

TOWN OF ULSTER TOWN BOARD MEETING (08)

APRIL 21, 2022

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

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

SALUTE TO THE 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 3rd

ALSO IN ATTENDANCE:

1. Kyle Berardi, Chief of Police
2. Warren Tutt, Building Inspector
3. Frank Petramale, Highway Superintendent
4. Vincent Maggiore, Wastewater Superintendent
5. Bill Kemble, Daily Freeman
6. One Zoom attendee
7. Several in-person attendees

ADDITIONS OR CHANGES TO AGENDA – Two additions from the police commission meeting, regarding presentations of two proposed updates to the Ulster Police Department Operations Manual. To be posted on the town website.

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF MINUTES – March 4th and 18th (2022-M-103)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

COMMUNICATIONS –

Summary of letter received from town residents, Michael and Anna Parks regarding drainage issues in the Bright Acres neighborhood and a right of way off of Fawn Hill Court to a lot. Letter posted on town website.

Supervisor: Town highway superintendent and town engineer, Dennis Larios, will visit site in the next few weeks.

ABSTRACT OF CLAIMS

Presented by Councilman Van Kleeck

April, 2022 (2022-M-104)

Prepaid Bills:	\$ 618,455.57
Abstract Bills:	\$ 507,245.96
Escrow Bills:	\$ 5,142.50
Reserve:	\$
TOTAL:	\$ 1,130,844.03

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MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

CARRIED

New Business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of March 2022 (2022-M-105)

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

CARRIED

Motion to hire one Seasonal Employee for Parks and Recreation (2022-M-106)

Michael Sills: \$15/hour; start date 5/1/2022

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

CARRIED

Motion to hire one full time Deputy Town Clerk (2022-M-107)

Crystal Boice: Appointed; \$17/hour; start date 4/25/2022

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

Motion to hire one Seasonal Employee for the Water Department (2022-M-108)

Christopher Ibbotson : \$15.25/hour; start date 5/31/2022; requested by John Rose

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

APRIL 21, 2022

Motion to Authorize an Exception to the Town’s Procurement Policy for an Emergency Purchase of a 2022 Dodge Durango for the Police Department from Begnal Motors not exceeding the purchase price of \$40,000.00 (2022-M-109)

Supervisor: Last meeting, advised community that October, 2021 order of two new police vehicles with an April, 2022 delivery. Informed that the vehicles have not begun manufacture. Last meeting, town board approved this same purchase for one vehicle. Tonight authorizing the purchase of the second vehicle.

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

CARRIED

Presentation of Local Law ___ of 2022: Town of Ulster, County of Ulster, A Local Law prohibiting smoking on Town-owned property, entitled “No Smoking on Town Property

Councilman Secreto: Bought before the board a few months ago. Last year there were complaints at the parks, especially with new marijuana allowed use. Within each department, it would be up to each department head to enforce.

Law posted on website. Next meeting we will schedule a public hearing.

APRIL 21, 2022

Resolution Declaring the Town of Ulster to be Designated as Lead Agency under SEQRA and Refer RUPCO, 114 Route 28, SBL 48.14-1- 24&27 to the UC Planning Board for Review (2022-R-110)

Supervisor: Referral from planning board. Town board to refer this RUPCO project to the Ulster County Planning Board. SEQR review will include rehabilitation of existing facilities and new inter-connect to Cherry Hill water district and Washington Avenue sewer district.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
RUPCO Site Plan, 114 Route 28
SBL 48.14-1-24 & 27, ZONE: HC

WHEREAS, the Applicant – RUPCO – is seeking seeks site plan approval as an eleemosynary organization to convert and adaptively reuse a former hotel/motel complex for assisted and supportive apartments (the “Action”); and,

WHEREAS, the Applicant is or will be concurrently seeking a Lot Line Deletion to merge two tax parcels into one parcel; 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) Short Environmental Assessment Form, Parts 1 & 2; and,

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action (Site Plan) since the subject site is more than one (1) acre, upon a favorable recommendation from the Town of Ulster Planning Board; and

WHEREAS, the Town of Ulster Planning Board has the authority to approve the Lot Line Adjustment; and

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was a Type II Action under the New York State Environmental Quality Review Act (SEQRA) as per 6 NYCRR 617.5 (c) (3) and (18), being reuse of an existing commercial structure where use is permitted, and that such reuse will incorporate green infrastructure; and

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WHEREAS, Involved Agencies include: Involved Agencies include: Town of Ulster Town Board (Site Plan), Town of Ulster Planning Board (Lot Line Adjustment), and NYSDOT; and

WHEREAS, Interested Agencies would include Interested Agencies would include the Town of Ulster Planning Board (Site Plan), Ulster County Planning Board (NYSGML 239 review); and

WHEREAS, the Town's Consulting Planner recommended to the Planning Board that the Proposed Action be referred to the Town Board for the sole purpose of initiating a SEQR Type II Action with the Town Board so named as Lead Agency; and

WHEREAS, the Town of Ulster Planning Board, at its April 19, 2022 meeting, referred this matter to the Town Board for the purpose of initiating a SEQR Type II Action with the Town Board so named as Lead Agency.

Rupco Page 2

4/21/2021

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 a Type II Action and directs the Town Clerk to circulate a Notice of Intent to all Involved and Interested Agencies.

NOW BE IT FURTHER RESOLVED, the Town Board recommends that no further review under SEQRA is required for this Action; however, this SEQRA declaration does not include environmental review of a proposed new sewer and water connections as such connections are still being finalized between the Town of Ulster and Ulster County, and when finalized these connections will be reviewed separately under SEQRA;

AND BE IT FURTHER RESOLVED should such sewer and water connections not occur, or not occur in an anticipated schedule matched to the RUPCO site plan anticipated completion, then the Town reserves the right to re-review this Site Plan Action as reliant on other sewer and water services.

AND BE IT FURTHER RESOLVED, the Town of Ulster Town Board, based upon the above and its own review of the application materials, refers this matter to the Ulster County Planning Board for GML 239 review upon receipt from the Applicant all materials requested at the April 19, 2022 Planning Board meeting.

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MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

Old Business:

Motion to award bids for Cold Planing Road Services for 2022 (2022-M-111)

Petramale: Yearly for milling process. We have been bidding independently for last few years. Sometimes bids are cheaper than Ulster County and state bid. Not locking us in to this bid with Callanan.

MOTION: Councilwoman Hayner
SECOND: Councilman Kitchen

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

CARRIED

APRIL 21, 2022

Resolution reapproving the Granting of an Extension for Al Riozzi dba AJR Masonry, 2372-2468 US Route 9W, Saugerties, NY SBL:39.12-1-26 (2022-R-112)

Tutt: In 2019, Riozzi applied to planning board for shop on Route 9W, which was approved by planning and town boards. Then pandemic hit. Time is right now for him to move forward.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
SEQRA Negative Declaration
Site Plan and Special Permit Approval

Al Riozzi dba AJR Masonry

2372-2468 U.S. Route 9W

S-B-L: 39.12-1-26

April 21, 2022

WHEREAS, the applicant – *Al Riozzi dba AJR Masonry c/o Scott Lane, P.E.*, – seeking Site Plan and Special Permit approval to develop a *Contractors Storage Yard* on the subject site, which is situated within the HC-Highway Commercial Zoning District; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

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

- *Written Narrative* prepared by Scott Lane, P.E., for AJR Masonry, Inc., dated April 9, 2019;
- *Consent Form* signed by Al Riozzi (Owner) consenting to the filing of the application dated 3/26/19;
- *Application for Site Plan Review* prepared by Scott Lane, P.E., (Agent) dated March 26, 2019;
- *Short EAF Part 1* prepared by Scott Lane, P.E., dated March 26, 2019;
- *Sketch Site Plan* prepared by Scott Lane, P.E., dated March 26, 2019;
- *Site Plan* prepared by Scott Lane, P.E., dated April 9, 2019; and revised May 14, 2019; and
- *NYS Office of Parks, Recreation and Historic Preservation No Impact Letter* dated May 13, 2019.

WHEREAS, the Town of Ulster Town Board is the Lead Agency for this *Unlisted Action-Coordinated Review* having circulated its Notice of Intent to serve as Lead Agency pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

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WHEREAS, this matter was referred to the Ulster County Planning Board (UCPB), which issued a required modifications in a decision letter dated June 5, 2019 as follows: 1) Review and approval of the proposed well land septic facilities by the Ulster County Department of Health will be required, if not already completed, 2) The applicant will need to coordinate with NYSDOT to obtain a commercial driveway/highway access permit, 3) Any outdoor storage of materials or equipment locations will need to be indicated on the site plan. The materials of the surface the materials are placed upon, and details regarding any enclosures of these locations, will also need to be indicated with typical details provided, and 4) As a condition of approval, any existing outdoor storage left on the site should be removed prior to construction; and

WHEREAS, upon review of the Ulster County Planning Board's letter, the Town Board determined that Required Modifications (RM) No. 1 and 2 would be conditions of approval, RM No. 3 was moot since the applicant is building the garage to store things inside, and RM No. 4 would be addressed by requiring the applicant to move any remaining outdoor storage inside the new building within 30 days of receiving a Certificate of Occupancy; and

WHEREAS, this matter was referred to the NYS Office of Parks, Recreation Historic Preservation, which in a letter dated May 13, 2019 concluded that no archeological or historic resources will be affected by the undertaking; and

WHEREAS, the applicant has addressed all the technical comments of the Town Planner and Town Designated Engineer's Brinnier & Larios, P.C.; and

WHEREAS, the contractor storage yard requires a Special Permit, which required the Town Board to hold a public hearing; and

WHEREAS, the Town Board held the required public hearing for the Special Permit request on June 6, 2019 and closed the public hearing; and

WHEREAS, based upon the Town of Ulster Planning Board's and Town of Ulster's Town Board's through review of the SEQRA Short EAF Part 1 and Part 2 (prepared by the Town Planner); along with supporting Site Plan drawings, and detailed studies cited above and condition of full compliance with all applicable regulations concerning development on the project site; has determined the Proposed Action would not have any potentially large impacts due to the project design and mitigation measures, which were designed into the Proposed Action; and

WHEREAS, the Town of Ulster Planning Board has referred this matter to the Town Board with a recommendation to issue a SEQRA Negative Declaration and to grant Site Plan and Special Permit approval.

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NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby issues a SEQRA Negative Declaration and grants Site Plan and Special Permit approval for the above referenced action subject to the conditions, limitations and restrictions set forth below:

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. The applicant secures Ulster County Department of Health approval for proposed well and septic prior to construction;
5. The applicant secures NYSDOT approval of driveway design prior to construction;
6. Within 30 days of securing a Certificate of Occupancy for the proposed building, the applicant shall move any remaining outdoor storage inside the new building,
7. Compliance with all applicable regulations concerning development on the subject site;
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: Councilman Secreto

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

CARRIED

ADDITIONS

Supervisor: There are changes from time to time to update the police operations manual. Town Board adopted a policy to introduce all changes to police manual. These changes are on the town website. Presentation only to be voted on at next meeting.

1. Wellness Program Policy
2. Internal Affairs/Personal Complaints

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PUBLIC COMMENT:

1. Michael Berardi, Town Resident

Re: Property across from UCRRA on Route 32. The construction of two “baby barns” on property is unsightly. Was there a site plan? There is accumulation of lumber not related to the project. Was a building permit and c/o issued? Fence there is not secured. Also, the firm that put in site plan is not the property owner.

Tutt: Project did receive approval from planning board. The two sheds/buildings are not big enough to get a building permit. No fence permit.

Discussion re: owner vs. applicant.

Tutt will look into and report at next meeting.

2. Anna Parks, Town Resident

Re: Neighborhood cleanup in Bright Acres

Trash on CityView Terr and Forest Hill Drive mostly comes from the Roadway Inn dumpster on the edge of the cliff. Jim Bruno (building dept) inspected earlier and advised Roadway to clean up the trash and billboard area in that area. Thanks highway dept for providing bags.

Pedestrians now walking on Rt 28 pushing shopping carts. Dangerous.

Supervisor: Brought this issue up with UCDSS, our building and police departments, UC Executive’s Office. Nothing can be changed until owner of that hotel sells and use is changed.

Parks: RUPCO low income housing. How are they going to prepare for people walking on Rt 28?

Supervisor: There was a planning board meeting recently and another one scheduled. t and there will be a public hearing re: transportation and another re: pedestrians. Will send the building inspector as soon as possible.

Parks: Would like to be notified when engineer comes to evaluate drainage.

3. Nancy Ebel, Town Resident

More and more trash along Creeklocks Road. Last year a committee cleaned it up. Now worse. Also, thank you for work on Buc’s Junkyard. There is no effort to clean it up.

Supervisor: Advises Ebel to call Legislator Brian Cahill to coordinate with UC Highway, since this is a county road.

We beat Mackenzie (Buc’s owner) in Supreme Court. Not much more we can do. Cannot make any representations for County. He is behind in his taxes.

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4. Dick Metzger, Town Resident
Re: Motorcoaches at Tech City parking lot.
What are they doing there?

Supervisor: Will call county tomorrow and will call him personally.

Chief Berardi: Space was leased to motorcoaches when Ginsburg was there. New owner trying to remove them.

MOTION to adjourn (7:31 pm) (2022-M-113)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk