

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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November 17, 2016

**PUBLIC HEARING: 7:10 PM – Issuance of Special Use Permit for Romeo Kia, 1905 Ulster Avenue, Lake Katrine, SBL 39.19-3-38.100**

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

**SALUTE TO THE FLAG**

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

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

**ALSO IN ATTENDANCE:**

1. Town Attorney, Jason Kovacs
2. Highway Superintendent, Frank Petramale
3. Building Inspector, Kathy Moniz
4. Officer in Charge, Kyle Berardi
5. Assessor, James Maloney
6. Seven Town Residents

**ADDITIONS OR CHANGES TO AGENDA:** None

**PUBLIC DISCUSSION ON AGENDA ITEMS:** None

**APPROVAL OF MINUTES – October 6 and 20<sup>th</sup>:**

MOTION: Councilman Brink  
SECOND: Councilman Morrow

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

**CARRIED**

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**COMMUNICATIONS:**

1. Letter from Carolina Mangano Leff, praising Officer M. Sutton
2. Letter from Che Sharp, praising Officer F. Kesick and the Ulster PD
3. Letter from Mark Morano, Civil Engineer NYSDOT, acknowledging Town correspondence requesting a traffic impact study – NYSDOT initiated a formal investigation on US 9W.

**ABSTRACT OF CLAIMS:**

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

Prepaid Bills:	\$ 240,356.72
Abstract Bills:	\$ 281,366.22
Escrow Bills:	\$ 5,695.00
Reserve:	\$ 2,406.15

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**TOTAL:** \$ 529,824.09

MOTION: Councilman Morrow

SECOND: Supervisor Quigley

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

*CARRIED*

**BUDGET MODIFICATIONS:**

*Presented by Councilman Brink*

**General Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric - Orlando St. Ballfield	372.47
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) payment to Greg Maisch - Oct. mileage reimb. (Oct.6,8,9,16)	275.54

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	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) Oct. refereeing servs-Glenn Pomerantz, DuLani Kincaid and Kevin Barry \$75 respectively	225.00
	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) payment to Greg Maisch - Oct. & Nov. mileage reimb. (Oct. 23,29,30 & Nov. 3)	308.88
	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Bddy Bsktbl League) payment to BSN Sports - whistles scorebooks,rubber basketballs & freight	1,104.00
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. - Oper. Funds	5,284.50
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ruby Fire Dist.)	76.87
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ulster Fire Dist.#1/Spring Lake)	60.27
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Town of Kng. Hwy.Dept.)	332.43
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oct. Gas Reimb. (Town of Kng. Hwy.Dept.)	469.77
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oct. Gas Reimb. (E.Kng.Vol.Fire Co.)	232.75
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (E.Kng.Vol.Fire Co.)	301.08
<b>Highway Fund:</b>	Reduce Revenue D3501 (CHIPS Aid) and Reduce Appropriation D5112.200 (CHIPS Aid) reduction in state aid from NYS Pave-NY Program	2,170.20

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	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip. Maint.) reimb. For Pelican Sweeper repair from Town of Shandaken	243.42
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip. Maint.) reimb. For Pelican Sweeper repair from Town of Woodstock	243.42
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip. Maint.) reimb. For Leeboy Paver repair from Town of Woodstock	215.53
	Modify Appropriation D5130.200 (Equipment) to be funded through D5110 (Approp.Reserve-Equipment) purchase of a Bobcat Compact Track Loader from Clark Equip. Co. under state Contract #PC67141	47,944.82
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip. Maint.) reimb. For Pelican Sweeper repair from Town of Hurley	243.42
	Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip. Maint.) reimb. For Leeboy Paver repair from Town of Hurley	215.53
<b>Whittier Sewer:</b>	Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap .Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to Brinnier & Larios, Inv.#13 engineering servs - Primary Clarifier Replacement	2,925.00
<b>Whittier Sewer Cap. Proj.:</b>	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400 (Engineering) payment to Brinnier & Larios, Inv.#13-engineering servs. - Primary Clarifier Replacement	2,925.00
<b>Whittier Sewer Cap. Proj.:</b>	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200 (Construction)	

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<b>Whittier Sewer:</b>	Modify Appropriation SS1.9950.900 (Interfund Transfer Cap Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to
<b>Whittier Sewer</b>	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400
<b>Cap. Proj.:</b>	(Engineering) payment to Brinnier & Larios - Engin.Servs. -
	Clarifier Replacement
	Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200
	(Construction) - Primary Clarifier Replacement

MOTION: Councilman Morrow

SECOND: Supervisor Quigley

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

*CARRIED*

**NEW BUSINESS**

**PRESENTATION** and **ACCEPTANCE** of the Town Clerk's Monthly Report for the month of October 2016

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

*CARRIED*

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**PRESENTATION** and **ACCEPTANCE** of the Supervisor's Monthly Report for the month of October 2016

*Supervisor:* We are in a health liquid position.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**MOTION** to authorize the purchase of one 2017 Ford F-450XL Super Cab 4x4 under Onondaga Bid #79742017 from Van Bortel Ford for an amount not to exceed \$53,500 for the Water Dept.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**MOTION** to set a Public Hearing for December 15, 2016 for a Performance Hearing for Leggs Mill/Brigham Lane Water Project at 7:10 pm

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

*CARRIED*

**MOTION** to set a Public Hearing for December 1, 2016 for a Special Use Permit for Thomas Hricisak, 17-19 Powell Lane for 7:15 PM

MOTION: Councilman Brink  
SECOND: Councilman Morrow

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

*CARRIED*

**MOTION** to authorize the promotion of Louis DeFelicis from MEO (Motor Equipment Operator) to an HMEO in the Highway Department effective November 20, 2016  
*Presented by Councilman Morrow*

Start date 11/20/16; full time; competitive; union; requested by Superintendent Frank Petramale; Grade 8; Step 4: \$21.01/hour

MOTION: Supervisor Quigley  
SECOND: Councilman Brink

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

*CARRIED*

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**MOTION** to authorize the transfer of Paula America from the Town Justice Court Office to Town Clerk’s Office effective November 28th

*Presented by Councilman Morrow*

Part time; \$12.00/hour; requested by Suzanne Reavy; non-competitive; non-union; start date 11/28/16.

MOTION: Supervisor Quigley

SECOND: Councilman Brink

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

**CARRIED**

**RESOLUTION** declaring the Town of Ulster Town Board to be Lead Agency for an Unlisted Action-Coordinated Review for ShopRite Plaza, SBL: 48.042-3-25.11&25.12

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**Initiation of SEQR Unlisted Action-Coordinated Review**  
**Shoprite Plaza**

Section-Block-Lot: 48.042-3-25.11 & 25.12

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner have reviewed an application by *The Lauro Group with the consent of Harold Sutton of CR Kingston Associates, LLC (Owner)* seeking *site plan amendment approval*; and

**WHEREAS**, Proposed Phase 1 Construction consists of a 10,250 square foot (sf) addition to the existing ShopRite Supermarket along with ancillary vestibule expansion (669 sf), mezzanine (945 sf), and reconfiguration of driveways and on-site parking areas on the subject site. In addition, approximately 36,500 sf of cleared land (which was originally intended for a 15,830 sf building) will be developed for parking for the ShopRite and the parking lot in front of ShopRite will be regraded to bring it into compliance with current ADA requirements. This phase will also include drainage improvements in accordance with NYSDEC standards, replacement of the



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existing area lights, restriping of the parking area, additional landscaping and various site improvements;

**WHEREAS Phase 2 Construction** would consist of the construction of a 30,961 sf retail building on a previously cleared site and another 7,412 sf building on currently paved lands near the Sonic Restaurant. This phase will also include drainage improvements in accordance with NYSDEC standards, replacement of the existing area lights, restriping of the parking area, additional landscaping, sidewalks and various site improvements. A second cross access to the adjacent Home Depot site will be constructed in this phase, and will include a pipe culvert and stabilized embankment inside the drainage channel at the north side of the property; and

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

- *Written Narrative* prepared by The Lauro Group dated November 3, 2016;
- *Site Plan Consent Form* signed by Harold Sutton of CR Kingston Associates, LLC dated 9/22/16;
- *Site Plan Application* for ShopRite prepared by Wilson Rugel, Shoprite Supermarkets, dated 9/22/16;
- *SEQR Short EAF Part 1* prepared by Wilson Rugel, Shoprite Supermarkets, dated 9/22/16;
- *Cover Sheet* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Overall Site Plan* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Site Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Site Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Removals Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Removals Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Grading & Drainage Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Grading & Drainage Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Utility & Sanitary Plan Phase 1* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Utility & Sanitary Plan Phase 2* by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Lighting Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- *Lighting Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;

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- *Landscape Plan Phase 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16; - *Landscape Plan Phase 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
  - *Soil Erosion & Sediment Control Phase 1* prepared by The Lauro Group dated 10/26/16;
  - *Soil Erosion & Sediment Control Phase 2* prepared by The Lauro Group dated 10/26/16;
  - *Detail Sheet 1* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
  - *Detail Sheet 2* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16;
- and
- *Fire Truck Exhibit* prepared by The Lauro Group – Diversified Alliances in Land Use dated 10/26/16.

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

**WHEREAS**, The Town of Ulster Town Board – as Lead Agency – adopted a *SEQR Negative Declaration* prior to approving the Site Plan Amendment for the ShopRite Plaza in 2008; and

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

**WHEREAS**, the Planning Board determined other Involved Agencies include: NYSDEC (General Permit for Construction Activities and SWPPP); and

**WHEREAS**, Interested Agencies include the Town of Ulster Planning Board, UCPB and ), NYSDOT (site access), and the Ulster County Highway Department (site access); and

**WHEREAS**, the Town of Ulster Planning Board, at its November 15th, 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.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby declares its intent to be Lead Agency for an Unlisted Action-Coordinated Review and directs the Deputy Town Clerk to circulate a Notice of Intent to all Involved Agencies.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**OLD BUSINESS**

**MOTION** to authorize payment application #2 from Leo Boice and Sons for project TU-16, Brigham Lane Water Capital Project in the amount of \$147,813.98

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

*Supervisor:* Water line has been installed on Leggs Mill Rd and Brigham Lane to the end of the defined area; contractor in process of putting service connections from the main to the property lines; we are awaiting pipe and insulation for the line to be installed under the bridge over the Esopus. Project hopefully complete by end of December.

**RESOLUTION** for SEQRA Negative Declaration and Conditional Site Plan Amendment Approval for LHV Precast, 540 Ulster Landing Road, SBL: 40.31-1-1.34.100 & 34.200

*Supervisor:* In business since the 1970s. Small facility – adding 14,000 sf. Were before the Town Planning Board. “No impact” from UC Planning Board. Planning Board meeting 11/16/16 referred this matter to the Town Board, as required.

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

**Motion to Refer Action to Town Board**

**LHV Precast**

**SEQRA Negative Declaration**

**Conditional Site Plan Amendment Approval**

**540 Ulster Landing Road**

S-B-L: 40.31-1-34.100, 34.200

**WHEREAS**, the applicant – *LHV Precast* – is seeking Site Plan Amendment approval to construct a 14,400 square foot (sf) addition to their existing 14,400 sf manufacturing building so they can expand their manufacturing operation at 540 Ulster Landing Road; and

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

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

- *Project Narrative* prepared by James R. Willis of LHV Precast Incorporated;
- *Historical Traffic Generation from Subject Site* provided by LHV Precast Incorporated
- *Site Plan Consent Form* signed by James R. Willis –property owner agent - dated July 26, 2016;
  - *Site Plan Application* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 7/26/2016;
  - *SEQR Short EAF* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Site Plan Enlarged* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Existing Pre-cast Facility* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Proposed Addition* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Site Details* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Site Signs* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated; and
  - *Lighting Fixtures* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated.
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Pre-cast Facility Existing* by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;

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- *Pre-cast Facility-Proposed Floor Plan* by Paul B. Jankovitz, RA, Arch./Planners dated 9/15/16;
- *Site Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Site Signs* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16; and
- *Lighting Fixtures* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16.
  
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Pre-cast Facility Existing* by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Pre-cast Facility-Proposed Floor Plan* by Paul B. Jankovitz, RA, Arch./Planners dated 11/1/16;
- *Site Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Site Signs* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16; and
- *Lighting Fixtures* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16.

**WHEREAS**, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide, and the Ulster County Planning Board determined the Proposed Action had No County Impacts; and

**WHEREAS**, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Planning Board, as an Interested Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose any potentially significant adverse environmental impact; and

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Planning Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby recommends the Town Board as Lead Agency issue a SEQR Determination of non-significance and grant a *SEQR Negative Declaration* for the Proposed Action; and

**FURTHER BE IT RESOLVED**, the Town of Ulster Planning Board hereby refers this matter to the Town Board with a recommendation that it grant Conditional Site Plan approval to *LHV Precast* to amend the Site Plan as described above 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;

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3. Compliance with final site plan, design plans and all details as cited herein;
4. Applicant addresses all technical comments by the Alternate Town Designated Engineers (TDE) Praetorius & Conrad, PC;
5. Compliance with Ulster County Health Department required conditions;
6. The Town’s consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
7. All fees, including consultant fees, shall be paid.

**Motioned by:** Mr. Decker

**Seconded by:** Mr. Almquist

**All in Favor:**

**All Opposed:**

Gary Mulligan , Chairman	X
Karl Allison	X
Larry Decker	X
Anna Hayner	X
Frank Almquist	X

Date: November 16, 2016

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**LHV Precast**  
**SEQRA Negative Declaration**  
**Conditional Site Plan Amendment Approval**  
**540 Ulster Landing Road**  
 S-B-L: 40.31-1-34.100, 34.200

**WHEREAS**, the applicant – *LHV Precast* – is seeking Site Plan Amendment approval to construct a 14,400 square foot (sf) addition to their existing 14,400 sf building so they can expand their manufacturing operation at 540 Ulster Landing Road; and

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

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

- *Project Narrative* prepared by James R. Willis of LHV Precast Incorporated;

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- *Historical Traffic Generation from Subject Site* provided by LHV Precast Incorporated
- *Site Plan Consent Form* signed by James R. Willis –property owner agent - dated July 26, 2016;
  - *Site Plan Application* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 7/26/2016;
  - *SEQR Short EAF* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
  - *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
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**WHEREAS**, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide, and the Ulster County Planning Board determined the Proposed Action had No County Impacts; and

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**WHEREAS**, the Town Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

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

**WHEREAS**, the Town of Ulster Planning Board, as an Interested Agency, referred this matter to the Town Board with a recommendation to make a SEQR Determination of non-significance and grant a SEQR Negative Declaration and Conditional Site Plan approval.

**NOW THEREFORE BE IT RESOLVED**, the Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby issues a SEQR Determination of non-significance and issues a *SEQR Negative Declaration* for the Proposed Action; and

**FURTHER BE IT RESOLVED**, the Town of Ulster Town Board hereby grants conditional Site Plan approval to *LHV Precast* to amend the Site Plan as described above on the above referenced site subject to the conditions, limitations and restrictions set forth below.

8. Compliance with applicable zoning and building laws, rules and regulations;
9. Compliance with all representations made by the applicant;
10. Compliance with final site plan, design plans and all details as cited herein;
11. Applicant addresses all technical comments by the Alternate Town Designated Engineers (TDE) Praetorius & Conrad, PC;
12. Compliance with Ulster County Health Department required conditions;
13. The Town's consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
14. All fees, including consultant fees, shall be paid.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

**CARRIED**



**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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November 17, 2016

**RESOLUTION** adopting 2017 Town of Ulster Budget

**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Adopting Town Budget for 2017**

**WHEREAS**, this Board having, on November 3, 2016, commencing at 7:15 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2017, including the fire protection district budget and light district budgets for 2017, and having heard all persons desiring to be heard in the matter and the matter of the budget for this Town for such fiscal year having been fully discussed and considered,

**NOW, THEREFORE, BE IT RESOLVED** that said Preliminary Budget approved and filed as aforesaid including the fire protection district budget and the light district budgets for [year] is hereby approved, as revised by the Town Board at its meeting held on November 3, 2016, and established as the annual budget for this Town for the fiscal year beginning January 1, 2017, and that such annual budget be so adopted in detail in the minutes of the proceedings of this Town Board, and be it further

**RESOLVED**, that the Town Clerk of the Town shall prepare and certify as provided by law, duplicate copies of the said annual budget hereby adopted, shall attach thereto an exemption report in compliance with the requirements of Chapter 258 of the Laws of 2008, and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislators of the County of Ulster as required by law.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Comments:

*Councilman Morrow:* Supervisor did an excellent job working on the budget.

*Councilman Brink:* We should all be pleased.

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

**CARRIED**

## TOWN OF ULSTER TOWN BOARD MEETING (22)

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November 17, 2016

### **Prior to Public Hearing – Presentation by Larry Boudreau (Chazen Company) -- Project Engineer, Romeo Kia**

- Lenny & Lucia Romeo here tonight as well
- TIMELINE:
  - April, 2016- Initiated sketch plan
  - August, 2016 – Submitted full site plan set to Town Planning Board
  - Follow up meeting with Planning Board – referred them to Town Board
  - Met with adjoining neighbors twice
- Prepared an adjoiners memo for tonight – many good comments
- Section elevation prepared as well
- Here tonight for Special Use Permit in the back half of the property (Office/Manufacturing Zone – O/M)
- Proposal is 19,000 sf Kia dealership/9.2 acres
- Site plan presented tonight reflects input from adjoiners. Baxter suggests cutting down some leaning trees. Drews suggests leaving large maple trees.
- This plan has changed substantially since April: inventory lot reduced and managed the dirt better.

*Supervisor:* Any questions from the Town Board?

*Morrow:* Is there a survey discrepancy, has it been resolved?

*Boudreau:* We did not do the survey. There is one, but Lucia is looking into that.

*Supervisor (To Kovacs):* Could you advise as to the purpose of this Public Hearing? What are our next steps?

*Kovacs:* The project is in two zoning districts (highway/commercial and O/M). Car dealerships can exist in the O/M zone subject to a special use permit granted by the Town Board. A Public Hearing must take place. After this, the final site plan approval must be done by the Town Planning Board.

*Supervisor:* So after we consider the special use permit, there is a second set of actions in the future that this Town Board must take with recommendations and referrals from the Town Planning Board?

*Kovacs:* That is correct.

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**TOWN OF ULSTER TOWN BOARD MEETING (22)**

November 17, 2016

**PUBLIC HEARING: 7:10 PM – Issuance of Special Use Permit for Romeo Kia, 1905 Ulster Avenue, Lake Katrine, SBL 39.19-3-38.100**

**MOTION** to open Public Hearing (7:22 PM): Councilman Morrow:  
SECOND: Councilman Brink

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

*CARRIED*

**PUBLIC COMMENT – PUBLIC HEARING**

**1. Cheryl Drews – Leggs Mill Rd.**

Concerned about blasting. Her house is near secondary road and on the ridge. Does not know what assurance will be.

Supervisor: I understand. Do you have any reasons why we shouldn't give Romeo Kia the permit on the parcel that is not in the zoned area? With your questions, you can save for public comment later one, or come to the Planning Board.

Drews: I guess not. I really don't like the idea, but understands progress.

**2. Keith Baxter, Leggs Mill Rd:**

One of the adjoiningers in contact with Larry and Lucia. Sees no reason why Romeo Kia should not go forward. Every effort has been made to see that his concerns have been addressed. Everything is satisfactory with him.

**~NO FURTHER COMMENTS ~**

**MOTION** to close the Public Hearing (7:26 PM): Councilman Morrow  
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Excused

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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November 17, 2016

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

CARRIED

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**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Granting Special Permit for  
27-31 Leggs Mill Road & 1905 Ulster Avenue**

**SBL: 39.19-3-38.100**

**Owner of Record: Romeo Chevrolet Buick GMC**

**WHEREAS**, the Town of Ulster Town Board, the Town of Ulster Planning Board, the Town of Ulster Building Inspector, and the Town Attorney, have reviewed an application by Romeo Chevrolet Buick GMC seeking Special Permit approval to allow an automobile sales and service dealership on a 9.1 acre parcel located at 27-31 Leggs Mill Road & 1905 Ulster Avenue within the Town of Ulster; and

**WHEREAS**, the subject site is situated partially within the OM—Office Manufacturing District in the Town of Ulster, where car dealerships are allowed subject to Special Permit approval by the Town Board pursuant to § 190-25(F) of the Town of Ulster Town Code; and

**WHEREAS**, the Town Board held a public hearing on this matter on November 17, 2016 during which no public controversy was raised concerning the proposed action, and

**WHEREAS**, the Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and **NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board hereby grants Special Permit approval to Romeo Chevrolet Buick GMC subject to the conditions, limitations and restrictions set forth below.

1. All fees, including consultant fees and legal fees, and a recreation fee if applicable, shall be paid.
2. Compliance with all applicable zoning and building laws, rules, and regulations.

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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November 17, 2016

3. Site Plan Approval by both the Town of Ulster Planning Board and Town of Ulster Town Board.
4. In case of a violation of any of the aforesaid conditions, this permit may be revoked by the Town Board, provided, however, that after activities under this permit shall have been properly commenced, there shall be no such revocation until substantial evidence of such violation shall have been presented to the Town Board at a meeting of said Board called for the purpose of hearing such evidence on notice to the owner.

*Supervisor:* We have this Resolution to present to the Town Board the **Issuance of Special Use Permit for Romeo Kia, 1905 Ulster Avenue, Lake Katrine, SBL 39.19-3-38.100**

Calls for **MOTION** to accept the **Resolution** as presented:

MOTION: Councilman Brink  
SECOND: Councilman Morrow

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

CARRIED

**PUBLIC COMMENT**

1. **Lois Smith, Town Resident (Deer Run):**  
New homeowner, wonderful neighbors. Has children and is concerned with an abandoned town home adjoining her residence – a lot of traffic with the bank representatives, possible squatters, others she is not sure of their affiliation with the property. Are we doing anything in the Town of Ulster regarding these zombie properties? Not feeling safe; health hazards.

**TOWN OF ULSTER TOWN BOARD MEETING (22)**

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November 17, 2016

*Supervisor:* Made aware of this tonight before this meeting. Kathy Moniz has a course of action she is going to take with the code enforcement officer tomorrow. They will visit the site, attempt to gain entry, take pictures, contact the bank. Town has right to violate them, issue summons, Court – unsecure premise. This has happened before (maintenance issues) and we were successful on Poplar Ct. On matter of Zombie Law -- Asks Town Board for discussion on a Zombie Law. If we come to a consensus, will put forth a Zombie House Law which will strengthen the Town’s ability to act.

*Morrow:* That law is way overdue.

*Brink:* We should do – more cases throughout our Town as economy changes.

*Smith:* Contacted several agencies including Building Dept and impressed that Moniz is coming tomorrow. Thank you.

**~ NO FURTHER COMMENTS ~**

**MOTION to adjourn at 7:36 PM:**

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk