

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**MEETING HELD IN PERSON and VIRTUALLY THROUGH ZOOM  
BROADCAST VIA FACEBOOK LIVE**

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

**SALUTE TO OUR FLAG**

**ROLL CALL by Town Clerk, Suzanne Reavy:**

TOWN COUNCILMAN CLAYTON VAN KLEECK

TOWN COUNCILMAN ROCCO SECRETO

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILWOMAN ANNA HAYNER

SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Warren Tutt, Building Inspector
2. Frank Petramale, Highway Superintendent
3. Kyle Berardi, Police Chief
4. Tosca Sweeney, Comptroller
5. Jason Kovacs, Town Attorney
6. Bill Kemble, Daily Freeman
7. 13 in-person attendees

**ADDITIONS OR CHANGES TO AGENDA** – Addition of the approval of the Halloween curfew.

**PUBLIC DISCUSSION ON AGENDA ITEMS** –

Dawn DeLuca, Town Resident

Regarding the agenda item: Kingdom Hall

1. Statement that roads were adequate for traffic. What streets will they be using?  
*Supervisor:* Quail Drive is a one way street. Appreciates being notified if people are violating the one way. We will make it known that primary access should be from E. Chester St.
2. Rock blasting. House sits on ledge; house shakes when blasting is done in the distance.

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

*Tutt*: Minimal blasting at best. If that happens, we will address it in a different way.

*Supervisor*: They would use a hammer to address the rock. Sewer line on Lucas Ave all done by hammer.

3. Discharge/Water.

Tutt: Stormwater is on the plans.

Supervisor: Requirement for a pond to be constructed. Stormwater to be discharged into pond for infiltration to back into the sand in the back of that lot.

4. Traffic control device. Will that be a stoplight on Rt. 9w?

Tutt: No traffic control device discussed.

*Supervisor*: Discussions with NYSDOT who stated there is insufficient traffic at that intersection to justify a light. Perhaps the increase in traffic will justify a signal.

5. Property for future use. Property on the plans marked for future use. Will that be more buildings?

Supervisor: If more construction, they will be back before the planning board.

**APPROVAL OF MINUTES – September 7<sup>th</sup> and 21<sup>st</sup> (2023-M-319)**

MOTION: Councilwoman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**COMMUNICATIONS** – Email received from Chief Kyle Berardi: Governor Hochul announced that all 532 eligible police agencies in NY have received state certification for officer employment as required by the Professional Policing Act of 2021. On October 5, 2023, the Council voted to approve and grant the Ulster Police Department certification in accordance with the mandatory certification program. Their certificate is valid through 2027.

**ABSTRACT OF CLAIMS (2023-M-320)**

*Presented by Councilman Van Kleeck*

October, 2023

**TOTAL:**                   \$   849,658.14

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**BUDGET MODIFICATIONS (2023-M-321)**

*Presented by Councilman Van Kleeck*

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**New Business:**

**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of September 2023 (2023-M-322)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Presentation and Acceptance of the Supervisor's Monthly Report for the month of September 2023 (2023-M-323)**

*Supervisor:* 115 page document. Cash positions in each account. Year to date profit and loss statement. Temporary snapshot of town's finances. Cash balance of town begins to go down due to expenses, e.g. pension and snow/weather related items.

MOTION: Councilman Secreto  
SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Resolution granting Conditional Site Plan Approval for 5,000 square foot  
“House of Worship” for New Kingdom Hall, P-915, 298 Memorial Drive, SBL  
48.66-2-3.200 (2023-R-324)**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**New Kingdom Hall, P-915, 298 Memorial Drive**  
**SBL 48.66-2-3.200, ZONE: OM**  
**Site Plan**

WHEREAS, Applicant and owner – JW Congregation Support, Inc. -- seeks to construct a new, approximate 5,000 square foot, one-story building and associated infrastructure and parking for a new Kingdom Hall. Such “house of worship” is a permitted use in the OM district; and,

WHEREAS, the materials submitted in support of this site plan application include:

- One page transmittal sheet from Greenman-Pedersen, Inc. (GPI), dated 6/27/2023
- Application for Site Plan Review, prepared and signed by Michael Stefanski, JW Congregation Support, Inc., and dated 6/27/2023
- Escrow Agreement signed by Michael Stefanski, dated 6/27/2023
- Project Narrative (two pages) prepared by John Montagne, GPI, dated 6/27/2023
- SEQRA Full Environmental Assessment Form, Part 1 with EAF mapper, signed by Michael Stefanski, Project Manager, dated 6/27/2023
- Site Plan, Kingdom Hall of Jehovah’s Witnesses, prepared by GPI, dated 4/5/2023 with revisions 6/06/2023 and 7/07/2023 and consisting of the following ten (10) sheets:
  - C-001, Cover Sheet
  - V101, Boundary and Topography Survey
  - CS101, Site Layout Plan
  - CG101, Grading and Drainage Plan

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

- CU101, Utility Layout Plan
- CE101, Erosion and Sediment Control Plan
- LS101, Landscaping Plan
- C501, Site Details
- C502, Site Details
- C503, Site Details
- Memorandum with photographs and graphics from Kurt Weiskotten, Senior Environmental Scientist, GPI to JW Congregation Support , Inc, regarding Threatened and Endangered Special Review, Contract #9320, 200 Memorial Drive, Ulster.
- Four-page Response to Technical Comments Issued September 12, 2023, to Rory Lee, Chairman, Town of Ulster Planning Board from John Montagne, RLA, VP/Director of Land Development, GPI, dated 6/22/2023. Responses are to both comments from Town Engineer Praetorius and Conrad, PC as well as from Ulster County Planning Board
- Stormwater Pollution Prevention Plan for Ulster Kingdon Hall of Jehovah’s Witnesses, prepared by GPI, dated 7/14/2023 and revised 9/25/2023
- One-page memorandum from Jessica Schreyer, NYS OPRHP, to Adam Johnson, Project Engineer, GPI, dated 8/29/2023 stating the opinion that “...no properties listed in or eligible for the New York State and National Registers of Historic Places shall be impacted by this project.”
- Ulster County Planning Board Recommendation Memo, Referral No. 2023-128, dated 9/06/2023 making three (3) required modifications related to existing vegetation, SEQRA documentation, and Lighting Details
- Nine (9) Exterior Lighting detail sheets for EcoFrom small area light by Signify
- Three (3) Exterior Lighting detail sheets for LytePro LPW7 wall mount sconce by Signify; and,

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

WHEREAS, the Town Board of the Town of Ulster has final site plan approval authority in coordination with and based on recommendations from the Town of Ulster Planning Board; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form, Part 1; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred to the Ulster County Planning Board as per New York State General Municipal Law 239 and said County Planning Board responded in writing with Referral No. 2023-128 as noted above; and,

WHEREAS, the Planning Board in coordination with the Town Board considered all of the application materials submitted by the applicant in support of the Proposed Action, along with the comments from Town consultants and staff. At the October 10, 2023 meeting of the Planning Board the actions stated below were recommended; and,

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Unlisted Action based on coordinated review with the Town Planning Board and others: and,

BE IT FURTHER RESOLVED that the Town of Ulster Town Board makes final review of this Application and grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance, as shown on signed plans, with all comments provided by Town of Ulster Water Superintendent, the Town of Ulster Sewer Department, and the Town of Ulster Engineer (Praetorius and Conrad, PC) as cited above or as otherwise provided;
2. Compliance, as shown on signed plans, with any additional comments as may be provided from the Town Engineer;
3. Compliance with any and all comments from the Ulster County Fire District No. 5 and from the Town of Ulster Highway Superintendent regarding access, vehicle circulation and any other emergency services matters;
4. Inclusion of and compliance with the Town of Ulster Planting Notes to be placed on the Site Plan Sheet LS101, Landscaping Plan;
5. Compliance with applicable zoning and building laws, rules and regulations.

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

6. Compliance with all representations made by the applicant;
7. Compliance with documentation, site plan, design plans and all details as cited herein;
8. 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
9. All fees, including consultant fees, shall be paid.

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

ROLL CALL VOTE:

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**Resolution declaring Lead Agency for the SEQRA Review and authorizing the referral to the Ulster County Planning Board for Ulster Hospitality, P-742, 1581 Ulster Ave, Lake Katrine, N.Y., SBL 39.82-2-7.117, Zone OM. Resubmittal of a Previously Approved Project for a 100 room hotel (2023-R-325)**

*Supervisor:* This is their third time through. Last delay from 2019 was due to Covid.

**RESOLUTION TOWN OF ULSTER TOWN BOARD**  
**Ulster Hotel, P-742, 1581 Ulster Avenue**  
**SBL 39.82-2-7.117, ZONE: OM**

WHEREAS, the Applicant – Ulster Hospitality LLC, seeks special use and site plan reapproval for the proposed Ulster Hotel. A substantially similar application was approved by the Town of Ulster in February, 2021 with approval extensions approved in January 2022 and April 2023; and,

WHEREAS, the applicant has submitted a complete Special Permit and Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form; and,

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for the Special Permit and Site Plan application in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed the applications as complete, and at their October 10, 2023 meeting the Planning Board recommended the actions stated below; and,

NOW THEREFORE BE IT RESOLVED, the Town Board finds that the Special Permit and Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and the Town Board agrees to be designated as Lead Agency; and,

BE IT FURTHER RESOLVED, Town Board formally refers the Special Permit and Site Plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239; and,

BE IT FURTHER RESOLVED, the Town Board schedule a public hearing for the Special Use application – Hotel in the OM zoning district for November 2, 2023 at 7:10 PM

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

MOTION: Councilman Kitchen  
SECOND: Councilman Secreto

ROLL CALL VOTE:

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to set a Public Hearing for a Special Use Permit for Ulster Hospitality, P-742, 1581 Ulster Ave, Lake Katrine, N.Y., SBL 39.82-2-7.117, Zone OM. Resubmittal of a Previously Approved Project for a 100 room hotel for Thursday, November 2, 2023 @ 7:10PM (2023-M-326)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**Motion to authorize the Police Chief to purchase one 2023 Dodge Durango Pursuit patrol vehicle from Sawyer Motors not exceeding \$39,523.00 under NYS Contract# PC-69491SB (2023-M-327)**

*Chief Berardi:* Due to auto strike, concerned with how long it will take to obtain a vehicle. This vehicle is in stock.

MOTION: Councilman Kitchen  
SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to authorize the reassignment of Officer Sickler to the Detective Division as a Special Assignment (2023-M-328)**

*Chief Berardi:* Currently a member of patrol division, has interest in investigation. Spot may become vacant next year with a senior detective retiring.

*Supervisor:* Sickler was there before and reassigned to patrol due to staffing issues. He has made some good cases.

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**Motion to authorize the hiring from the UC Civil Service in Town List of Michael Whelan as a full-time Police Officer (2023-M-329)**

*Presented by Councilman Secreto*

Michael Whelan: Union; PBA; \$26.77/hour; start date 11/1/2023; currently a part time officer

MOTION: Councilman Secreto

SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to hire a part time Police Dispatcher (2023-M-330)**

*Presented by Councilman Secreto*

Reilly Waddell: part time; union; PBA; \$19.58/hour; start date 10/23/23

*Secreto*: Very energetic young lady.

*Chief Berardi*: Staffing for patrol and dispatch is a national issue. Recruitment and retention is down. Continuous effort to staff patrol and dispatch. We are in much better shape than we were a few months ago. Quite a few arrests for serious charges that have taken place, including manslaughter.

MOTION: Councilman Secreto

SECOND: Councilman VanKleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**Old Business:**

**Presentation of 2024 Preliminary Budget**

*Supervisor:* Published on the town website. Changes from the tentative budget are as follows: Decreased Sales Tax Revenue- This is due to the Ulster County Sales Tax Estimate for all Towns and Villages. The County is estimating that Sales Tax will fall in 2024. We have decided to decrease the revenue to match the County estimate, which in turn increased the use of Fund Balance of \$35,000; Retirees Hospital & Dental increased by \$85,000- Due to an increase in 2 new Police Officer Retirements. The offset to balance is also the increased use of Fund Balance. The Highway Fund increased the use of Fund Balance by \$38,000 and lowered Real Property Revenue.

Increase in tax levy general fund: 0.99 %

Highway Dept: \$35,000 of the fund balance to reduce tax levy by .135 %

Every other district under the control of the town board has a reduction in the tax levy.

**Resolution Approving Preliminary Budget, Nunc Pro Tunc (2023-R-331)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**  
**Resolution Approving Preliminary Budget, *Nunc Pro Tunc***

The Town Board of the Town of Ulster, duly convened in regular session, does hereby resolve as follows:

SECTION 1. Pursuant to and in accordance with the provisions of section 106 of the Town Law, and other applicable provisions of law, the annexed detailed statement of estimated expenditures and revenues be and the same hereby is approved and adopted as the preliminary budget of the Town of Ulster for the fiscal year beginning January 1, 2024. Such preliminary budget shall be filed forthwith in the office of the Town Clerk of the Town of Ulster, where it shall be available for public inspection.

SECTION 2. This resolution shall take effect as of October 19, 2023, *nunc pro tunc*.

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to set a Public Hearing on the Preliminary Budget for Thursday,  
November 2, 2023 @ 7:15pm (2023-M-332)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**Resolution authorizing Conditional Final Site Plan Approval for Kingston Commons, LLC, 625 & 631-669 Washington Ave., Kingston, NY, SBL# 48.14-1-19 & 20 (2023-R-333)**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**Amit Patel / Kingston Commons , Site Plan, P-905**  
**631-669 & 625 Washington Avenue, SBL 48.14-1-19 & 20**  
**ZONE: HC**

**WHEREAS**, the Applicant – Amit Patel / Kingston Circle Properties LLC -- in 2019 gained site plan approval for a mixed use, commercial project at this location. Initial stage of site construction preparation did advance, but applicant reports that due to constraints associated with the Covid-19 Pandemic the project was paused. Applicant has now returned for site plan approval of the same previously approved project but with certain modifications; and,

**WHEREAS**, the applicant has submitted a complete Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form; and,

**WHEREAS**, the Town Board of the Town of Ulster has final review and approval authority for the site plan application in coordination with the Town of Ulster Planning Board; and,

**WHEREAS**, said Planning Board has reviewed the applications as complete and at their April 13, 2023 meeting and unanimously recommended the Town Board take the following actions; and,

**WHEREAS**, at its regular meeting held on April 20, 2023, the Town Board of the Town of Ulster declared that the site plan application is defined as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA), and the Town Board declared its intent to be Lead Agency; and

**WHEREAS**, at its regular meeting held on April 20, 2023, the Town Board of the Town of Ulster formally referred the site plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239; and

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**WHEREAS**, said Planning Board, at its regular meeting held on July 11, 2023, formally recommended to the Town Board that the site plan application is defined as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA), and formally recommended to the Town Board that the Town Board can make a negative declaration under SEQRA that this Action does not have the potential for significant adverse environmental impact; and,

**WHEREAS**, said Planning Board, at its regular meeting held on July 11, 2023, declared that the applicant, working with the Town of Ulster, has met the Recommendations and Required Modifications from the Ulster County Planning Board Referral Memo No. 2023-062 dated 05/03/2023, with exception of the Required Modification item titled Bicycle Lane; and

**WHEREAS**, said Planning Board, at its regular meeting held on July 11, 2023, formally recommended to the Town Board that the Town Board override the Required Modification item titled Bicycle Lane as impractical under current road conditions, but the Planning Board did encourage the placement of bicycle racks or storage equipment on site; and,

**WHEREAS**, said Planning Board, at its regular meeting held on July 11, 2023, formally recommended that the Town Board grant final conditional approval for this amended site plan consistent with this resolution, and consistent with the prior 2019 approval of this original site plan as well as other standard Town of Ulster conditions on site plan approvals; now, therefore, be it

**NOW THEREFORE, BE IT RESOLVED**, that, based on the Environmental Record which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project, and be it further

**RESOLVED**, that pursuant to Section 274-a of the Town Law of New York State, the Town of Ulster Zoning Law, the Town of Ulster Site Development Law and in consideration of the administrative review of the Application, the Town of Ulster Town Board hereby grants Conditional Final Site Plan Approval to the Kingston Commons Project, subject to the following conditions subsequent:

- A.) Building Permit Issuance Conditions:
  - 1) Payment of any and all outstanding Review Escrow Fees, or any other necessary fees, as required pursuant to the Town of Ulster Code.

TOWN OF ULSTER TOWN BOARD MEETING (21)

OCTOBER 19, 2023

- 2) Approval of the Final Utility, Stormwater, Lighting and Landscaping plans for the Project by Brinnier and Larios, PC, as Town of Ulster Consulting Engineers.
- 3) Approval of the project signage by the Town of Ulster Building Inspector.
- 4) Approval by the Ulster County Legislature of the Planned non-exclusive easement and right-of-way relocation, as well as the potential approval of shared drainage with the County of Ulster by way of non-exclusive drainage easement, if any.
- 5) Submittal of Final Site Plan Maps by the Project Engineer for signature by the Planning Board.
- 6) Filing of this Resolution/Decision within the Offices of the Town of Ulster Clerk.
- 7) The color scheme for the building is to be presented to the Town of Ulster Planning Board and approved as to color by said Planning Board.

The foregoing conditions are all to be completed prior to issuance of any Building Permits by the Town of Ulster.

B.) Certificate of Occupancy Permit Conditions:

- 1) Issuance of a Curb Cut/Access Permit and sidewalk access within the NYSDOT right-of-way by the NYSDOT pursuant to Section 52 of the Highway Law of New York State.

With respect to NYSDOT Permit issuance, the Town of Ulster Town Board notes the concern expressed by members of the public with respect to attempting to save the existing sycamore tree which is located near the entrance proposed for the project site. This concern is shared by the Town of Ulster Town Board and the Town of Ulster Planning Board.

The ultimate disposition of the sycamore tree will be determined by the NYSDOT, as it is situate within the NYSDOT right-of-way. Accordingly, the Town of Ulster Planning Board has requested that the NYSDOT further evaluate the feasibility of saving the sycamore tree and the

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

applicant is working with the NYSDOT to address this issue. However, ultimately, the status of the sycamore tree will be determined by the NYSDOT during the NYSDOT permit review process.

- 2) Obtaining of coverage under the SPDES General Permit for Stormwater Discharges [GP-0-15-002] by requisite filing of the Notice of Intent and all related stormwater plans/studies, including the Stormwater Pollution Prevention Plan [SWPPP], with the NYSDEC and the Town of Ulster Building Inspector.
- 3) Approval of municipal sewer and water system modifications and associated hook-ups for the project by the Ulster County Health Department.
- 4) The applicant's ultimate determination as to the relocation of the Railroad Caboose and Ulster County Tourism Facilities, either on or off the project site, and applicant's advising of the status of this matter to the Town of Ulster Town Board and the Town of Ulster Code Enforcement Officer.

The foregoing conditions are all to be completed prior to the issuance of any Certificates of Occupancy by the Town of Ulster; and,

C.) In the Event of Non Approval by the Ulster County Legislature of the Non-Exclusive Easement Relocation and any Non-Exclusive Drainage Easement, if Necessary.

Should the Applicant not timely obtain the non-exclusive easements as stated above from the County of Ulster, the Applicant retains the option of modifying its Site Development Plans in order to obviate the need for Ulster County Legislature Approval by maintaining the current status-quo for the location of the non-exclusive access easement any by not engaging in any shared drainage with the County of Ulster over lands situate within the Harry M. Thayer County Park. This option shall include the necessity for obtaining Amended Site Development Plan Approval.

However, as the Conditioned Negative Declaration clearly demonstrates that non-exclusive easement access and drainage issues have been comprehensively addressed, it shall not be necessary for the Applicant to revisit the project plans by de novo environmental review. Only those environmental impacts directly related to the project changes associated with the existing non-exclusive easement and

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

existing drainage may require revisited SEQRA review, if any additional SEQRA review is necessitated thereby; and,

**BE IT FURTHER RESOLVED**, that the Kingston Commons Project is deemed to be in conformance with the Review Standards set forth within Section 145-7 of the Town of Ulster Site Development Plan Law in all manner and respects [see Conditional Negative Declaration and the Administrative Record; and,

**BE IT FURTHER RESOLVED**, that pursuant to Section 274-a of the Town Law of New York State and the Town of Ulster Zoning Law, the Town of Ulster Town Board hereby adopts and issues this Resolution/Decision upon the vote thereupon and the signature of the Supervisor herewith; and,

**BE IT FURTHER RESOLVED**, that the Town of Ulster Town Board shall sign and date the Final Site Development Plan Maps immediately following the execution and dating of this Resolution/Decision.

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

ROLL CALL VOTE:

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

**ADDITION:**

**Motion to Set a Halloween Curfew for October 31, 2023 as 8:00 pm for All Unaccompanied Minors (2023-M-334)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

***End of Regular Agenda***

**PUBLIC COMMENT:**

1. Larry Quick, town resident  
Every year, Renssalaer lowers taxes. Every year here taxes go up.  
  
Supervisor: There will be a budget presentation on 11/2 before the public hearing.
2. Chief Berardi: On 10/15 there was a personal injury auto accident on Route 9W by Angela's Pizza. Evidence that the driver was under the influence of narcotics. EMS arrived. An EMS provider had a medical episode due to an airborne contact high. Concern across the county with contact with individuals. Dangers we face every day. Please keep them in your thoughts.

TOWN OF ULSTER TOWN BOARD MEETING (21)  
OCTOBER 19, 2023

3. Supervisor: Most of this week, Westchester Medical is on full diversion (not accepting patients) due to an IT problem. To obtain medical care, stabilizing patients and transporting to other facilities. Adverse impact on Northern Dutchess and more diversion Vassar. Denies our first responders to ambulances. Empress ambulances in Kingston have been used to transport patients to new facilities. New Paltz Rescue squad has an ambulance on call at Ulster Hose Co. 5 to respond to calls in the town of Ulster. Critical and has been going on for several months.

~ END OF PUBLIC COMMENT ~

**MOTION to adjourn (7:27 pm) (2023-M-335)**

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk