

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

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February 16, 2017

**PUBLIC HEARING SCHEDULED – 7:15 PM – Special Use Permit for the placement of a Mobile Home outside of a Mobile Home Park – Shawn VanSteenburg, 25 Doris Lane, Lake Katrine, NY 12449- SBL: 39.7-3-20.200.**

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

**SALUTE TO THE FLAG**

**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 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Town Attorney, Jason Kovacs
2. Water Superintendent, John Rose
3. Building Inspector, Kathy Moniz
4. Sewer Superintendent, Vincent Maggiore
5. Officer in Charge, Kyle Berardi
6. Assessor, James Maloney
7. 15 Town Residents

**ADDITIONS OR CHANGES TO AGENDA:** None

**PUBLIC DISCUSSION ON AGENDA ITEMS:** None

**APPROVAL OF MINUTES – January 5<sup>th</sup> and 19<sup>th</sup>:**

MOTION: Councilman Brink  
SECOND: Councilman Morrow

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

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

*CARRIED*

**COMMUNICATIONS:** Letter read from Dawn DeLuca, Sunrise Park. DeLuca asks Town Board to step in and do something about the increasing feral cat population in her neighborhood.

*Supervisor:* Asks Jason Kovacs to research a law to present to the Town Board, prohibit the feeding of feral cats; to control the cat population; a law existing in another Town to apply here.

**ABSTRACT OF CLAIMS:**

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

**February, 2017 Abstract:**

Prepaid Bills: \$ 290,286.68  
Abstract Bills: \$ 2,626,507.20  
Escrow Bills: \$ 2,840.00  
Reserve: \$ 693.54

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TOTAL: \$ 2,920,327.42

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 (5)**

February 16, 2017

**2016 Accounts Payable:**

|                 |               |
|-----------------|---------------|
| Prepaid Bills:  | \$ 250,796.42 |
| Abstract Bills: | \$ 60,717.52  |
| Escrow Bills:   | \$ --         |
| Reserve:        | \$ --         |

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|        |               |
|--------|---------------|
| TOTAL: | \$ 311,513.94 |
|--------|---------------|

MOTION: 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*

**BUDGET MODIFICATIONS:**

*Presented by Councilman Brink*

**General Fund:**

|                                                                                                                                                                                |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball League) Dec.16' & Jan.17' refereeing services-<br>Andrea Clausi | 300.00    |
| Modify Revenue A3089 (St.Aid-Oth Gen.Aid-Court Grant) and Appropriation A1110.200 (Court Grant) Equipment Grant from JCAP                                                      | 10,478.47 |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball League) Jan. 3,17' refereeing services-<br>Paul Remick          | 60.00     |

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

February 16, 2017

|                                                        |                                                                                                                                                                                                          |              |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
|                                                        | Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball League) Jan. 9 & Jan. 30,17' refereeing services-<br>Jeffery Hayner, Jr.                  | 120.00       |
|                                                        | Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball League) candy from Michael's Candy Corner for championship games                          | 513.54       |
| <b>Katrine Ln. Sewer Capital Project: Small Cities</b> | <b>Revenues:</b>                                                                                                                                                                                         |              |
| <b>\$788,950.00</b>                                    | HKS.3990 St.Aid - Sewer Capital Project                                                                                                                                                                  | \$750,000.00 |
|                                                        | HKS.5031 Interfund Transfer - Town Funding                                                                                                                                                               | 38,950.00    |
|                                                        | <b>Appropriations:</b>                                                                                                                                                                                   |              |
|                                                        | HKS.8110.200 Construction                                                                                                                                                                                | \$686,950.00 |
|                                                        | HKS.8110.400 Engineering                                                                                                                                                                                 | 72,000.00    |
|                                                        | HKS.8110.401 Administrative                                                                                                                                                                              | 30,000.00    |
| <b>Whittier Sewer:</b>                                 | Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap .Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to Brinnier & Larios, Inv.#14 engin.servs. - Primary Clarifier Replacement | 280.00       |
| <b>Whittier Sewer:</b>                                 | Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap .Project) to be funded through SS1.5990 (Approp.Fund Bal.) final payment to Grant St. Construction Primary Clarifier Replacement              | 10,000.00    |
| <b>Whittier Sewer Cap. Proj.:</b>                      | Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400 (Engineering) payment to Brinnier & Larios, Inv.#14 - engin.servs. - Primary Clarifier Replacement                           | 280.00       |
| <b>Whittier Sewer Cap. Proj.:</b>                      | Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200 (Construction) final payment to Grant St. Construction - Primary Clarifier Replacement                                       | 10,000.00    |
| <b>Highway:</b>                                        | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5140.420 (Gas &                                                                                                                              |              |

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

February 16, 2017

|                                   |                                                                                                                                                               |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                   | Oil) Gas Reimb. - Oper. Funds                                                                                                                                 |
|                                   | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5140.420 (Gas & Oil) Gas Reimb. (Ruby Fire Dist.)                                                 |
|                                   | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5140.420 (Gas & Oil) Gas Reimb. (Ulster Fire Dist.#1/Spring Lake)                                 |
|                                   | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5140.420 (Gas & Oil) Gas Reimb. (Town of Kng. Hwy.Dept.)                                          |
|                                   | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5140.420 (Gas & Oil) Gas Reimb. (E.Kng.Vol.Fire Co.)                                              |
| <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                                    |

MOTION: 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**

## TOWN OF ULSTER TOWN BOARD MEETING (5)

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February 16, 2017

### DEPARTMENT HEAD REPORTS

1. John Rose, Water Superintendent:

- 2016 was a good year for the water dept.
- Total of 11 main line water breaks; 552 service calls; 432 markouts; replaced 420 feet of 6-inch main with 10-inch main on Leggs Mill Road in preparation for the Brigham Lane water project; replaced water valves on Ulster Ave and Neighborhood Road; replaced 6-inch valve on Oakwood; replaced (2) 8-inch valves on Boices Lane; replaced (2) 10-inch valves on Rt 9W; added 10-inch valve to entrance of north tower; replaced mixing system on north tower; replaced motor with a high efficiency motor at the Ulster Water Plant.
- As of December, 2016 – Phase I of Brigham Lane project was 95% completed; Leo Boice & Son did an amazing job.

2. Vincent Maggiore, Sewer Superintendent:

- Sewer Dept very busy; no problems to report
- Ulster Sewer and Whittier Sewer running very well
- Recent updates complete ; new repairs and retrofitting; improve function and reliability
- Fully staffed now
- Maintaining collection system in the wintertime.

3. Kathy Moniz, Building Inspector:

- Busy time of year
- Fire inspections done
- Stewarts on Route 9W received demolition permit for house and canopy
- PetCo complete; Michaels coming along; McDonalds will do complete interior renovation; both hotels complete; Seven Greens renovations complete by April; furniture store coming along well
- Working with water dept on private hydrants for inspections and flow test
- Thanks Frank Petramale for help on Yarmouth St.

4. Kyle Berardi, Officer in Charge:

- Six months into leadership; thanks Town Board/Supervisor for support.
- In 2016, Ulster Police handled 18,670 calls (1,290 of those were accidents); 695 arrests; (24 DWI and 82 drug related); 202 warrants received (142 executed); 2,496 tickets issued; 211 detective division cases (closed 168 by arrest or investigation); 186, 456 miles of patrol; 2,432 training hours

## TOWN OF ULSTER TOWN BOARD MEETING (5)

---

February 16, 2017

- Door is always open; please don't hesitate to contact him.

5. James Maloney, Assessor:

- Time of year when building permits are issued. New permits and those carried over from last year.
- Also exemption processing time; Enhanced Star renewals from seniors; all other exemption – agricultural, business, any new Star exemptions after 2016 State budget have to be reviewed by Albany.

6. Suzanne Reavy, Town Clerk:

- Tax collection underway -- \$15M of the total \$18.9M collected to date
- Continue to collect and perform other duties in the office – building dept., water payments, transfer station, pavilion rental fees.
- Fully staffed – new clerk hired in November, 2016.
- Thanks other departments and department heads because everyone is so responsive and communication is great.

7. Frank Petramale, Highway Superintendent: -- Absent

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**PUBLIC HEARING SCHEDULED – 7:15 PM – Special Use Permit for the placement of a Mobile Home outside of a Mobile Home Park – Shawn VanSteenburg, 25 Doris Lane, Lake Katrine, NY 12449- SBL: 39.7-3-20.200.**

**PURPOSE** – *Jason Kovacs*: Under Town Code, Chapter 114, any mobile home proposed to be placed on lot outside of a mobile home park is required to apply for a special permit from the Town Board. Special permits are issued by the Town Board only after a Public Hearing.

*Supervisor*: No vote tonight. Public written comment accepted for the next 30 days at the Town Clerk's Office.

MOTION to open Public Hearing (7:15 PM): Councilman Morrow

SECOND: Councilman Brink

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

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

*CARRIED*

**PUBLIC HEARING COMMENTS**

1. William Sutton – 222 N. Brigham Lane
  - 70 year town resident; 60 year resident of Doris Lane
  - Expresses favoritism to allow the placement of the mobile home put in
  - Casually knows Shawn; maintains his parent’s property; this would be good for the Town
2. Shawn VanSteenburg – Owner 25 Jeannette Lane
  - Cannot afford to put a modular up; cannot put a garage or fence up because it is accessory to the house
  - It will look nice, no skirting; will have a deck; this is the only way he can do it.

**~NO FURTHER COMMENTS ~**

MOTION to close the Public Hearing (7:17 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*

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**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

**NEW BUSINESS**

**PRESENTATION** and **ACCEPTANCE** of the Town Clerk's Monthly Report for the month of January 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** and **ACCEPTANCE** of the Supervisor's Monthly Report for the month of January 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*

**MOTION** authorizing the hiring of Paula America for a 90 day temporary position as Deputy Town Clerk effective 3/1/17

- \$12.24/hour; no benefits

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

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February 16, 2017

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

*CARRIED*

**MOTION** authorizing the hiring of Karen Gorski as Court Clerk to Justice Kesick effective 3/1/17

- \$15.81/hour; full time; full benefits;

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 accept the resignation of Stephanie Allred as part time court clerk effective 2/13/17

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*

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

**MOTION** to authorize Fire Inspector Allen to attend the Tri-County Training Day, February 23<sup>rd</sup> in Chester, NY

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*

**MOTION** to authorize the Town Clerk to request from the NYS DOT Region Traffic Engineer a study on the timing of the traffic signal lights on Ulster Avenue at Dunkin Donuts/Hudson Valley Mall (North Entrance) and their contribution to causing accidents

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** for Initiation of SEQR Unlisted Action—Coordinated Review The Shoppes at Dena Marie Plaza, SBL: 48.50-2-20.120, 20.111 & 20.112

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

February 16, 2017

**Initiation of SEQR Unlisted Action-Coordinated Review**

**The Shoppes at Dena Marie Plaza**

**S-B-L: 48.50-2-20.120, 20.111 & 20.112**

**WHEREAS**, the applicant – Dena Marie II, LLC c/o/ Kaplan Realty Group (David Kaplan) – is seeking *Site Plan Amendment* approval to construct additional retail space in the southwestern portion of the site that was approved for development in 2008, but not constructed; and

**WHEREAS**, the requested Site Plan Amendment is to allow the construction 11,822 square feet of new retail space, which represents a decrease from the space approved in 2008; and

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

- *Consent Form* signed by David Kaplan (owner) dated January 30, 2017;
- *Cover Letter* prepared by Craig Tripp, RLA, Chazen Companies dated January 31, 2017;
- *Application for Site Plan Amendment* signed by David Kaplan (owner) dated January 30, 2017;
- *SEQR Short EAF Part 1* prepared by Chazen Companies dated January 31, 2017; and
- *Site Plan for The Shoppes at Dena Marie Plaza* by The Chazen Companies, dated 1/31/17.

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

**WHEREAS**, the Town of Ulster Town Board, upon review of the SEQR Short EAF Part 1 determined the Proposed Action was an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

**WHEREAS**, the Town Board determined other Involved Agencies include: NYSDOT (site access); and

**WHEREAS**, Interested Agencies include the Town of Ulster Planning Board and Ulster County Planning Board; and

**WHEREAS**, the Town of Ulster Planning Board referred this matter to the Town Board for the sole purpose of initiating a SEQR *Unlisted Action-Coordinated Review* with the Town Board so named as Lead Agency.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby declares its intent to be Lead Agency for an

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

Unlisted Action-Coordinated Review and directs the Town Clerk to circulate a Notice of Intent to all Involved Agencies.

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** requesting the appointment of James E. Quigley 3<sup>rd</sup> to the Ulster County Trails Advisory Committee as the Town's Representative

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**  
**Resolution Appointing Member to Ulster County Trails Advisory**  
**Committee**

**Date: February 16, 2017**

WHEREAS, a vacancy exists due to a resignation in the delegation of Local Government Officials to the Ulster County Trails Advisory Committee; and

WHEREAS, the Town Board, or the majority Members thereof, are authorized to recommend to the Ulster County Legislature for consideration and appointment, an individual to fill said vacancy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

2. The Town Board of the Town of Ulster hereby recommends to the Ulster County Legislature JAMES E. QUIGLEY 3<sup>rd</sup>, the Town of Ulster Supervisor, for consideration as a member of the Ulster County Trails Advisory Committee representing Local Government Officials.

3. A certified copy of this resolution shall be sent to the Clerk of the Ulster County Legislature within ten (10) days.

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*

**OLD BUSINESS**

**MOTION** to authorize the Town Clerk to advertise for Request for Qualifications -- Engineering Services, Katrine Lane Sewer Extension Project due March 14, 2017 at 3:30 PM, Town Clerk's Office

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 (5)**

---

February 16, 2017

**MOTION** to authorize the Supervisor to negotiate and sign agreements with Jason J. Kovacs and Mark Blauer for services to be performed for the Katrine Lane Sewer Extension Project

*Jason J. Kovacs (Legal Services)*

*Mark Blauer (Administrative Services)*

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 authorize the Supervisor to sign the Police Services Intermunicipal Agreement with the City of Kingston for the year ending December 31, 2017

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** granting Conditional Site Plan Approval and issue a negative SEQRA Declaration for Kingwood Park Plaza, 1204 Ulster Avenue, Kingston, NY, SBL 48.8-1-36

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

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

**Kingwood Park Plaza**  
**Conditional Site Plan Approval**  
**1204 Ulster Avenue**  
**S-B-L: 48.8-1-36**

**WHEREAS**, the applicant – *Paquale Iovieno with the consent of DiDonna Brothers, LLC (Owner)* – submitted an application seeking *Site Plan approval* for construction of a two-story 14,400 square foot (sf) retail building along with ancillary driveways and on-site parking areas for 58 vehicles; and

**WHEREAS**, pursuant to Chapter 145 of the Town Code, the Town Board has the authority to approve the Site Plan; and

**WHEREAS**, the Town of Ulster Town Board, is the Lead Agency for this Unlisted-Action Coordinated Review; and

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

- *Application for Site Plan Review* by Pasquale Iovieno, dated 9/28/2015;
- *Site Plan Consent Form* signed by James M. DiDonna, property owner dated 9/17/15;
- *SEQR Short EAF* prepared by Paul B. Jankovitz, RA dated 9/15/2015; and
- *Site Plan* prepared by prepared by Paul B. Jankovitz, RA undated.
  
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Project Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Building Floor Plans* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Building Elevations* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Erosion Control Details and Notes* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Erosion Control Notes* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Landscaping Schedule and Details* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Pavement Details* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Site Signage Traffic Control* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Reinforced Concrete Retaining Wall Detail* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Retaining Wall Reinforce Requirement* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Guard Rail Details* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;



## TOWN OF ULSTER TOWN BOARD MEETING (5)

---

February 16, 2017

- *Sanitary Sewer Details* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Site Lighting Details/Schedule* by Paul B. Jankovitz, RA, Architects/Planners undated; and
- *Site Lighting Details* prepared by Paul B. Jankovitz, RA, Architects/Planners undated.
  
- *Project Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Traffic Control Island Detail* by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Landscaping Schedule and Details* by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Sanitary Sewer Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016; and
- *Proposed Drainage Plan/Details* by Paul B. Jankovitz, RA, Architects/Planners December 2015.
  
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners 11/2/2016;
- *Project Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Traffic Control Island Detail* by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Building Floor Plans* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Building Elevations* prepared by Paul B. Jankovitz, RA, Architects/Planners 11/2/2016;
- *Erosion Control Details and Notes* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Erosion Control Notes* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Landscaping Schedule and Details* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Pavement Details* prepared by Paul B. Jankovitz, RA, Architects/Planners 11/2/2016;
- *Site Signage Traffic Control* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Reinforced Concrete Retaining Wall Detail* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Retaining Wall Reinforce Requirement* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Guard Rail Details* prepared by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Sanitary Sewer Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/2016;
- *Site Lighting Details/Schedule* by Paul B. Jankovitz, RA, Architects/Planners undated;
- *Lighting Plan Photometrics* by Paul B. Jankovitz, RA, Architects/Planners dated 11/2/2016; and
- *Proposed Drainage Plan/Details* by Paul B. Jankovitz, RA, Architects/Planners December 2015.
  
- *Transmittal Letter* prepared by Paul B. Jankovitz, RA, Architects/Planners February 1, 2017;
- Review Letter by Town Designated Engineers (TDE) Brinnier & Larios dated February 8, 2017;
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Project Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- *Traffic Control Island Detail* by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- *Road Profile* by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- *Building Floor Plans* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Building Elevations* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;

## TOWN OF ULSTER TOWN BOARD MEETING (5)

---

February 16, 2017

- *Landscaping Schedule and Details* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Pavement Details* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Site Signage Traffic Control* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Reinforced Concrete Retaining Wall Detail* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Retaining Wall Reinforce Requirement* by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Guard Rail Details* prepared by Paul B. Jankovitz, RA, Architects/Planners 1/28/2017;
- *Sanitary Sewer Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- *Site Lighting Details/Schedule* by Paul B. Jankovitz, RA, Architects/Planners undated; and
- *Lighting Plan Photometrics* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 1/28/2017;
- Proposed Grading and Drainage Plan by Christopher R. DoCharo, P.E., dated February 2, 2017; and
- Stormwater Pollution Prevention Plan (SWPPP) by Christopher R. DoCharo, P.E., dated Feb. 2017.

**WHEREAS**, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide, and comments were received on February 3, 2016; and

**WHEREAS**, the UCPB issued required modifications in its February 3, 2016 decision letter that included the following: 1) The Town, through good access management principles found in their Route 9W Corridor Design Standards, should be taking the opportunity to work with NYSDOT to consolidate points of access together to create a single access to serve multiple properties (Five Guys, Sawyers Savings and this proposal); 2) A sidewalk connection to Route 9W and to the King's Mall

will need to be provided, along with striping and traffic calming signage/speed humps; 3) Grading and blasting will need to be provided. Included in such materials should be road profiles for the entirety of the site's driveway;" and 4) The UCPB recommends the use of low-reflective windows to reduce off-site glare in order to reduce its visual impacts, particularly with respect to possible impacts to vehicular traffic on the Route 9W corridor and 5) "Signage details will need to be provided. The UCPB recommends that all signage conform the standards of the Town of Ulster's zoning statute;" and

**WHEREAS**, the Town Board, Planning Board and its consultant planner have found the applicant's current Site Plan submission complies with UCPB required modification No. 1, but for providing a single point of access for Five Guys, Sawyers Savings and Kingwood Park Plaza, which it found to be impractical; and

## TOWN OF ULSTER TOWN BOARD MEETING (5)

---

February 16, 2017

**WHEREAS**, the Planning Board recommended the Town Board override the UCPB required modification No. 1, in part, as cited above; and the Town Board concurs with this recommendation; and

**WHEREAS**, the Town Board, Planning Board and its consultant planner have found the applicant's current Site Plan submission complies with UCPB required modifications No. 2, No. 3 and No. 5; and

**WHEREAS**, the Town of Ulster Planning Board recommended that required modification No. 4 should be a condition of granting Site Plan approval and the Town Board concurs with this recommendation; and

**WHEREAS**, the Town Board and 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 Planning 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 and Planning Board determined the Town has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and thereby finds a SEQR Determination of non-significance and granting a *SEQR Negative Declaration* for the Proposed Action is warranted; and

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board hereby overrides the UCPB required modification No. 1, in part, as cited above; and

**FURTHER BE IT RESOLVED**, the Town of Ulster Town Board issues a SEQRA Negative Declaration and grants conditional Site Plan approval to *Paquale Iovieno* for the proposed development of *Kingwood Park Plaza* 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;
4. The applicant revises the Site Plan and Stormwater Pollution Prevention Plan to address all technical comments by the Town Designated Engineers (TDE) Brinnier & Larios, PC in their review notes dated February 8, 2017 and any comments on the revised plans;

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

5. The applicant revises the Site Plan to address any outstanding comments by the Town’s consulting planner and Planning Board;
6. The NYDOT approves the design of the proposed access driveway to the project site from U.S. Route 9W;
7. No blasting shall occur on the site without prior review and approval of an applicant prepared blasting protocol by the Town Designated Engineers Brinnier & Larios and the Town Building Inspector;
8. The glass used in the proposed building shall be low-reflective windows to reduce off-site glare;
9. 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
10. All fees, including consultant fees, shall be paid.

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*

**RESOLUTION** for Conditional Site Plan Amendment Approval for Kia, 1905 Ulster Avenue, Lake Katrine, NY, SBL 39.19-3-38.100

*Larry Boudreau, Project Engineer:* Site plan was approved in December, 2016. Submitted an application in January, 2017 to amend said site plan to clear an acre of land on the southeastern portion of the site. Planning Board two nights ago recommended the approval and presentation before the Town Board.

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

February 16, 2017

**Conditional Site Plan Amendment Approval**

**Romeo KIA**

**S-B-L: 39.19-3-38.100**

**WHEREAS**, the applicant – *Romeo Chevrolet Buick GMC, LLC dba Romeo KIA Dealership* received Site Plan and Special Permit approval and was granted a SEQRA Negative Declaration by the Town Board on December 15, 2016 for construction of a 19,000 square-foot (s.f.) KIA automobile dealership along with associated parking, access, landscaped areas and utility infrastructure; and

**WHEREAS**, the Town of Ulster Town Board, Town of Ulster Planning Board and its consultant planner have reviewed an application by *Romeo Chevrolet Buick GMC, LLC (dba Romeo KIA Dealership)* seeking *Site Plan Amendment* approval to allow them to clear an additional 1.15 acres of trees and to provide additional grading and fill on the subject site; and

**WHEREAS**, the Town of Ulster Town Board has the authority to approve the Site Plan Amendment, since it approved to original Site Plan for the subject site; and

**WHEREAS**, the Town of Ulster Town Board was designated Lead Agency for this Unlisted Action – Coordinated Review; and

**WHEREAS**, the Current Proposed Action did not require referral to the Ulster County Planning Board (UCPB) pursuant to the referral agreement between the County and Town; and

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

- *Project Narrative* by Larry Boudreau, RLA, Director of Land Development, Chazen, dated 2/1/2017;
- *Amended Site Plan Application* by Romeo KIA, signed by Leonard Romeo, dated January 27, 2017;
- *Short Form EAF for Romeo KIA Amended Site Plan* prepared by Deborah S. Hubbard dated 1/27/17;
- *Title Sheet Romeo KIA Dealership* prepared by The Chazen Companies dated January 27, 2017;
- *Notes and Legends Romeo KIA Dealership* prepared by The Chazen Companies dated January 27, 2017;
- *Existing Conditions and Demolition Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Site Layout Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Fire Apparatus Access Plan* prepared by The Chazen Companies dated January 27, 2017;

## TOWN OF ULSTER TOWN BOARD MEETING (5)

---

February 16, 2017

- *Grading and Drainage Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Erosion and Sediment Control Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Utility Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Landscape Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Lighting Plan* prepared by The Chazen Companies dated January 27, 2017;
- *Site and Landscape Details* prepared by The Chazen Companies dated January 27, 2017;
- *Storm Sewer Details* prepared by The Chazen Companies dated January 27, 2017;
- *Erosion and Sediment Control Details* prepared by The Chazen Companies dated January 27, 2017; and
- *Water and Sewer Details* prepared by The Chazen Companies dated January 27, 2017; and
- *SWPPP* prepared by the Chazen Companies Revision 3 dated 1/27/2017.

**WHEREAS**, the applicant submitted a revised Stormwater Pollution Prevention Plan (SWPPP), which was reviewed by the Town Designated Engineers (TDE) Brinnier & Larios, who have found the SWPPP in compliance with NYSDEC regulations and recommended it be accepted by the Planning Board and Town Board; 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 and planner made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Town Board, as Lead Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2), revised SWPPP and revised Site Plan set found the Current Proposed Action did not pose any potentially significant adverse environmental impact; and

**WHEREAS**, the Town Board determined the Town had complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and thereby *reaffirms its SEQRA Negative Declaration granted by the Town Board on December 15, 2016*;

**WHEREAS**, the Town of Ulster Planning Board has recommended the Town Board approve the applicant's request for Site Plan Amendment approval.

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby refers grants conditional Site Plan approval to *Romeo KIA* on the above referenced site subject to the conditions, limitations and restrictions set forth below.

11. Compliance with applicable zoning and building laws, rules and regulations;
12. Compliance with all representations made by the applicant;
13. Compliance with final site plan, design plans and all details as cited herein;

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

14. The applicant addresses all technical comments by the Town Designated Engineers (TDE) Brinnier & Larios, PC;
15. The applicant shall provide sign specifications for the Proposed Action that conform to the standards of the Town's zoning statute;
16. Per the Erosion & Sediment Control Plan, the applicant shall obtain a temporary construction permit access permits;
17. Commercial driveway permits from NYSDOT and Ulster County Highway Department will be required prior to construction of permanent commercial driveways;
18. Provisions must be made by the applicant for the Town to have fee ownership or a perpetual easement of the war memorial site;
19. The phase of development, which is subject to the NYSDOT Use & Occupancy Permit, shall not be disturbed until the NYSDOT has issued a Use & Occupancy Permit;
20. To avoid impacting the Northern Long Eared Bat summer roosting, the applicant will perform any tree removal associated with the proposed project between November 1<sup>st</sup> and March 31<sup>st</sup>;
21. No blasting shall occur on the site without prior review and approval of an applicant prepared blasting protocol by the Town Designated Engineers Brinnier & Larios and the Town Building Inspector;
22. 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
23. All fees, including consultant fees, shall be paid.

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*

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

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February 16, 2017

**RESOLUTION** granting Special Permit for contractor's storage yard, 17-19 Powell Lane, Kingston, NY, SBL: 48.14-3-3, Owner of Record: Thomas Hricisak

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

**Resolution Granting Special Permit for Contractor's Storage Yard**  
**17-19 Powell Lane**  
**SBL: 48.14-3-32**

**Owner of Record: Thomas Hricisak**

**Date: February 16, 2017**

**WHEREAS**, the Town of Ulster Town Board, the Town of Ulster Planning Board, the Town of Ulster Building Inspector, and the Town Attorney, have reviewed an application by Thomas Hricisak seeking Special Permit approval to allow a contractor's storage yard on a 0.24 acre parcel located at 17-19 Powell Lane within the Town of Ulster; and

**WHEREAS**, the subject site is situated within the HC – Highway Commercial District in the Town of Ulster, where contractors' storage yards are allowed subject to Special Permit approval by the Town Board pursuant to Chapter 190 of the Town of Ulster Town Code; and

**WHEREAS**, the Town Board held a public hearing on this matter on December 1, 2016, during which no public controversy was raised concerning the proposed action, and

**WHEREAS**, the Town of Ulster Zoning Board of Appeals granted a two-foot area variance for the perimeter fence height at its regularly scheduled meeting on February 1, 2017; and

**WHEREAS**, the Town of Ulster Planning Board granted conditional site plan approval to the applicant at its regularly scheduled meeting on February 14, 2017; and

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

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board hereby grants Special Permit approval to Thomas Rice and Robert Rice subject to the conditions, limitations and restrictions set forth below.



**TOWN OF ULSTER TOWN BOARD MEETING (5)**

---

February 16, 2017

1. All fees, including consultant fees and legal fees, shall be paid.
2. Compliance with all applicable zoning and building laws, rules, and regulations.
3. In case of a violation of any of the aforesaid conditions, this permit may be revoked by the Town Board, provided, however, that after activities under this permit shall have been properly commenced, there shall be no such revocation until substantial evidence of such violation shall have been presented to the Town Board at a meeting of said Board called for the purpose of hearing such evidence on notice to the owner.
4. Preparation of Flood Response Protocol, a copy of which shall be filed with the Town of Ulster Building Inspector within ninety (90) days from date of this resolution.

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*

**PUBLIC COMMENT**

1. *Teri Quarantino*, Flatbush Road: What is the status of the traffic study on Route 32?  
*Supervisor*: We will contact NYS DOT tomorrow to find out. {To audience} The Town Board passed a Motion recently for the Town Clerk to contact the NYS DOT to conduct a traffic study on Route 32.
2. *Fred Wadnola*, Lohmaier Lane: Serious water break on Old Neighborhood Rd. recently. Wants to thank everyone involved (water, sewer, fire depts.); it was fixed within four hours and they did a great job. Appreciates services in the Town.

**~ NO FURTHER COMMENTS ~**

**TOWN OF ULSTER TOWN BOARD MEETING (5)**

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February 16, 2017

**MOTION to adjourn at 7:26 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