

## TOWN OF ULSTER WORKSHOP MEETING (6)

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March 3, 2016

**CALLED TO ORDER BY DEPUTY SUPERVISOR KITCHEN at 7 PM**

**SALUTE TO THE FLAG**

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

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

**ADDITIONS OR CHANGES TO AGENDA** - None

**PUBLIC DISCUSSION ON AGENDA ITEMS:**

**Legislator James Maloney** speaks on behalf of himself and Legislator Dean Fabiano (not present due to his presence at Public Works Committee meeting, for which he is Chairman) in regard to the Resolution advocating for the renewal of the sales tax agreement between Ulster County the city of Kingston. Maloney spoke with Supervisor Quigley approx. one month ago stating that he does not support any Resolution where any town loses a dollar; never supported by himself or Mr. Fabiano.

**Deputy Supervisor Kitchen:** The Town thanks you for your support, Mr. Maloney.

**COMMUNICATIONS:** None

**DEPARTMENT HEAD REPORTS**

**Assessor, James Maloney (year end report):** Calendar does not operate on a normal calendar year ; exemption processing ended on March 1; employees of his office literally knocking on doors making sure seniors' renewals were in; wants to thank Nancy France & Taylor Glass, commend them; busy inspecting building permits.

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**NEW BUSINESS**

**MOTION** to authorize the promotion of William Moylan to Detective

*Councilman Morrow (Personnel Chairman) gives description:*

Title: Detective; Effective Date March 4; Req by Dept Head Officer in Charge Gramoglia; Acting as Detective since January, 2015; Wage \$66,953; Step 14; PBA; Full Time; Union; Non-Competitive; Reviewed by Personnel Committee.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**MOTION** authorizing the replacement of linear feet of 10 inch water line on Leggs Mill Road in the Ulster Water District

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

*CARRIED*

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**RESOLUTION** requesting the appointment of John Morrow to the Ulster County Trails Advisory Committee as the Town's Representative

*Councilman Morrow gives brief description on what his role is on committee:*

New to committee; Committee involved with County since 1985; Working on putting together hiking & bike trails throughout the County/coordinating with the State.

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

**Resolution Appointing Member to Ulster County Trails Advisory Committee  
Date: March 3, 2016**

**WHEREAS**, a vacancy exists 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.
2. The Town Board of the Town of Ulster hereby recommends to the Ulster County Legislature JOHN MORROW, a Town of Ulster Town Councilman, 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 Secreto

SECOND: Councilman Brink

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

**CARRIED**

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**PRESENTATION** on Workplace Violence Policy

**RESOLUTION** advocating renewal of Sales Tax Sharing Agreement between Ulster County and the City of Kingston

Jason J. Kovacs, Esq.  
Town Attorney

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Memorializing Resolution in Extending the 2011 Sales Tax Agreement Between the County of Ulster and the City of Kingston for an additional Five Year Term**

**Date: February 18, 2016**

WHEREAS, by agreement dated October 10, 2010, the City of Kingston and the County of Ulster entered into a Sales Tax Sharing Agreement (the "Agreement"), which provided for the County of Ulster imposing a county-wide sales tax, the City of Kingston refraining from imposing a sales tax, and for the net proceeds of the sales tax to be shared between the following municipal entities:

1. County of Ulster – 85%
2. City of Kingston – 11.5%
3. Towns and Villages (distributed based upon full valuation) – 3%; and

WHEREAS, said Agreement was to be in place for the period from March 1, 2011 to February 29, 2016; and

WHEREAS, the Town of Ulster projects a sales tax distribution of approximately \$235,000 for FY 2016 based upon the Agreement's distribution percentages; and

WHEREAS, Ulster County Government has proposed cutting the portion of the net sales tax revenue that is allocated to the Towns from 3% to 2%; and

WHEREAS, such a cut would have a severe impact on the Town of Ulster's finances, and could potentially result in the elimination of public services currently provided by the Town; and

WHEREAS, it is in the best interest of the Town of Ulster that the current Agreement, which expires on February 29, 2016, be extended, in an unmodified form, for an additional five year period; and

WHEREAS, such extension of the Agreement would provided financial stability to

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MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**SEQR RESOLUTION** approving Negative Declaration for SAI Capital Group-Comfort Inn Project [Phase 1], 29-49 Sandy Road, 11-15 Powell Lane, Kingston, NY SBL: 48-18-1-28 & 48.18-1-33.1 *Phase 1: Continuing to bring in fill (height requirements)*

**RESOLUTION OF THE TOWN BOARD  
TOWN OF ULSTER  
SEQR Resolution – Negative Declaration  
SAI Capital Group – Comfort Inn Project [Phase 1]  
SBL: 48.18-1-28 & 48.18-1-33.1  
Date: March 3, 2016**

**WHEREAS**, the Town of Ulster Town Board and its consultant planner have reviewed an application by SAI Capital Group, LLC with the Consent of Bipin Patel (Signatory for Huguenot Development, LLC (Owner) seeking Site Plan approval for construction of a 94-room, 4-story Comfort Inn hotel along with associated parking, access, landscaped areas and utility infrastructure; and

**WHEREAS**, the applicant is proposing to develop the project in 2 phases with Phase 1 consisting of the initial fill of the subject site and Phase 2 the hotel construction; and

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

- Application for Site Plan Review by SAI Capital Group, LLC, dated 12/1/2015;
- Site Plan Consent Form signed by Bipin Patel, property owner dated 12/1/15;
- SEQR FULL Environmental Assessment Form Part 1 prepared by SAI CG dated 12/4/15;
- Stormwater Management Report prepared by Stonefield Engineering & Design, dated 12/4/15;

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- Cover Sheet for Plan Set prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Existing Conditions Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Demolition Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Site Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Grading & Drainagew Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Utility Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Lighting Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Phase I Soil Erosion & Sediment Control Plan by Stonefield Engineering & Design, dated 12/4/2015;
- Phase II Soil Erosion & Sediment Control Plan by Stonefield Eng. & Design, dated 12/4/2015;
- Soil Erosion & Sediment Control Details by Stonefield Engineering & Design, dated 12/4/2015;
- Landscaping Plan prepared by Stonefield Engineering & Design, dated 12/4/2015;
- Landscaping Details prepared by Stonefield Engineering & Design, dated 12/4/2015; and
- Construction Details prepared by Stonefield Engineering & Design, dated 12/4/2015.

**WHEREAS**, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board; and

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

**WHEREAS**, other Involved Agencies would include: NYSDEC (General Permit for Construction Activities), Ulster County Highway Department (access to Sawkill Road), NYSDOT (Traffic Impacts at Washington Avenue/Sawkill Road intersection), and Town of Ulster Highway Department (Site Access at Powell Lane); and

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

**WHEREAS**, the Town of Ulster Planning Board, at its January 12, 2016 meeting, 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; and

**WHEREAS**, the Town of Ulster Town Board, at is January 21, 2016 meeting, declared its intent to be Lead Agency for an Unlisted Action – Coordinated Review and directed the Town Clerk to circulate a Notice of Intent to all Involved Agencies; and

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**WHEREAS**, the Town of Ulster Town Board has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above; and

**WHEREAS**, the Town of Ulster Town Board has considered the Environmental Record prepared for this action including any comments received from the Involved Agencies and the proposed Negative Declaration;

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Ulster Town Board declares that it will serve as Lead Agency for the Comfort Inn Project; and

**BE IT FURTHER 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 (Phase 1), and

**BET IT FURTHER RESOLVED**, that the Town of Ulster Town Board approve the permissive segmentation of this project, and only issues a Negative Declaration under SEQR for Phase 1; the Town of Ulster Town Board will require and the Applicant has agreed, that no approval will be given to any further development of the property, except after submission and review of appropriate applications for any future actions; and

**BE IT FURTHER RESOLVED** that the Town of Ulster Town Board hereby authorizes a referral of a full statement of the proposed action to the Ulster County Planning Board, and

**BE IT FURTHER RESOLVED**, that the Lead Agency's Secretary shall prepare and forward the Referral aforesaid to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law of New York State.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

*CARRIED*

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**MOTION** for authorization to purchase Police Dispatch Console and appropriate an amount not to exceed \$115,000.00 from the General Fund Unappropriated Fund Balance  
*(Current equipment 15 years old. Per Officer-in-Charge Gramoglia NYCOMCO advises running out of parts)*

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

*CARRIED*

**MOTION** to authorize the Deputy Supervisor to sign the agreement between the City of Kingston and the Town of Ulster regarding the use of the athletic fields

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

*CARRIED*

**OLD BUSINESS**

**MOTION** to award bid for Water and Sewer to purchase Chemicals for 2016

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye



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

*CARRIED* -

**PUBLIC COMMENT**

**Deputy Supervisor Kitchen:**

1. Announces that Saturday March 19<sup>th</sup> 11:00am Town of Ulster Easter Egg Hunt – Miller School Bus Turnaround
2. Thanks Legislator Maloney on help with **Flood Mitigation** (town getting \$9000.00 + back)
3. Asks Legislator Maloney if there is an update on the lights at the expanded park-n-ride

**Legislator Maloney:**

1. Yes, there was a “delay”, but just recently received an update via email yesterday from the County Attorney’s Office. Legislative counsel, Erica Guerin is preparing paperwork with the County Attorney’s Office and he hopes to have an update by April.
2. Maloney is reintroducing a Resolution with John Parete on Tuesday, March 8<sup>th</sup>, not about mitigation, but about reimbursing the towns (Town of Ulster would be about \$13,000.00).

----- **No further comments**-----

Deputy Supervisor Kitchen calls for **MOTION** to adjourn: 7:16pm

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

Town Councilman Brink -Aye  
Deputy Supervisor Kitchen -Aye

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk