lot: 39.082-2-3.110, 3.120, and 3.130**

**WHEREAS**, the Town of Ulster Town Board approved an application for Site Plan Approval from Quick Chek Corporation for the development of approximately 7.5 acres on February 5, 2007; and

**WHEREAS**, the subject property is located on the easterly side of NYS Route 9W, as designated on the Tax Map of the Town of Ulster as Section-Block-Lots: 39.082-2-3.110, 3.120, and 3.130 and is situated within the RC-Regional Commercial Zoning District; and

**WHEREAS**, SBL 39.082-2-3.110 is proposed to be developed with a retail facility consisting of approximately 9,000 square feet and approximately 52 parking spaces; and

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**WHEREAS**, SBL 39.082-2-3.120 is proposed to be developed with a bank facility consisting of approximately 4,526 sf and approximately 22 parking spaces; and

**WHEREAS**, SBL 39.082-2-3.130 was developed with a “Quick Chek” retail facility comprised of 7,254 sf and 1,184 sf stand-alone car wash building and related gas station with eight fueling islands, two diesel pumps and approximately 50 parking spaces; and

**WHEREAS**, pursuant to the resolution of the Town Board dated February 5, 2007, site development plan approval would expire on February 5, 2012 if the approved improvements were not completed and a Certificate of Occupancy was not issued by said date; and

**WHEREAS**, by resolution dated July 7, 2011, the site development plan approval heretofore granted on February 5, 2007 was amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2015; and

**WHEREAS**, by resolution dated November 20, 2014, the site development plan approval heretofore granted on February 5, 2007 was amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2016; and

**WHEREAS**, by resolution dated December 17, 2015, the site development plan approval heretofore granted on February 5, 2007 was amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2017; and

**WHEREAS**, the applicant is seeking an extension of their original Site Development Approval to enable them to move forward with the development of the bank and additional retail space on the subject site; and

**WHEREAS**, since the Site Development Plan Approval was granted in 2007, the Town Board has subsequently adopted the U.S. Route 9 W Corridor Enhancement Plan, which calls for streetlights along the corridor; and

**WHEREAS**, the Lighting Plan that was approved did not provide for street lights along the sidewalks; and

**WHEREAS**, Town Board finds that street lights should be provided along the sidewalk once the applicant moves forward with the planned development of the bank or retail development parcels as described above.

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**NOW THEREFORE BE IT RESOLVED** the Town Board of the Town of Ulster, hereby grants Site Development Plan Approval extension to Quick Chek Corporation for the above referenced project, 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, building elevations and all details as cited in the approved and signed Site Plan set that is signed and dated February 5, 2007;
4. Compliance with all other conditions cited in the Site Plan Approval Resolution by the Town Board dated February 5, 2007;
5. Prior to commencement of the development of the bank or retail facility as described above, Quick Chek shall submit a revised Lighting Plan that provides for streetlights along the existing sidewalk along U.S. Route 9W;
6. 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;
7. All fees, including consultant fees, shall be paid.
8. Site plan approval heretofore granted on February 5, 2007, shall be amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2018

MOTION: Councilman Brink  
SECOND: 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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**RESOLUTION** adopting Town of Ulster 2017 Fee Schedule:

**Resolution of the Town Board**

**TOWN OF ULSTER**

**Resolution of Town Board of the Town of Ulster Adopting a Fee Schedule to  
Take Effect January 1, 2017**

**Date: December 15, 2016**

**WHEREAS**, the Town Board of the Town of Ulster is authorized to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted local law,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the schedule of fees, deposits, and costs is hereby amended as set forth in Exhibit "A" annexed hereto, effective as of January 1, 2017.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

**RESOLUTION** granting Conditional Site Plan Approval for Romeo Kia, SBL#39.19-3-38.100

*Larry Boudreau, Project Engineer, Chazen Company:*

Before this Town Board last month – approved special permit for O&M zone on property; since then readdressed concerns and resubmitted full site plan set. Brought them to the Planning Board – was before Planning Board on 12/13; Conditional referral to Town Board. Has

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conditions to complete: 1. Finish full SWPPP; 2. Supply building elevations; 3. Concurrence with US Fish & Wildlife Agency; 4. Full sign package submission;

-- Making progress with state DOT on use & occupancy permit for the right of way to Rt 9W – all docs submitted; Town submitted docs on war memorial; War memorial remains and defined an area for that; thanks the Supervisor as he has been a huge help on this project -- instrumental.

*Supervisor:* More important to get through to the neighbors for their acceptance; their rights as property owners are going to be protected. Something Boudreau did not mention, which is worded in the Resolution, is that “no blasting shall occur at the site without prior review and approval of an applicant prepared blasting protocol by the Town designated engineers, Brinnier & Larios and the Town of Ulster Building Inspector”. Town has and will maintain oversight on blasting on this site. Any questions by the Town Board?

*Councilman Brink:* Well thought through.

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*

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**PUBLIC COMMENT**

*Thomas & Julie Grega, Town Resident, Park Road:*

Presented a petition signed unanimously by all residents on Park Road, up to Ulster Landing Road, to Route 32. Presenting petition because personal experience that problems with water in neighborhood. Poor water quality – colloidal clay, sulfur, hard water, bacteria, unreliable wells. In their case, no water: have been on a water tank truck since summer. Had water inspected. Less than ½ gal per minute. Recommended hydro fracking. Spoke to hydrocrackers and well drillers.

Next put in a new pump to remove clay, no result. Installed pump saver system. Installed filter system to remove clay, after time not able to handle this much clay. Installed inline system. Installed secondary tank – cannot fill the tank. November drilled a new well (640’) which yields less than 1 pint per hour. Not sustainable for household of five. Have no other options left.

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Moved to this area greatly because of the park, and understands the park has no water. Neighbors have water problems. Wants water from East Kingston to be extended to Park Road.

*Supervisor:* This does not happen overnight. The process that Mr. Blauer described – grants are due in June, decisions issued in December and awards are not always granted. Will ask the town engineer – Mr. Larios – to prepare a brief quote before the Town Board, outlining expenses in an initial engineering analysis to achieve the outcome you seek. Once this information gets back to the Town Board, we will be prepared to understand the capital costs and evaluate various financing options in order to see if we can get this project done. I understand your daily issues but this is the best we can do as a town.

We evaluated extending the water line in the past, to approx. American Printing on Route 32, and it was a \$1M estimate.

*Councilman Secreto:* Mark (Blauer) is here right now. What about a hardship?

*Blauer:* Initially we need the input of Dennis (Larios) to see the costs. Ideally we have a project under \$750,000.00. If not we have to show a source in addition to the \$750K to make it work. We need 1. Serious health and safety risk, and 2. Low income. We need to hit 51%. It is not always easy to get, especially if there are very few renters. I want to see the cost estimate and then look carefully at the neighborhood for low to moderate income with no borrowing. First step is estimate from Brinnier & Larios then assess if an income survey would work. There is no such thing as a hardship exemption. This type of need is one that I try to work with.

*Supervisor:* Have you had contact with the UC Dept of Health? In many of these projects we receive letters of support from them. They have the oversight over water. Their opinion bolsters our grant applications.

*T. Grega:* I have spoken to them. Not filed anything.

*Councilman Secreto:* My suggestion is for those people on Park Rd you have spoken to have their water tested. (he lives on Ulster Landing Road). I feel bad for you.

*Supervisor:* Summer 2015 we drilled a new well at Post Park. This summer the well became contaminated and thus the reason for the tanker truck.

*Councilman Kitchen:* When you purchased the home did the previous owner provide a disclosure on the issue of "Have you ever had a problem with your well or water system?"

*T. Grega:* I spoke to my lawyer about this. The owner before this (20 years ago) had a problem. Had a problem with the first well, which now doesn't work. The second well drilled shortly after,

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and only problem he stated he had was that he ran out of water once. No evidence that there was knowledge of this before.

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*Teri Quarantino, Town Resident, Flatbush Road*

A large problem is Callanan and the blasting. Last time I complained about the blasting, people in this area had water problems. They need to be closely watched.

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*James Maloney, Town Assessor & Ulster County Legislator*

Commends the Town Board on the renaming of the bridge to the Anthony E. Cruise Memorial Bridge. Asks the Town Clerk to provide him with a copy for the UC Legislature. Once the Resolution is received, the County requires a public hearing is scheduled.

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*Thomas Grega*

Some of his neighbors could not make it – he speaks for his entire neighborhood, not just his residence.

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**~ NO FURTHER COMMENTS ~**

**MOTION to adjourn at 7:48 PM:**

MOTION: Councilman Brink  
SECOND: Councilman Kitchen

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk