

TOWN OF ULSTER TOWN BOARD MEETING (14)
JULY 18, 2024

PUBLIC HEARINGS SCHEDULED:

7:10pm - Special Use Permit for Sage Cannabis, 268 Forest Hill Drive, Kingston, SBL 48.13-3-16.100

7:15pm - Special Use Permit for The Joint Cannabis Dispensary, 1221 Ulster Ave, Kingston, SBL 48.7-1- 24.100

7:20pm - Special Use/Site Plan Amendment for Venue on the Hill, 261 Sawkill Road, Kingston, SBL 48.10-1-17.100

MEETING HELD IN PERSON and VIRTUALLY (ZOOM AND 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 COUNCILWOMAN ANNA HAYNER

TOWN COUNCILWOMAN MARYANN DEGROODT

SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Kyle Berardi, Police Chief
2. Frank Petramale, Highway Superintendent
3. Jason Kovacs, Town Attorney
4. Tosca Sweeney, Comptroller
5. Warren Tutt, Building Inspector
6. Dan Baker, Town Assessor
7. Bill Kemble, Daily Freeman
8. Eric Kitchen, UC Legislator
9. Dennis Larios, Town Engineer
10. Twenty+ in-person attendees

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF MINUTES – June 6, 20, 28

JUNE 6 (2024-M-206)

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

JUNE 20 (2024-M-207)

MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

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

CARRIED

JUNE 28 (2024-M-208)

MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

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

CARRIED

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COMMUNICATIONS –

Letter read from Kingston City School District Superintendent, Paul Padalino, to Police Chief Kyle Berardi, appreciating all efforts and assistance in the recent high school graduation ceremony.

ABSTRACT OF CLAIMS (2024-M-209)

TOTAL: \$ 930,882.54

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

CARRIED

BUDGET TRANSFERS AND MODIFICATIONS (2024-M-210)

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	- Yes
Town Councilwoman Hayner	- 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 June 2024 (emailed July 15th) (2024-M-211)

MOTION: Councilwoman DeGrootd
SECOND: Councilwoman Hayner

Town Councilwoman DeGrootd	-Yes
Town Councilwoman Hayner	-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 June 2024 (emailed July 9th) (2024-M-212)

MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

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

CARRIED

Presentation for consideration at the August 15th meeting of a Memo on the Fund Balance for December 31, 2023 and a recommendation for appropriations to Capital Reserve Accounts (emailed July 15th)

Supervisor: No action. Back on agenda on 8/15. Town’s fund balance policy requires the presentation of a schedule; there is usually a recommendation for appropriations to fund specific capital programs.

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Motion to accept the resignation of Part Time Police Officer Aldrich (2024-M-213)

Councilman Secreto reads letter of resignation, effective 7/2/24.

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

Motion to authorize the hiring of one seasonal employee for the Highway Dept. (2024-M-214)

Tyler Siracusano: \$17.00/hour; start date 7/1/24

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

Motion to accept the resignation of Jon Pomeroy in the Sewer Department (2024-M-215)

Councilman Secreto reads letter, effective 8/2/24

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

Motion to approve Payment Application #1 for Contract TU-233, Replacement of .45 MG Potable Water Storage Tank to Arold Construction Company, Inc. in the amount of \$110,200 as recommended by Town Engineers, Brinnier & Larios, PC (emailed July 15th) (2024-M-216)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

DISCUSSION

Councilman Van Kleeck: Are we in line with projection?

Supervisor: This is the first payment we are making. Does not believe to be over budget. At the end may give back a portion of the grant because it will not be spent.

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

CARRIED

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Resolution declaring Intent to be Lead Agency for SEQRA Review and scheduling a Public Hearing for a Special Use Permit for August 1, 2024, at 7:10PM for a proposed cell tower at 434 Flatbush Road (Route 32), Kingston, Lands of Sam and Bonnie DeCicco, P-916, SBL 39.20-1-29.110 (emailed July 15th) (2024-R-217)

Supervisor: Last year, town board passed a resolution declared its intent to be lead agency for SEQRA review and scheduled a public hearing. Due to the height of the tower, it was held up by the FAA. Verizon negotiated with FAA, reduced the height and now it is back before the board again.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Verizon Wireless, Lands of DiCicco, Special Use & Site Plan
434 Flatbush Road
ZONE: OM & R60

WHEREAS, the applicant – Verizon Wireless -- proposes to construct and operate a new personal wireless service facility including construction of a new 100-foot-high monopole with antennae and communications equipment; and,

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

WHEREAS, the Town of Ulster Planning Board retains authority to approve this site plan application; however, the Ulster Town Board has final approval authority for special use permit approval of the special use – public utility structure; and,

WHEREAS, the Planning Board at their July 9, 2024 meeting finds that the application is an Unlisted Action under SEQRA and that the Ulster Town Board designate as lead agency under SEQRA; and,

WHEREAS, the Planning Board also recommended that the application should be referred to the Ulster County Planning Board as per NYS General Municipal Law 239, pending Town of Ulster receipt from the applicant of both a completed Visual Environmental Assessment as well as additional documentation related to a viewshed analysis of the proposal; and

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WHEREAS, the Planning Board also recommended that the application should be referred to the Ulster County Planning Board as per NYS General Municipal Law 239, pending Town of Ulster receipt from the applicant of both a completed Visual Environmental Assessment as well as additional documentation related to a viewshed analysis of the proposal; and,

NOW THEREFORE BE IT RESOLVED, based on a review of the application the Town of Ulster Planning Board recommends the Town Board take the following actions:

RESOLVED, as recommended by the Town of Ulster Planning Board, the Town Board determines to be Lead Agency and finds that this application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and,

RESOLVED, the Town of Ulster Town Board formally refers this 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.

RESOLVED, the Town Board, in coordination with the Planning Board, schedules a public hearing for August 15, 2024 at 7:10 p.m. as required for this special use permit application.

MOTION: Councilman Secreto

SECOND: Councilwoman DeGroot

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

CARRIED

Resolution for Standardization of Hungerford and Terry Equipment in the Town of Ulster Water Districts (emailed July 15th) (2024-R-218)

Dennis Larios: 1978 – town acquired Halcyon Park water district. Installed and iron and manganese removal system, manufactured by Hungerford and Terry (H&T). 1988- expanded Ulster water district, selected H&T for iron and manganese and softening equipment. Purpose of this resolution is to allow town to retain H&T to replace media and provide service technicians in replacing media long past its useful life. Standardization is necessary with their technical support. In Halcyon Park, media never needed replacement. Now taking on a new, larger customer. In the best interest of the town to maintain a relationship with H & T.

Resolution for Standardization of Hungerford & Terry Equipment in the Town of Ulster Water Districts

WHEREAS, the Town of Ulster has had two water filtration plants designed, manufactured, and installed by Hungerford & Terry in the Ulster Water District (1988) and the Halcyon Park Water District (1970), and,

WHEREAS, the filtration equipment is critical to the supply of water to these districts' customers and must be maintained in top working condition, and,

WHEREAS, Hungerford & Terry, as the designer and manufacturer, is uniquely qualified to perform the required maintenance and supplies to insure the efficient operating condition of the filtration equipment, and

WHEREAS, the Town Engineer highly recommends Hungerford & Terry be considered the sole-source provider for filter media replacement for the Ulster Water District and the Halcyon Park Water District; and

WHEREAS, to purchase different makes or models of filter media replacement would similarly be inefficient and uneconomical for the reasons set forth above; and

WHEREAS, the Town Board of the Town of Ulster has determined that it is desirable to standardize these purchases, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy and pursuant to the authority conferred by Subdivision 5 of Section 103 of the General Municipal Law, it is determined by this

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Board that there is a need for standardization in the purchase of filter media replacement in the Ulster Water District and the Halcyon Park Water District, and it is

FURTHER RESOLVED, that the Town is authorized designate Hungerford & Terry as the sole-source provider for filter media replacement for the Ulster Water District and the Halcyon Park Water District.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

7:10pm - Special Use Permit for Sage Cannabis, 268 Forest Hill Drive, Kingston, SBL 48.13-3-16.100

Jason Kovacs: Town recently made changes to zoning code to comply with new state law regarding cannabis. Under our code, we require a special permit for cannabis dispensaries; process for special use permit requires a public hearing.

Supervisor: Appeared before town planning board. Fully within the zoning allowed for the site, retail within a retail area, and specifically under our new zoning law.

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Motion to Open Public Hearing 7:19 pm (2024-M-219)

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

CARRIED

NO COMMENTS

Motion to Close Public Hearing 7:20 pm (2024-M-220)

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

CARRIED

Supervisor: Written comment accepted for 30 days.

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7:15pm - Special Use Permit for The Joint Cannabis Dispensary, 1221 Ulster Ave, Kingston, SBL 48.7-1- 24.100

Motion to Open Public Hearing 7:20 pm (2024-M-221)

MOTION: Councilman Secreto

SECOND: Councilwoman DeGrootd

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

CARRIED

NO COMMENTS

Motion to Close Public Hearing 7:21 pm (2024-M-222)

MOTION: Councilman Secreto

SECOND: Councilwoman DeGrootd

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

CARRIED

Supervisor: Written comment accepted for 30 days.

7:20pm - Special Use/Site Plan Amendment for Venue on the Hill, 261 Sawkill Road, Kingston, SBL 48.10-1-17.100

Jason Kovacs: This type of use is subject to planning board site plan approval and town board due to the nature of use.

Motion to Open Public Hearing 7:21 pm (2024-M-223)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

PUBLIC COMMENTS:

1. Rich Vergili, 34 Denver Road
Property is adjacent to the proposal. Concern over noise and parking based on past history. Parking 9am-10pm – what is the proposal for this event? Is each event to go before the board or is it wide open?

Provides email to town clerk so that supervisor can email him documents tomorrow.
2. Jess Davis, 17 Denver Road
Concerned about noise, traffic, quality of life, burdening the police department with phone calls. Would like the town’s support in this.
3. Chris Gonyea, 30 Denver Road
The venue is directly behind him. Group has historically been noisy; events are extensive and very loud. Tent in yard is visible on Zillow. Parking is a big issue – visually, at night, taillights.
Provides email to town clerk so that supervisor can email him documents tomorrow.

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4. Elaine Cruz, 42 Denver Road
Does not share the same concerns. They have cut down on the fireworks. The owners are welcoming and people with concerns should simply talk to the owners. I vote that they can do what they want on their property.
5. Jess Davis asks if fireworks they use are legal or not?
Supervisor: Does not know.
6. Ben Reposa, 10 Denver Road
Lives at the base of the proposed property (Ortmans). They are kind people and a great family. People should just talk to them. I vote for them to do what they wish.

Motion to Close Public Hearing 7:38 pm (2024-M-224)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

Supervisor: Written comment accepted for 30 days.

Resolution Authorizing the Town Assessor to Prepare and the Town Clerk to Solicit for Request for Proposals (RFP) for Professional Services for a Town Wide Reassessment Project (emailed July 16th) (2024-R-225)

Supervisor: Last revaluation was done in 2003. If anyone has concerns about voting on this tonight, we can move to the next meeting (No Concerns).

Councilman VanKleeck: What is the time schedule if we proceed?

Baker: Start to finish it is a two year cycle.

Councilman Van Kleeck: Can we stipulate that on our request?

Baker: You can ask for multiple years to see what kind of response you get. Do not know until you ask. Tentative roll is May 1. You'd want it done by May 1 to be effective for the following January 1.

Councilman Secreto: Discusses staffing and how involved staff will be. Clerk is leaving (Mary), new deputy assessor (Matt Sabia).

Baker: Assessor's office must be involved to be on pace, dig in, take measurements, ensure appropriate methodology. We need to go out to bid and see what services each bid will provide. Assessor's office will still have to do its day to day duties. No doubt will be more work. Hopes that we can put an RFP together, consultation with the office of real property tax and informational session with this board. Once we get bids back, will determine the time frame. Town's discretion to choose appropriate firm.

Councilwoman Hayner: Faster is not always better.

Councilwoman DeGroot: Will commercial and residential be done separately?

Baker: Is the assessor in city of Kingston.

Discussion on city of Kingston appraisals.

Baker: Have to do all properties together – commercial and residential. Discusses “Welcome Stranger”, (definition: Welcome Stranger is a New York State policy that limits a municipality's ability to raise a property's assessment if it believes the property is undervalued. Under this policy, a municipality can only raise an assessment if it reassesses all similar properties, or if

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there is a physical change to the property, or if the town is conducting an evaluation. Additionally, the policy prevents an assessor from raising a property's assessment solely based on its sale price. New owners of real estate are entitled to the same assessment-to-fair market value ratio as similar unsold properties.)

Supervisor: Community has frequently heard the town board discuss tax certiorari actions, wherein the owner of the property feels that the market value is unjust and sues the town. We have kept our assessed values stable, and as the equalization rates change, the map changes the market value, drives market values increase as the equalization rate goes down. We end up with a series of tax certiorari actions.

Resolution Authorizing the Town Assessor to Prepare and the Town Clerk to Solicit for Request for Proposals (RFP) for Professional Services for a Town-Wide Reassessment Project

WJHEREAS, the Town of Ulster has a need for a qualified firm to provide professional assessment support and valuation services as part of a town-wide reassessment project for the Town of Ulster to be completed for the 2026 roll year; and

WHEREAS, the Town of Ulster is required to solicit for proposals for a professional services firm to oversee the administration of this project; and

WHEREAS, the Town Clerk is prepared to publish a request for proposals package which will allow interested firms to bid on the project for a prescribed period of time; and

WHEREAS, after a period of time, the bidding project will close and an RFP selection committee will review proposals for compliance with bid requirements;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster authorizes the Town Assessor to prepare a request for proposals package which will allow interested firms to bid on the town-wide reassessment project for a prescribed period of time; and be it further

RESOLVED, that upon completion of the request for proposals package by the Town Assessor, the Town Clerk shall publish a request for proposal on the Town web site and to publish a legal notice in the Town's official newspaper. When bids are received, a Selection

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Committee will review the proposals and select the winning bid. The Town Clerk will then prepare a subsequent resolution authorizing execution of the professional services contract.

MOTION: Councilwoman DeGroot

SECOND: Councilwoman Hayner

ROLL CALL VOTE:

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

CARRIED

Discussion on an Application to the Ulster County Solar Grant Program

(emailed July 16th)

Supervisor: In June, county executive's office released a grant program to incent local towns up to \$100,00 for renewable energy or elective vehicle charging stations. Prepared two sample grant applications, each \$50,000: One covers providing electric to the town of Ulster transfer station, the second item is providing electric to the Whittier sewer plant. Application due tomorrow.

Councilman Van Kleeck: Both applications are practical and lean toward using solar where appropriate. In favor.

Councilman Secreto: We have been trying to stay on the green path for awhile now.

MOTION to the Authorize the Supervisor to Submit Two Proposals to Ulster County Executive for Consideration of a Solar Grant to the Town of Ulster the Ulster County Solar Grant Program (2024-M-226)

- 1. Town of Ulster Transfer Station Plant Solar Installation**
- 2. Town of Ulster Whittier Sewer Plant Solar Installation**

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MOTION: Councilwoman DeGroot

SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

Discussion on the Reroofing Project at the UC Business Resource Center, Ulster Ave. and its impact on the community

Warren Tutt: Approached by the deputy director of Ulster County buildings and grounds regarding the reroofing at the site: remove all of substructure and replace. Proposed to do it overnight. Governing agency is state and county; therefore, local agency cannot issue permits. Reached out to a colleague and advised that this is a balancing act. Pros – this is overnight, and ensures safety of occupants in the building. Cons- disruptive noise overnight. We would probably receive noise complaints. No idea of time frame and start date.

Councilman Van Kleeck: Do your best to maintain communication with them. This has to get done. Lights shining at night. Light and noise trespass. We have two county legislators here tonight. We need a plan for them to work with us.

Tutt: Logistically it can be done during the day. Has no input. Will keep inquiring. Communication on their part (county) is a courtesy.

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Motion to Authorize the town building inspector to communicate with the Ulster County buildings and grounds the Town of Ulster town board concerns that this project may have concerning lighting, dust control, and safety. (2024-M-227)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Councilman Van Kleeck: Asks legislators (in attendance) to assist in this communication.

Legislator Kitchen: Town board can think about passing a memorializing resolution to work during the day and not at night.

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

CARRIED

Discussion on the Ulster Wastewater Treatment Facility incident of June 29th

Supervisor: Reads statement from Vincent Maggiore, superintendent, regarding the 6/29 incident. (ATTACHED). Primary digester at Ulster wastewater treatment facility failed/extensive damage. Gas system piping failed.

Councilman Van Kleeck: Any monitoring equipment that would give a warning of this?

Supervisor: Monitoring system was part of the system that failed.

Larios: Your plant has a liquid stream, upgraded in the 90s. The sludge handling system was not touched in the 90s when the liquid stream was handled. Digester is the original and they are anaerobic (heat sludge with the absence of oxygen, creates a lot of gas (methane), which is vented out through the roof. Two roofs -- one floating and fixed. Floating roof victim of over-pressurization. Vincent went to Waverly, NY and Owego, NY and saw some processes that he liked. Meeting with Koester this Friday for a presentation of alternatives. Getting away from "pressure cooker" digesters; plants are now going toward aerobic systems. We are digitizing the

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old 1974 drawings and starting to work with Vincent, looking at manufacturers and taking recommendations from Vincent, as he is very capable.

Supervisor: 2019 Arcadis performed review of the town of Ulster plant. Total cost was about \$6.6 million. Digester was a component and suggested to be updated. Another 2022 follow-up by Arcadis; cost had increased to \$12 million. Most important part of the upgrades were digester and secondary treatments. Meeting last month with Koester and Vincent, digesters were discussed. Replacement of primary and secondary digesters estimated at \$5 million plus; will have to be financed.

Discussion on Open Meetings Law and Caucus

Supervisor: Comment on Mr. (Regis) Obijiski memo from last meeting. No caucus beforehand tonight's meeting. Dates included on the agenda, which reference dates material distributed, no later than three days prior to this meeting. Package distributed yesterday. Discussion with Van Kleeck is to make sure this is a reoccurrence; the agenda must be locked down with no changes by 5pm on the Monday prior to the meeting.

Councilman Van Kleeck: Emailed the board with information, and research shows that we are largely in compliance, but we can do better. The caucus meeting wasn't as open, as it was not announced. Both parties appeared. Doors have always been open. Never a decision made. Public did not hear our discussions, and so we appeared at meetings to be nodding our heads. Dialogue between us was never seen by the public. What we did tonight was seen and will be more informative to the public.

Supervisor: Agrees with Mr. Obijiski. Endorses going forward this practice.

Councilman Secreto: We can come in 30-45 minutes early and have discussions here.

Councilwoman DeGroot: Proposes coming in at 6:30pm to hold caucus in this room.

Supervisor: Proposes holding board meeting at 6pm, the first hour being a discussion. Meeting to begin at 7pm.

Councilman Van Kleeck: We can try 6:30 pm, and start the meeting at 7pm. Enhance the public's knowledge of what we are doing.

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Motion to hold public information session at 6:30 pm in the meeting room and the formal meeting beginning at 7:00 pm (2024-M-228)

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

Old Business:

Resolution granting Conditional Site Plan Approval Extension for Quality Housing Development Fund Company Inc. for 114 Route 28, Kingston, SBL# 48.14-1-27 and 48.14-1-24 (RUPCO) (emailed July 15th) (2024-R-229)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Site Plan Approval Extension, RUPCO / Quality Housing Development Fund
SBL: 48.14-1-27 & 48.14-1-24

WHEREAS, the Town of Ulster Town Board approved an application for Site Plan Approval from RUPCO / Quality Housing Development Fund on September 1, 2022 for the purpose of an adaptive reuse of an existing motel complex for supportive housing apartments with related service;

WHEREAS, pursuant to Ulster Town Code Section 145-13(B), construction of an approved site plan shall be commenced within twelve (12) months from site plan approval; and

WHEREAS, construction of the approved site plan has not yet commenced; and WHEREAS, by resolution dated September 21, 2023, the Site Plan Approval heretofore granted on September 1, 2022 was amended as follows: the approval granted by the Town Board on September 1, 2022

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shall be deemed to have expired unless construction of an approved site plan shall be commenced within twelve (12) months from site plan approval – i.e., September 1, 2024; and

WHEREAS, construction of the approved site plan has not yet commenced; and

WHEREAS, RUPCO / Quality Housing Development Fund is requesting an extension of the Site Plan Approval until September 1, 2025; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the amended site plan approvals; and

WHEREAS, Ulster Town Code Section 145-14 grants the Town Board the power to vary or waive the provisions of Chapter 145, where, in its judgment, the circumstances justify such variance or waiver upon such terms and conditions as it may deem appropriate provided that such variation and/or waiver promotes the health or general welfare and orderly growth; now therefore, be it

RESOLVED, that the amended site plan approval heretofore granted on September 1, 2022, shall be amended as follows: the approval granted by the Town Board on September 1, 2022 shall be deemed to have expired unless construction begins no later than September 1, 2025; and be it further

RESOLVED, that this resolution shall take effect immediately, and any applicable extension fees are hereby waived by order of the Town Board of the Town of Ulster.

MOTION: Councilwoman DeGroot

SECOND: Councilman Secreto

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

CARRIED

Resolution Granting Conditional Site Plan Approval for Bread Alone for an approximate 11,200 sq. ft. addition and an approximate 2,000 sq. ft. second addition, 2121 Ulster Ave., Lake Katrine, SBL 39.15-4-16.100. (emailed July 17th) (2024-R-230)

Supervisor: In June, the town planning board submitted a recommendation to the town board to forward to the Ulster County planning board a complete package. Package reviewed 7/10 by UC planning board. Town received a no county impact reply. Adequately addressed by professionals Bread Alone.

Resolution Granting Conditional Site Plan Amendment Approval to Bread Alone
2121 Ulster Avenue
SBL: 39.15-4-16.100

WHEREAS, the applicant, Largay LLC d/b/a Bread Alone seeks a site plan amendment for an approximate 11,200 square foot addition, and approximate 2,000 square foot second addition, along with new loading bays, improvements to parking, and other interior and exterior improvements; and,

WHEREAS, given the scale of this application, the Town of Ulster Planning Board must coordinate review and approval with the Ulster Town Board, who retains final approval for this Site Plan Amendment in accordance with the Town Code; and,

WHEREAS, the Town of Ulster Planning Board, upon review of the entire record, unanimously recommended that the Ulster Town Board determines this application to be an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and establish to be Lead Agency, and that said Town Board also determines this application should be referred for comment to the Ulster County Planning Board; and,

WHEREAS, the Ulster Town Board agrees that this application is an Unlisted Action under SEQRA and establishes to be Lead Agency; and,

WHEREAS, the Proposed Action must be referred for comment to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster prior to any further action on this application pending receipt of a draft Stormwater Pollution Prevention Plan (SWPPP); and,

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WHEREAS, the Ulster County Planning Board issued a “No County Impact” Decision and Report on July 10, 2024; and

WHEREAS, the Town Board has previously determined to be Lead Agency and has previously found that this application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town of Ulster Town Board has received the recommendation of its Planning Board and comments of its consulting planner and engineers, Water and Sewer Departments and also finds the Proposed Action would not pose any potentially significant environmental impacts based upon documentation and plans provided and the mitigation measures being employed in the design of the development; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby grants site plan amendment for an approximate 11,200 square foot addition, and approximate 2,000 square foot second addition, along with new loading bays, improvements to parking, and other interior and exterior improvements 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. Completion of all technical revisions to Plan Set as may be required by the Town Planner, Town’s Consulting Engineer, and/or Town of Ulster Water & Sewer Departments;
4. Approval by Ulster County Health Department of wastewater disposal for subject site;
5. All fees, including consultant fees, shall be paid; and
6. No Building Permit Shall be Issued for the addition without the express written consent of the Town of Ulster Sewer Superintendent.

MOTION: Councilwoman DeGroodt

SECOND: Councilwoman Hayner

Discussion-

Councilman Van Kleeck: Our conditional has to do with Bread Alone working with the sewer department to ensure that increased production contents are processable. In discussions with them, does not see that as a problem; we are confident, yet it has to be addressed.

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ROLL CALL VOTE:

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

CARRIED

**Resolution on Halcyon Park Water District – NYSTA Water Connection
Contract** (emailed July 16th) (2024-R-231)

Larios: Furnish water to the thruway from Halcyon Park. Town proceeded to acquire a widened easement between Frederick Drive and thruway authority property for installation of service line efforts were unsuccessful. Thruway authority is paying for. Strict deadline. Solicited directional drilling for work in easement only so that we can drill from Frederick to thruway without disturbing the easement. Meet with water superintendent. Received two estimates, 1. Roers and 2. Merritt. Recommends to proceed, awarding this to Roehrs.

RESOLUTION OF THE TOWN BOARD
Town of Ulster, Ulster County, New York
July 18, 2024

Whereas, the Town of Ulster/Halcyon Park Water District has entered into an agreement with the NYS Thruway Authority(NYSTA) to serve the Ulster Service Area; and

Whereas, the agreement is dated April 12, 2024; and

Whereas; The Construction Schedule proposed by the NYSTA required completion of the service line by June 30, 2024; and

Whereas, the Town has experienced complications in acquiring an expanded easement between Frederick Drive and the NYS Thruway property; and

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Whereas, the absence of an expanded easement will require the Town to “directionally drill” the water service from Frederick Drive and the NYS Thruway property; and

Whereas, Normal procurement policies would delay the delivery date late into the fall of 2024; and

Whereas, the Town has received two quotations from reputable contractors to install the service line from Frederick Drive to the NYS Thruway property via directional drilling; and

Whereas, the lowest responsible quote, taking into account both price and schedule is from Roehrs Construction of Clintondale, NY in the amount of \$28,000,00. The second quote was from Merritt Construction of Saugerties, NY in the amount of \$29,320.00. These quotes are for work in the easement area only.

Therefore Be it Resolved by the Town Board, Pursuant to General Municipal Law Section 103(4), that an emergency exists and all work related to the extension of water service main to the New York State Thruway Authority will be performed under this declaration, and the Town authorizes the Supervisor to enter into an agreement with Roehrs Construction for the directional drilling of the service line.

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

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Discussion on the current situation at the Kingston Motel (emailed July 15th)

Chief Berardi: On June 27, I copied the town board on an email to Ulster County Social Services and County executive regarding the motel, former Rodeway Inn. Currently being used as temporary housing. June uptick in calls caused him to email. Met in person twice with concerns: lack of children's activities, unsupervised children, crimes by adults. The motel is going to meeting with a private security company to help aid in criminal activity. Bruderhof is going to volunteer time to prep the site and assemble playground equipment. Dept of social services will set up office hours there. Ulster County Youth Bureau setting up youth programs. Working with non-profits to set up more nutritious food. Ulster County planning to rent a party tent for families to gather. Sheriff department and social worker setting up office hours there. Ulster police staff teaming with sheriff dept to plan trips and kickball games to combat the children's negative interaction with police. Police staff performing regular checks of the property.

Supervisor: County executive's office advised supervisor in 2023 that they would take the lead in opening the motel back up. You are the catalyst for change and compliments Berardi. That is not the role we were promised by the county. We are going to do the best we can.

Discussion on Archtop Fiber use of Town ROW for Cable Installation (emailed July 15th)

Councilman Van Kleeck: Today we received an email from them. We understand Archtop's concerns. Water department, highway, and sewer department have concerns about water lines. The letter stated you will be responsible and be a good neighbor.

Shawn Beqaj, Archtop: We are glad to get started. Any issues please reach out to us.

Motion to Accept Letter and Authorizes the Commencement Under the Terms and Conditions Cited Therein of the Fiberoptic Cables by Archtop into the Town's Right of Way (2024-M-232)

MOTION: Councilwoman DeGroot

SECOND: Councilwoman Hayner

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

CARRIED

COMMENT:

Councilman Van Kleeck: We had discussed the local law regarding dogs at the park. That discussion will come up again in August.

End of Agenda

PUBLIC COMMENT:

1. Regis Obijiski, town resident
Had prepared statement, but will stray from that. This meeting and the interpretations of the agenda items was terrific, in the spirit of the open meetings law.
2. Vicki Lucarini, town resident
Question re: replacement of water storage tank payment. Giving back grant money.

Supervisor: \$500,000 given to us under the Ulster County infrastructure. Requirement of the grant that the amount represents no more than 33% of the project, which implies that \$1.5 million in total. We are not going to hit that number, which makes us unable to draw about \$33,000 of that grant. Project coming in under budget. Cannot expand the scope of the capital project.

Lucarini: Makes sense. Comments that learned a lot tonight through discussions. Appreciates it as a citizen of this town.

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3. Chris Constantinou, town resident
Last year put in a part time application for the parks. Has not heard anything back. Van Kleeck said he would get back to me. No one called me. I don't need a job, I just did it because you needed help.

Councilman Secreto: Your application stated you did not want to work weekends. We were looking for weekends.

Councilman Van Kleeck: It is my fault.

Constantinou: Tells Supervisor he is glad he is back.

4. Councilwoman Hayner: Thanks all the fire departments for their assistance in the high school graduation.

End of Public Comment

**MOTION to Enter Executive Session to Discuss Tax Certiorari Action
8:45pm (2024-M-233)**

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

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

CARRIED

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RETURN from Executive Session — No Action Taken

MOTION to adjourn 9:17 pm (2024-M-234)

MOTION: Councilman Secreto

SECOND: Councilwoman DeGroot

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk