

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

November 21, 2019

***SCHEDULED: Public presentation by Dr. Vincent A. Scovazzo PhD, PE, PG, Director of Geotechnical Services, John T. Boyd Company, on the East Kingston Mining Activity***  
*Full Audio and Documents/Power Point are on the Town Website: [www.townofulster.ny.gov](http://www.townofulster.ny.gov)*

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**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 6:00 PM**

**SALUTE TO THE FLAG**

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

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

**ALSO IN ATTENDANCE:**

1. Kathy Moniz, Building Inspector
2. Warren Tutt, Building Inspector
3. Frank Petramale, Highway Superintendent
4. Kyle Berardi, Police Chief
5. 16 Residents

**ADDITIONS OR CHANGES TO THE AGENDA—**

Supervisor: Addition of Executive Session to discuss Memorandum of Agreement between Town of Ulster and Local 17 along with tax assessor position

**PUBLIC DISCUSSION ON AGENDA ITEMS –**

Regis Obijiski, 170 Ledge Road

Donation of 7 parcels from Kingston Landing, are any of the parcels part of Glide Path?

*Supervisor:* (Details specific areas of map/picture provided of the parcels) No. [Map Attached to Minutes as **ATTACHMENT 1**]

*Regis:* “Resolution for Lincoln Park Grid...”

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

November 21, 2019

Few months ago parcels were re-labeled. Contiguous parcels on Frank Sottile – parcel viewer have old numbers. Did it go through?

*Supervisor:* It takes six months for parcel viewer to update.

*Regis:* “Resolution adopting town budget...”

*Supervisor:* Changes were made.

**APPROVAL OF MINUTES** – October 3<sup>rd</sup> and 17<sup>th</sup>

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

*CARRIED*

**COMMUNICATIONS** –

1. Letter read from Tony Manley, 55 Beth Drive, Kingston  
In favor of streetlights in neighborhood to address safety concerns

*Supervisor:* 1981-83, Town Board discussed process of establishing Spring Lake Lighting District. Efforts were turned down by residents due to costs. Town Board will discuss format to begin process again. Manley should understand responsibilities to begin process, collect signatures, etc.

*Councilman Secreto:* I can meet with him to explain what we can do.

*Supervisor:* Suggests Councilman Morrow join Secreto.

*Councilman Morrow:* Yes.

2. *Councilman Kitchen:* Announcement – Tree Lighting Ceremony is 12/1 at 5pm

TOWN OF ULSTER TOWN BOARD MEETING (22)

November 21, 2019

**ABSTRACT OF CLAIMS**

*Presented by Councilman Secreto*

November, 2019

Prepaid Bills:	\$ 500,367.32
Abstract Bills:	\$ 293,271.60
Escrow Bills:	\$ 6,880.00
Reserve:	\$ -
<b>TOTAL:</b>	<b>\$ 800,518.92</b>

MOTION: Councilman Morrow  
SECOND: Councilman Brink

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

*CARRIED*

**BUDGET MODIFICATIONS**

*Presented by Councilman Secreto*

**General Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric at Orlando St. Ballfield	9.99
Modify Appropriation A9950.900 (Transfer,Cap.Proj-Salt Shed) to be funded thru A5990 (Approp.Fund Balance) town funding engineering (\$394.70) & construction expenses- Salt Shed (\$78,261.02) Salt Shed Cap. Proj.	78,655.72
Modify Appropriation A9950.900 (Transfer,Cap.Proj-Salt Shed) to be funded thru A5990 (Approp.Fund Balance) town funding - construction expenses- Salt Shed Salt Shed Cap. Proj. - Wolberg Electric \$1,379.43 - Maggiore Electric - \$2,028.15	3,407.58

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

November 21, 2019

	Modify Revenue A2770 (Misc.Rev.) and Appropriation A3120.430 (Clothing/Allow.) refund from Galls	724.73
<b>Highway Fund:</b>	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb.-Oper.Funds	6,474.00
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ruby Fire District)	59.38
<b>Highway Fund:</b>	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ul.Fire Dist.#1)	90.58
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Aug. Gas Reimb. (Town of Kng.Hwy.Dept.)	472.77
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Town of Kng.Hwy.Dept.)	311.41
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Aug. Gas Reimb. (E.Kng. Vol.Fire Co.)	274.66
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (E.Kng. Vol.Fire Co.)	359.39
<b>Highway Fund:</b>	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Oct. Gas Reimb. (Ul.Hose #5)	34.32
<b>Bright Acres Water:</b>	Modify Appropriation SW4.8320.250 (Meters & Hydrants) to be funded thru SW4.5990 (Approp.Fund Bal.) for purchase of meters	2,647.00

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

November 21, 2019

<b>Hwy. Salt Shed Replace. Cap.Proj.</b>	Modify Revenue HH4.5031 (Interfund Transfer) and Appropriation HH4.5197.200	
	(Constr.) town funding - construction expenses - Salt Shed Cap. Proj.	78,261.02
	Modify Revenue HH4.5031 (Interfund Transfer) and Appropriation HH4.5197.200 (Constr.) town funding - engineering expenses - Salt Shed Cap. Proj.	394.70
	Modify Revenue HH4.5031 (Interfund Transfer) and Appropriation HH4.5197.200 (Constr.) town funding - construction expenses - Salt Shed Cap. Proj. Wolberg Electrical \$1,379.43 - Maggiore Electric \$2,028.15	3,407.58
<b>SET UP BUDGET Hwy. Salt Shed Replace. Cap.Proj. State Aid Grant</b>	Revenue:	
	HH4.3591 State Aid - Salt Shed Replacement Cap.Proj.	\$250,000.00
	Appropriation:	
	HH4.5197.200 Construction	\$250,000.00

**BUDGET TRANSFERS**

<b>General Fund:</b>	<b>Transfer From</b>	<b>Transfer To</b>	
	A.1110.102 Court Security	A1110.404 Training/Conferences	538.00
	A.1220.103 P/T Payroll Clerk	A1220.103 Secretary Salary	15,000.00
	A.1320.100 Bookkeeper Salary	A1220.410 Computer Technology	5,000.00
	A.1355.102 P/T Clerk	A1355.400 Data Processing	1,200.00
	A.1320.100 Bookkeeper Salary	A.1460.400 Record Management	3,306.00
	A.1320.100 Bookkeeper Salary	A.1620.200 Equipment	6,000.00
	A.1320.100 Bookkeeper Salary	A.1620.406 Telephone	8,500.00
	A.1320.100 Bookkeeper Salary	A.1620.409 Rep.&Supplies	6,000.00
	A.1930.400 Judgmnt & Claims	A.1620.454 Maint.	7,000.00
	A.1930.400 Judgmnt & Claims	A.1621.409 Rep.&Supplies	2,000.00
	A.1930.400 Judgmnt & Claims	A.1622.409 Rep.&Supplies	1,500.00
	A.1930.400 Judgmnt & Claims	A.1910.400 Unallocated Insur.	9,300.00
	A.1930.400 Judgmnt & Claims	A.3620.200 Office Equip.	1,000.00
	A.1930.400 Judgmnt & Claims	A.3620.403 Office Supplies	1,200.00
	A.1930.400 Judgmnt & Claims	A.5132.410 Computer Technology	5,000.00

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

November 21, 2019

	A.1930.400 Judgmt & Claims	A.6772.400 Programs for Aging	1,600.00
	A.7110.200 Equipment	A.7110.426 Rep,Constr,Equip.	4,000.00
	A.7140.402 Rec. Utilities	A.7140.400 Program Supplies	60.00
	A.8010.102 Clerks Wages	A.8010.415 Legal Notices	250.00
<b>Highway Fund:</b>	<b>Transfer From</b>	<b>Transfer To</b>	
	D.5110.420 Gas&Oil	D5110.438 Engineering	4,000.00
	D.5110.420 Gas&Oil	D.5142.437 Meal Allowances	5,000.00
	D.5110.420 Gas&Oil	D.5142.446 Salt	10,000.00
	D.5110.420 Gas&Oil	D.5130.429 Oil & Lubricants	3,000.00
	D.5110.420 Gas&Oil	D.5130.491 Parts	10,000.00
	D.5110.413 Equip. Rental	D.5130.422 Equip. Maint.	3,000.00
	D.5142.447 Sand	D.5130.422 Equip. Maint.	8,000.00
	D.1930.400 Judgements & Claims	D.5142.446 Salt	25,000.00
	D.5110.442 Road Oil	D.5142.448 Cold Patch	500.00
	D.5110.442 Road Oil	D.5110.400 Street Program	4,500.00
<b>UI.Water:</b>	<b>Transfer From</b>	<b>Transfer To</b>	
	SW1.8320.407 Electric	SW1.8330.452 Salt	9,000.00
	SW1.8320.454 Maint.	SW1.8340.421 Veh. Maint.	1,000.00
<b>UI.Sewer:</b>	<b>Transfer From</b>	<b>Transfer To</b>	
	SS2.8110.403 Office Supplies	SS2.8110.406 Telephone	1,000.00

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (22)

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November 21, 2019

**New Business:**

**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of October 2019**

MOTION: Councilman Secreto  
SECOND: Councilman Brink

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

*CARRIED*

**Presentation and Acceptance of the Supervisor's Monthly Report for the month of October 2019**

*Published on the Town of Ulster Website*

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

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

*CARRIED*

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

November 21, 2019

**Resolution authorizing the Supervisor to retain Real Estate Appraisers for Tax Certiorari Matters**

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution to Retain Appraisers for Tax Certiorari Matters**

WHEREAS, the Town of Ulster regularly defends upwards of ten to fifteen tax certiorari matters on an annual basis; and

WHEREAS, a certified appraisal prepared by a licensed New York State appraiser is typically required for the successful defense of a tax certiorari matter; now therefore, be it

RESOLVED, that the Town Board of the Town of Ulster, hereby authorizes the Town Supervisor to retain an appropriate and qualified licensed New York State appraiser to assist the Town of Ulster in its various tax certiorari matters, said fees being capped at \$10,000.00 per tax certiorari matter.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

**Discussion of donation by Kingston Landing Development LLC of 7 Parcels of Vacant Land adjacent to Frank Sottile Blvd. to be preserved “Forever Green”**

*Supervisor:* Refers to map of seven parcels offered to the Town. Councilman Secreto raised issue of environmental protection for unanticipated liabilities. Supervisor approached Chazen Engineers “to perform environmental Phase I Review”, to research environmental issues such as storage of petroleum, etc.



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

---

November 21, 2019

**Motion to authorize Supervisor to sign an agreement with Chazen Companies for the completion of a Phase I Environmental Review on the seven parcels sited above in accordance with the proposal dated October 21, 2019**

*Supervisor:* Price \$3000.00. Thanks Councilman Secreto.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

*CARRIED*

**Motion to authorize the Supervisor to sign the Engagement Letters with EFPR Group, CPAs PLLC for the 2019 Town wide Audit, Town Clerks Report and Town Justice Court Report in an amount not to exceed \$42,100**

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

*CARRIED*

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

---

November 21, 2019

**Motion to authorize the Supervisor to sign a letter of support for the Saugerties Animal Shelter's 2019-2020 Companion Animal Fund Capital Project Grant**

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**Presentation of Flextech Study performed for the Town of Ulster Wastewater Treatment Plant under a partial grant from NYSERDA. Public Presentation to follow at a future meeting**

Placed on Town Website; Presentation from Arcadis at a future meeting

**Resolution Pursuant to § 6-c Of the General Municipal Law to Transfer Monies from The Landfill Closure Reserve Fund to Highway Capital Equipment Reserve Fund for The Purpose of Debt Service Payments**

*Supervisor:* \$243,895 to be used to pay off outstanding bonds, subject to permissive referendum.

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

November 21, 2019

**Resolution of the Town Board**  
**TOWN OF ULSTER**

**RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER PURSUANT TO § 6-c OF THE GENERAL MUNICIPAL LAW TO TRANSFER MONIES FROM THE LANDFILL CLOSURE RESERVE FUND TO HIGHWAY CAPITAL EQUIPMENT RESERVE FUND FOR THE PURPOSE OF DEBT SERVICE PAYMENTS**

WHEREAS on August 9, 1988, pursuant to § 6-f of the General Municipal Law as, amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the “LANDFILL CLOSURE RESERVE FUND” to finance the closing of the Town’s landfill; and

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund; and

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to § 6-f of the General Municipal Law on authorization of the board pursuant to § 6-c of the General Municipal Law; and

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill; and

WHEREAS the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another capital account pursuant to the authority vested in General Municipal Law § 6-c; and

WHEREAS it is proposed to transfer monies from the Landfill Closure Reserve Fund to the Highway Capital Equipment Reserve Fund as follows: TWO HUNDRED FORTY-THREE THOUSAND EIGHT HUNDRED NINETY-FIVE (\$243,895.00) DOLLARS from said fund for the purpose of debt service payments; now

BE IT RESOLVED that the Supervisor of the Town of Ulster be and he is authorized to transfer monies from the Landfill Closure Reserve Fund to the Highway Capital Equipment Reserve Fund in the sum of: TWO HUNDRED FORTY-THREE THOUSAND EIGHT HUNDRED NINETY-FIVE (\$243,895.00) DOLLARS from said fund for the purpose of debt service payments; and it is further

RESOLVED that this resolution is subject to a permissive referendum.

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

---

November 21, 2019

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

*CARRIED*

**Presentation of a Resolution Establishing Capital Reserve Fund f/b/o East Kingston Fire Protection District under General Municipal Law Section 6-c**

*Supervisor:* Asks for clarity from Frank Rittie. Town undertook agreement with UCRRA for the siting of the transfer station adjacent to the Rhinecliff Bridge. As a benefit to the town for permitting that construction, we received a \$1.38/ton host community benefit fee. Of that \$1.38, currently 25 cents dedicated to the fire training center (FTC). The training center board allowed county to construct a \$10M FTC on Ulster Landing Road. Town of Ulster relieved of that 25 cents. The town continued to pay the East Kingston fire company that money and the fire company graciously gave that money to FTC for support. Reserve account Town can continue a capital reserve account (\$20-21K/year) until time the fire company creates a plan to purchase new apparatus or a new firehouse and Board concurs with fire company.

November 21, 2019

**(Presentation) Resolution of the Town Board**  
**TOWN OF ULSTER**

**Resolution Establishing Capital Reserve Fund f/b/o East Kingston  
Fire Protection District Under General Municipal Law Section 6-c**

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

SECTION 1. That there be and hereby is established a capital reserve fund for the future repairs to or improvement of the facilities of East Kingston Fire Protection District (the "District").

SECTION 2. Such fund is to be known as the "Capital Reserve Fund f/b/o East Kingston Fire Protection District of the Town of Ulster."

SECTION 3. That the estimated maximum cost of the said capital improvement(s) is unknown at the present time.

SECTION 4. That the Town of Ulster Town Board formerly paid \$0.25 per ton of the Host Community Benefit Fee received to the Town of Ulster Fire Training Center. Said Fire Training Center has been acquired by the County of Ulster and is presently non-existent. The Town Board hereby appropriates \$0.25 per ton of the Host Community Benefit Fee received by the Town to the Capital Reserve Fund f/b/o East Kingston Fire Protection District of the Town of Ulster, and the Town Supervisor of the Town of Ulster is hereby authorized, empowered and directed to transfer from the General Fund \$0.25 per ton of the Host Community Benefit Fee received to the newly established Capital Reserve Fund.

SECTION 5. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. The moneys in the fund shall be deposited in a separate bank account.

SECTION 7. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Ulster pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York.

SECTION 9. This resolution shall take effect immediately.

TOWN OF ULSTER TOWN BOARD MEETING (22)

November 21, 2019

**Old Business:**

**Motion to authorize the Supervisor to sign Change Order No. 2 for Contract TU-181, CSX Crossing for Installation of Low-Pressure Sanitary Sewer Force Main and Appurtenances in the amount of \$5,700 for Roehrs Construction, Inc.**

*Supervisor:* Hope to have the project complete by 12/31/19 with exception of blacktopping.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

**Motion to authorize the transfer from General Fund to Salt Shed Capital Project of \$3,407.58 for construction expenses**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

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

November 21, 2019

**Resolution granting Conditional Site Plan Amendment Approval for Lincoln Park Grid Support Center, Miron Lane and Frank Sottile Boulevard, Town of Ulster, SBL 48.012-1-20, 48.016-1-1 and 48.016-1-2-21**

*Supervisor:* Planning Board approved 30K sq ft building, 70 ‘ high. Fire code changes and standards, GlidePath proposed site plan amendment and swap out building for containers. Planning Board pur forth request for Town Board to approve amendment.

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**LINCOLN PARK GRID SUPPORT CENTER**  
**CONDITIONAL SITE PLAN AMENDMENT APPROVAL**

*Miron Lane and Frank Sottile Boulevard, Town of Ulster, Ulster County, New York*

S-B-L: 48.012-1-20, 48.016-1-1 and 48.016-1-2.21

**WHEREAS**, the Applicant, Lincoln Park DG LLC, seeks amended site plan approval pursuant to the Town of Ulster Zoning Law to construct the Lincoln Park Grid Support Center (LPGSC), a battery array that provides capacity and ancillary services to the regional electric grid by absorbing (charging) and generating (discharging) electricity as directed by New York Independent System Operator (NYISO), the regional grid operator; and

**WHEREAS**, the 20 MW battery energy storage facility requires approximately 11,500 battery modules with a collective capacity of approximately 80 megawatt hours (MWh) within 40 non-occupiable containers measuring 40’L x 8’W x 9’H that will be arranged in groups comprised of four containers each; and

**WHEREAS**, the approved Site Plan proposed a 30,000 square foot building to house the batteries, but changes to the New York State Uniform Fire Prevention and Building Code and National Fire Protection Association (NFPA) code 855, allows for the battery containers to be stored out-of-doors; and

**WHEREAS**, the Applicant has submitted an amended Site Plan Set that no longer calls for a 30,000 square-foot building, but instead proposes the placement of 40 non-occupiable battery containers measuring 40’L x 8’W x 9’H that will be arranged in groups comprised of four containers each; and

**WHEREAS**, the materials submitted in support of the application includes; and

- *SEQR FULL EAF* Part 1 by Chazen Eng. & Land Surveying, & Landscape Architecture P.C, 10/8/2019;
- *Revised Stormwater Pollution Prevention Plan* prepared by The Chazen Companies, dated 10/8/2019;
- *G001 Title Sheet* for Lincoln Park Grid Support Center by The Chazen Companies, dated 11/8/2019;
- *G002 Notes and Legend* for Lincoln Park Grid Support Center, The Chazen Companies, dated 10/8/19;
- *SV100 Existing Conditions Plan* prepared by The Chazen Companies, dated March 4, 2019;
- *C110 Map of Proposed Lot Line Revisions* prepared by The Chazen Companies, dated February 5, 2019;
- *C130 Site Plan* prepared by The Chazen Companies, dated November 8, 2019;
- *C140 Utility Plan* prepared by The Chazen Companies, dated November 8, 2019;
- *C150 Erosion & Sediment Control and Grading Plan* by The Chazen Companies, dated November 8, 2019;
- *C530 Site Details* prepared by The Chazen Companies, dated March 26, 2019; revised November 8, 2019;
- *C540 Storm Sewer Details* prepared by The Chazen Companies, dated March 26, 2019;
- *C541 Storm Sewer Details* prepared by The Chazen Companies, dated November 8, 2019;

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

November 21, 2019

- C550 Erosion & Sediment Control Details prepared by The Chazen Companies, dated March 26, 2019;
- C551 Erosion & Sediment Control Notes prepared by The Chazen Companies, dated March 26, 2019; and
- Container Layout 3D Simulation prepared by The Chazen Companies, dated October 8, 2019.

**WHEREAS**, at its October 17, 2019 meeting, the Town Board reaffirmed its SEQRA Negative Declaration for the Proposed Action and referred this matter to the Ulster County Planning Board; and

**WHEREAS**, the Ulster County Planning Board in its letter received November 12, 2019, issued several required modifications; and

**WHEREAS**, upon review of the Required Modifications, the Town of Ulster Planning Board recommends that the required modifications be addressed as conditions of granting Site Plan Amendment approval and referred this matter to the Town Board with a recommendation to grant Conditional Site Plan Amendment approval.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board hereby grants Conditional Site Plan Amendment approval subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. The applicant secures a permit for commercial driveway access from Ulster County DPW;
5. The submits a Lighting Photometric Plan with lighting levels calculated for the plan with levels not to exceed the Illuminating Engineering Society (IES) Outdoor Site/ International Dark Sky Association (IDSA) Area Recommended Illuminance Levels. All luminaires are required to be LED and will need to meet the “fully shielded” definition adopted by the International Dark Sky Association (IDSA) or be an approved fixture of IDSA with cut sheets provided
6. The applicant submits a Landscaping Plan that provides additional landscaping, particularly the portion of the property to the east of the switchyard designated to be a stockpile during construction.
7. The Town’s consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
8. All fees, including consultant fees, shall be paid.

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

*CARRIED*



November 21, 2019

**Resolution granting Conditional Site Plan Approval and Special Permit for Central Hudson Gas & Electric Training Center, Route 9W, Lake Katrine, Town of Ulster, SBL 39.15-4-11 and 39.15-4-16**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**CONDITIONAL SITE PLAN AND SPECIAL PERMIT**  
**APPROVAL**  
**Central Hudson Gas & Electric Training Center**

S-B-L: 39.15-4-11 and 39.15-4-16

**WHEREAS**, the Applicant – *Central Hudson Gas & Electric (CHG&E)* – is seeking *Site Plan & Special Permit* approval to establish a 40,351 square-foot (sf) *Training Academy* that will feature offices and classrooms, a separate 31,358 sf indoor training area, and an outdoor “gas village” containing (6) 120 sf residential training buildings, (1) 800 sf commercial training building, (1) 240 an apartment training building, and simulated electric transmission and distribution pole yards along with a 41,550 sf *Electric Transmission and Distribution Primary Control Center* on the subject 56.51-acre site; and

**WHEREAS**, the Applicant is concurrently seeking Lot Line Adjustment approval to swap 1.8-acres with an adjacent parcel, which would be subject to Planning Board review; and

**WHEREAS**, the subject site is situated within the HC-Highway Commercial and R-30 Residential Zoning Districts; and

**WHEREAS**, the “*School of Learning*” use is permitted subject to Site Plan and Special Permit approval in both the R-30 Residential and HC-Highway Commercial Districts and the *Electric Transmission and Distribution Primary Control Center* “public utility,” that is situated within the HC Zoning District, is an allowed use in that zoning district subject to Site Plan approval; and

**WHEREAS**, the Town of Ulster Town Board has the authority (subject to a favorable recommendation from the Town of Ulster Planning Board); to approve the Proposed Action (Site Plan and Special Permit) since more than one (1) acre of land is being used and more than 2,500 square feet of new building area is proposed; and

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

- *Project Narrative* for CHG&E Training Center prepared by Central Hudson Gas & Electric undated;
- *Consent Form* signed by Peter Skelly, Member of Carraig Properties, LLC dated July 29, 2019;
- *Consent Form* signed by Daniel Leader, Member of Largay, LLC dated July 31, 2019;
- *Application for Preliminary Subdivision Plat Approval* prepared by Peter Skelly, dated July 29, 2019;
- *Application for Site Plan & Special Permit Review* prepared by Peter Skelly, dated July 29, 2019;
- *Full EAF Part 1, 2 & 3* by Jessica D. Caserto, Director, Electric T&D Planning dated 7/30/19;
- *Threatened & Endangered Species Habitat Assessment* by Michael Nowicki dated 7/24/19;

**Civil Set**

- *Existing Conditions Plan* prepared by Brooks & Brooks Land Surveyors; PC revised 10/29/2019;
- *Lot Line Revision Plan* prepared by Brooks & Brooks Land Surveyors; PC revised 10/29/2019;

## TOWN OF ULSTER TOWN BOARD MEETING (22)

November 21, 2019

- *Site Plan* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/2019;
- *Dimensional Site Plan* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/2019;
- *Grading Plan (South Side)* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/19;
- *Grading Plan (North Side)* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/19;
- *Utility Plan (South Side)* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/19;
- *Utility Plan (North Side)* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/19;
- *Erosion & Sediment Control Details* prepared by Swartz Architecture, DPC revised 10/29/19;
- *Site Details* prepared by Swartz Architecture, DPC dated July 30, 2019; revised 10/29/19;
- *Fire Department Engine Maneuvering Plan* by Lawrence J. Paggi, P.E., revised 10/29/19;
- *Site Construction Details* prepared by Swartz Architecture, DPC dated October 29, 2019;
- *Sanitary Infrastructure Details* prepared by Swartz Architecture, DPC dated October 29, 2019;
- *Water Supply Construction Details* prepared by Swartz Architecture, DPC dated October 29, 2019;
- *Landscape Plan (South Side)* prepared by Swartz Architecture, DPC dated October 29, 2019; and
- *Landscape Plan (North Side)* prepared by Swartz Architecture, DPC dated October 29, 2019.
  
- *Electrical Site Plan (North Side)* by Gerard Associates, Consulting Eng., P.C., dated 8/27/19; and
- *Electrical Site Plan (South Side)* by Gerard Associates, Consulting Engineers, P.C., dated 8/27/19.

### **Architectural**

- *Training Academy Floor Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
- *Primary Control Center Floor Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
- *Training Academy & Primary Control Center Elevation* by Swartz Architecture, DPC dated 7/30/19;
- *Gas Village Floor Plan and Exterior Elevations* by Swartz Architecture, DPC dated July 30, 2019;
- *Annex Floor Plan* prepared by Swartz Architecture, DPC dated July 30, 2019;
- *Annex Exterior Elevations* prepared by Swartz Architecture, DPC dated July 30, 2019; and
- *Annex Exterior Elevations* prepared by Swartz Architecture, DPC dated July 30, 2019.

### **Studies**

- *Stormwater Pollution Prevention Plan* by Lawrence J. Paggi, P.E., revised September 2019; and
- *Threatened-Endangered Species Habitat Suitability Assessment* by Ecological Solutions 7/24/19.

**WHEREAS**, the Town of Ulster Town Board, upon review of the application materials determined the Proposed Action was a *Type 1 Action* pursuant to 6 CRR-NY 617.4 (b)(6) and 6 CRR-NY 617.4 (b)(10) of State Environmental Quality Review (SEQR) Law; and

**WHEREAS**, the Town of Ulster Town Board, Declared Its Intent to be Lead Agency for the SEQRA *Type 1 Action-Coordinated Review* at its August 15, 2019 meeting and circulated its notice; and

**WHEREAS**, the Town of Ulster Town Board, as Lead Agency issued a SEQRA Negative Declaration on September 19, 2019 on the Proposed Action (Lot Line, Site Plan and Special Permit) and opened and closed its Special Permit public hearing on October 3, 2019; and

**WHEREAS**, a Stormwater Pollution Prevention Plan (SWPPP) dated September 2019 was reviewed by the Town Designated Engineers (TDE) Brinnier & Larios, P.C., with a finding that it has been prepared in conformance with the requirements of the York State Stormwater Management Design Manual (NYSDEC, January 2015) and recommendation that it be accepted by the Town; and

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

November 21, 2019

**WHEREAS**, the Town Designated Engineer, in a letter dated November 7, 2019 found the applicant had addressed its October 18, 2019 review letter and that they had no further comments on the roadway, stormwater, potable water and sanitary sewer aspects of the project; and

**WHEREAS**, the Town Consulting Planner, in a letter dated November 12, 2019 found the applicant had addressed all outstanding planning related comments and recommended the Planning Board approve the *Lot Line Adjustment* and then refer this matter to the Town Board with a recommendation to grant *Site Plan and Special Permit* approval; and

**WHEREAS**, the Town of Ulster Planning Board granted Lot Line Adjustment approval at its November 12, 2019 meeting and referred this matter to the Town Board with a recommendation to override certain Ulster County Planning Board required modifications and to grant Conditional Site Plan and Special Permit approval.

**WHEREAS**, upon review of the Required Modifications, the Town of Ulster Planning Board found most were addressed through revisions to the Plan Set, but recommends the Town Board override the required modifications related to noise, and that as a condition of Site Plan and Special Permit approval, basic traffic data should be provided and the need for additional effort on traffic coordinated to the satisfaction of the NYSDOT.

**FURTHER BE IT RESOLVED**, the Town of Ulster Town Board hereby grants Conditional Site Plan and Special Permit approval to *Central Hudson Gas & Electric (CHG&E)* subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. Basic traffic data should be provided and the need for additional effort on traffic coordinated to the satisfaction of the NYSDOT;
5. The Town’s consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
6. All fees, including consultant fees, shall be paid.

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

*CARRIED*

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

November 21, 2019

**Resolution granting extension of Site Plan and Special Permit for Cypress Creek Renewables DBA Landau Solar LLC and Landau Solar II LLC (with the consent of Isidore Landau for Eddyville Corp.), 2986 – 3040 Route 32, Town of Ulster, New York, SBL 56.14-1-24, 56.14-2-18 and 56.14-2-36.1**

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**CYPRESS CREEK RENEWABLES**  
**dba LANDAU SOLAR, LLC AND LANDAU SOLAR II, LLC**  
***2986 - 3040 Route 32***  
***Town of Ulster, Ulster County, New York***  
**S-B-L: 56.14-1-24, 56.14-2-18 and 56.14-2-36.1**

WHEREAS, on December 4, 2018, the Ulster Town Board approved the application by *Cypress Creek Renewables dba Landau Solar, LLC and Landau Solar II, LLC (with the consent of Isidore Landau for Eddyville Corp)* (the “Applicant”); construct, operate and maintain: (1) a 2 Mega Watt (MW) Solar Energy Facility and; (2) a 4 MW Solar Energy Facility, both to be located at 2986 - 3040 Route 32, on parcels identified as S-B-L: 56.14-1-24, 56.14-2-18 and 56.14-2-36.1, near the hamlet of Eddyville, and

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

WHEREAS, construction of the approved site plan did not commence and will not commence prior to December 4, 2019; and

WHEREAS, Applicant is requesting a one (1) year extension of the site plan approval; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the 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 site plan approval heretofore granted on December 4, 2018, as modified by site plan amendment dated July 2019, shall be amended as follows: the approval granted by the Town Board on December 4, 2018, as modified by site plan amendment dated July 2019, shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than December 4, 2020; and be it further

RESOLVED, that this resolution shall take effect upon payment of any applicable extension fees.

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

November 21, 2019

MOTION: Councilman Secreto  
SECOND: Councilman Brink

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

*CARRIED*

**Presentation of Resolution Authorizing Adoption by the Town Board of Local Law 5 of 2019 – Litter and Dumping Control Law**

**(Presentation) Resolution of the Town Board**  
**TOWN OF ULSTER**

**Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. of 2019 – Litter and Dumping Control Law**

WHEREAS, an introductory Local Law entitled “Litter and Dumping Control Law” was introduced before the Town Board of the Town of Ulster on October 3, 2019, and upon notice duly published and posted, a hearing was held on November 7, 2019 at 7:25 p.m., before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled “Litter and Dumping Control Law” is hereby determined to be a Type II SEQR action, and be it further

RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. \_\_\_\_ of 2019 - Litter and Dumping Control Law, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be, and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New

*No Action Required*

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

November 21, 2019

**Resolution Authorizing Adoption by the Town Board of Local Law 4 of 2019 – Business Investment Exemption Law**

**Resolution of the Town Board**  
**TOWN OF ULSTER**

**Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. 4 of 2019 – Business Investment Exemption Law of the Town of Ulster**

WHEREAS, an introductory Local Law entitled “Business Investment Exemption Law of the Town of Ulster” was introduced before the Town Board of the Town of Ulster on August 15, 2019, and upon notice duly published and posted, a hearing was held on September 19, 2019 at 7:35 p.m., before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled “Business Investment Exemption Law of the Town of Ulster” is hereby determined to be a Type II SEQR action, and be it further

RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. 4 of 2019 - Business Investment Exemption Law of the Town of Ulster, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

**LOCAL LAW NO. 4 of 2019**

**Business Investment Exemption Law of the Town of Ulster**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ULSTER,  
IN THE COUNTY OF ULSTER, NEW YORK, AS FOLLOWS:**

**§ 1. Purpose and Repealer**

The purpose of this article is to repeal Local Law No. 4 of 1998 and to provide for a modified real property tax law exemption provided for in § 485-b, Subdivision 2(a), of the Real Property Tax Law for tax exemption for certain business improvements.

**§ 2. Applicability**

This article shall be known as the "Business Investment Exemption Law" of the Town of Ulster.

**§ 3. Definitions**

As used in this article, unless otherwise expressly stated, definitions shall be as set forth in §485-b of the Real Property Tax Law.

**§ 4. Exemptions**

1. Real property constructed, altered, installed or improved after the effective date of this local law for the purpose of commercial, business or industrial activity shall be exempt from taxation and special ad valorem levies, except for special ad valorem levies for fire district, fire protection district and fire alarm district purposes, to the extent hereinafter provided.
2. (a) (i) Such real property shall be exempt for a period of one year to the extent of fifty per centum of the increase in assessed value thereof attributable to such construction, alteration, installation or improvement and for an additional period of nine years provided, however, that the extent of such exemption shall be decreased by five per centum each year during such additional period of nine years and such exemption shall be computed with respect to the "exemption base." The exemption base shall be the increase in assessed value as determined in the initial year of such ten year period following the filing of an original application, except as provided in subparagraph (ii) of this paragraph.  
  
(ii) In any year in which a change in level of assessment of fifteen percent or more is certified for a final assessment roll pursuant to the rules of the state board, the exemption base shall be multiplied by a fraction, the numerator of which shall be the total assessed value of the parcel on such final assessment roll (after accounting for any physical or quantity changes to the parcel since the immediately preceding assessment roll), and the denominator of which shall be the total assessed value of the parcel on the immediately preceding final assessment roll. The result shall be the new exemption base. The exemption shall thereupon be recomputed to take into account the new exemption base, notwithstanding the fact that the assessor receives the certification of the change in level of assessment after the completion, verification and filing of the final assessment roll. In the event the assessor does not have custody of the roll when such certification is received, the assessor shall certify the recomputed exemption to the local officers having custody and control of the roll, and such local officers are hereby directed and authorized to enter the recomputed exemption certified by the assessor on the roll. The assessor shall give written notice of such recomputed exemption to the property owner, who may, if he or she believes that the exemption was recomputed incorrectly, apply for a correction in the manner provided by title three of article five of this chapter for the correction of clerical errors.  
  
(iii) The following table shall illustrate the computation of the tax exemption:

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

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<b>Year of Exemption</b>	<b>Percentage of Exemption</b>
1	50
2	45
3	40
4	35
5	30
6	25
7	20
8	15
9	10
10	5

- (b) No such exemption shall be granted unless
- (1) such construction, alteration, installation or improvement was completed after the effective date of this local law, as evidenced by the issuance of a certificate of occupancy by the Town of Ulster Building Department;
  - (2) the cost of such construction, alteration, installation or improvement exceeds the sum of fifty thousand dollars; and
  - (3) such construction, alteration, installation or improvement is completed as may be evidenced by a certificate of occupancy or other appropriate documentation as provided by the owner.
- (c) For purposes of this section the terms construction, alteration, installation and improvement shall not include ordinary maintenance and repairs.
- (d) No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvements to real property, except, where during the period of such previous exemption, payments in lieu of taxes or other payments were made to the local government in an amount that would have been equal to or greater than the amount



## TOWN OF ULSTER TOWN BOARD MEETING (22)

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of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this section. In such case, an exemption shall be granted for a number of years equal to the ten year exemption granted pursuant to this section less the number of years the property would have been previously exempt from real property taxes.

3. Such exemption shall be granted only upon application by the owner of such real property on a form prescribed by the state board. Such application shall be filed with the assessor of the town on or before the appropriate taxable status date of the town and within one year from the date of completion of such construction, alteration, installation or improvement.
4. If the assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, he or she shall approve the application and such real property shall thereafter be exempt from taxation and special ad valorem levies, except for special ad valorem levies for fire district, fire protection district and fire alarm district purposes, as herein provided commencing with the assessment roll prepared after the taxable status date referred to in subdivision three of this section. The assessed value of any exemption granted pursuant to this section shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.
5. The provisions of this section shall apply to real property used primarily for the buying, selling, storing or developing goods or services, the manufacture or assembly of goods or the processing of raw materials. This section shall not apply to property used primarily for the furnishing of dwelling space or accommodations to either residents or transients other than hotels or motels.
6. In the event that real property granted an exemption pursuant to this section ceases to be used primarily for eligible purposes, the exemption granted pursuant to this section shall cease.
7. The provisions of this Article shall apply only to construction, alteration, installation or improvements having a greater value than fifty thousand dollars.
8. This local law does not establish an industrial and commercial incentive board.

### **§ 5. Severability**

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**§ 6. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

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

November 21, 2019

**Motion to Set a Public Hearing for December 19<sup>th</sup> at 7:10pm for Katrine Lane Sewer Project Update**

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink -Aye

Town Councilman Kitchen -Aye

Deputy Supervisor Morrow -Aye

Town Councilman Secreto -Aye

Supervisor Quigley -Aye

*CARRIED*

**Resolution Adopting Town Budget for 2020**

**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Adopting Town Budget for 2020**

**WHEREAS**, this Board having, on November 7, 2019, commencing at 7:10 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, 2020, including the fire protection district budget and light district budgets for 2020, 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 2020 is hereby approved, as revised by the Town Board at its meeting held on November 21, 2019 and established as the annual budget for this Town for the fiscal year beginning January 1, 2020, 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.

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

November 21, 2019

*Supervisor:* After comments received, discussion and modifications made:

1. **General Fund:** Judgments and claims – used for Town tax certiorari cases. Town has option of bonding over 20-year period or paying out of fund balance. Town historically appropriated sums that budgeted an amount to cover major portion of liabilities on an annual basis to face tax certiorari actions. Account A1930.400 shall be reduced by \$22,000, offsetting revenue would be tax levy reduction in account no. A.1001 by \$22,000

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

2. **Highway Budget:** Councilmen Secreto and Morrow went over.

*Councilman Secreto:*

D.5110.413 equipment rental \$3000 (to be taken out of budget)

D.5142.447 sand line - \$3000

Reduced highway fund tax levy to \$2,767,743

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

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

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November 21, 2019

3. **In Summary:** Town of Ulster Highway and General Fund as a combined unit has an increase of 3.014% the tax levy. With this change, net 2.56% tax increase.

*Supervisor:* **Motion to Adopt Budget as Modified and Publish to the Town's Website**

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

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

*CARRIED*

*~END OF REGULAR MEETING~*

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**Public presentation by Dr. Vincent A. Scovazzo PhD, PE, PG, Director of Geotechnical Services, John T. Boyd Company, on the East Kingston Mining Activity**

*Full Audio and Documents/Power Point are on the Town Website: [www.townofulster.ny.gov](http://www.townofulster.ny.gov)*

*DISCUSSION, QUESTION AND ANSWER PERIOD*

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**PUBLIC COMMENT**

*No Public Comment*

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

November 21, 2019

**MOTION to enter Executive Session to discuss: 1. Memorandum of Agreement Local 17, and 2. Town Assessor (8:21 pm)**

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

**Executive Session Action**

*Supervisor:* Out of Executive Session – No Reportable Actions

**MOTION to authorize Supervisor to sign the Memorandum of Agreement in relation to the payouts for personal and sick time for Local 17**

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

*CARRIED*

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

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November 21, 2019

**MOTION to End Executive Session and Adjourn (8:33 pm):**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk

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

November 21, 2019

**ATTACHMENT 1 – FRANK SOTTILE PARCELS**

