

PRE-BOARD MEETING – APRIL 16, 2008

The Pre-Board Meeting was held on Wednesday, April 16, 2008 at 6:00 p.m. at the Frank D. Greco Multi Purpose Building located on the corner and Market and Robinson Streets in the Village of Saugerties with the following members present:

Councilman Bruce Leighton
Councilwoman Leeanne Thornton
Councilman Fred Costello
Councilwoman Nancy Campbell
Supervisor Greg Helsmoortel

The following topics were discussed:

Discussion to up-date Section 12.2 fines and imprisonment on the Zoning Law to be increased, will move to agenda.

Town Clerk

TOWN BOARD MEETING – APRIL 16, 2008

The Town Board Meeting was held on Wednesday, April 16, 2008 at 7:00 p.m. at the Frank D. Greco Multi Purpose Building located on the corner and Market and Robinson Streets in the Village of Saugerties. The meeting was opened with the Pledge of Allegiance with the following members present:

Councilman Bruce Leighton
Councilwoman Leeanne Thornton
Councilman Fred Costello
Councilwoman Nancy Campbell
Supervisor Greg Helsmoortel

PRIVILEGE OF FLOOR: none

PUBLIC COMMENT PERIOD: none

SUPERVISOR'S COMMENTS: none

APPROVAL OF MINUTES:

Motion made by Supervisor Helsmoortel, seconded by Councilman Costello to approve the minutes of Pre-Board and Town Board Meeting on April 2, 2008, carried.

APPROVAL OF BILLS:

Motion made by Supervisor Helsmoortel, seconded by Councilman Costello to approve the bills as presented, carried.

General Fund	\$92,937.19
General Outside Village	25,433.12
Highway	37,882.52
Capital Projects	2,742.63
Lighting District	4,748.47
Barclay Heights Sewer	435.71
Glasco Sewer	3,328.64
Malden Sewer	1,347.13
Glasco Water	1,444.84
Malden Water	403.55

BOARD COMMITTEE REPORTS:

Councilman Leighton – Mark Resso will be acting Superintendent for the Water and Sewer Department, we're sure he will do a great job and we thank him. DEC made an unexpected visit and everything was in order.

Councilwoman Thornton – Historic Preservation Commission will meet on the first Monday of the month at 7:00 p.m. CAC is reviewing RFP's for Open Space; CPC is continuing to meet on Tuesdays. The Library meeting will be televised on TV23 and the Culinary Institute of America will have a show on TV23 also.

Councilman Costello – entire police department participated in tazer training with compliments to Officers Craft and Helsmoortel. The docks have been installed and ready for use.

Councilwoman Campbell – EDC brochures were delivered last Friday and are available in the Town Clerk's Office and Building Department. Barbara Budik and Beth Murphy also attended a workshop in Albany.

MOTIONS & RESOLUTIONS:

Motion made by Councilwoman Campbell, seconded by Supervisor Helsmoortel to approve a raise for Jeremy Kane, Town Planner, from \$42,500.00 per year to \$45,000.00 per year, effective immediately.

Discussion: Supervisor Helmsmoortel added that the low Chazen bill is reflective of Jeremy's in-house work and participation.

Vote: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Councilman Leighton to accept Walter Frey's resignation from the position of Dispatcher with the Town of Saugerties Police Department, effective May 2, 2008.

Discussion: Councilman Costello thanked Mr. Frey for his years of service.

Vote: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Councilwoman Thornton to approve the hiring of part-time dispatcher Stephen B. Tuomey as a full-time Dispatcher with the Town of Saugerties Police Department, effective April 21, 2008 at a pay rate of \$22,500.00 per year.

Discussion: Councilman Costello said Mr. Tuomey has been a valuable asset to the town and we are looking forward to having him full time.

Vote: Adopted – 5 Yes

Motion made by Councilman Leighton, seconded by Councilman Costello to accept Wayne Debrosky's resignation from the position of Water & Sewer Administrator with the Town of Saugerties Water & Sewer Department, effective April 8, 2008.

Vote: Adopted – 5 Yes

Motion made by Councilman Leighton, seconded by Councilman Costello to hire Wayne Debrosky as an on-call consultant for Water & Sewer until June 30, 2008 at a rate of \$915.00 per month.

Vote: Adopted – 5 Yes

Motion made by Councilwoman Thornton, seconded by Supervisor Helmsmoortel to appoint Audrey Klinkenberg as the Town Historian for the year 2008, effective immediately.

Discussion: Councilwoman Thornton shared highlights of Audrey through her son, Lee.

Vote: Adopted – 5 Yes

Motion made by Councilwoman Thornton, seconded by Councilman Costello to appoint Michael Sullivan Smith to serve a four (4) year term on the Historic Preservation Commission, effective April 1, 2008.

Vote: Adopted – 5 Yes

Motion made by Councilwoman Thornton, seconded by Councilwoman Campbell to approve and set the Zoning Law as a Local Law.

RESOLUTION DATED APRIL 16, 2008

ADOPTING A LOCAL LAW

WHEREAS, Local Law No. 1 of the Year 2008 cited as "Local Law to Amend a Zoning Law of the Town of Saugerties, New York" was introduced before the Town Board of the Town of Saugerties in the County of Ulster and State of New York on the 11th day of October, 2007; and

WHEREAS, the Town Clerk caused to be published a public notice in the official newspaper of the Town of Public Hearing on said proposed Local law at least ten (10) days prior thereto; and

WHEREAS, Public Hearings on said proposed Local Law at the Frank D. Greco Senior Citizens Center, Market Street in the Village of Saugerties, New York, were held on November 13, 2007, December 6, 2007, February 21, 2008 and April 16, 2008, at which time and location specified by said notices, and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to said proposed Local Law; and

WHEREAS, the Town Board determined that it would be lead agency under the State Environmental Quality Review Act ("SEQRA") and coordinated review with all involved and interested agencies, and no objection to the Town Board acting as lead agency was received; and

WHEREAS, said proposed Local Law was reviewed by the Ulster County Planning Board on December 5, 2007 and on February 6, 2008, pursuant to General Municipal Law Section 239-m and the Ulster County Planning Board did not disapprove said proposed Local Law, and offered recommendations relating thereto; and

WHEREAS, no comments or evidence were submitted at said public hearings raising any significant adverse environmental impacts related to the adoption of

the proposed Local Law; and

WHEREAS, pursuant to SEQRA and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York ("Part 617"), the Town Board caused a Full Environmental Assessment Form ("FEAF") to be filed with the Town Board which analyzed the different environmental effects associated with the adoption of the proposed Local Law; and

WHEREAS, the Town Board has received and considered all parts of the FEAF and the record of the public hearings on the proposed Local Law and, after due deliberation, at least a majority of the Town Board members find it in the best interests of the Town of Saugerties to adopt said Local Law; and

WHEREAS, a Negative Declaration and Reasons Supporting This Determination have been prepared.

NOW, THEREFORE, BE IT RESOLVED by at least a majority of the Town Board that:

1. The proposed action of adopting the proposed Local Law amending the Zoning Law of the Town of Saugerties is an Unlisted Action under SEQRA.
2. The proposed action will have no adverse environmental impacts upon the environment as shown in the FEAF and for the reasons set forth in the Negative Declaration attached hereto as Exhibit "A" and made part hereof
3. The Negative Declaration is hereby approved and it is determined that an Environmental Impact Statement ("EIS") is not required for the proposed action.
4. The Town Supervisor is authorized to sign the FEAF, indicate thereon that an EIS will not be prepared and cause the Negative Declaration to be filed, published and distributed as required by law.
5. The Town Board hereby adopts "Local Law No. 1 of 2008", Local Law Amending Local Law No. 3 of the Year 1989", a copy of which is attached

hereto as Exhibit “B” and made part hereof.

6. The Town Clerk is directed to (1) enter this resolution and its Local Law and Negative Declaration exhibits in the minutes of the Town Board, (2) cause a copy of this resolution and its exhibits to be published in the Saugerties Post Star, (3) cause a copy of this resolutions and its exhibits to be posted conspicuously at or near the Office of the Town Clerk in accordance with the Town Law, (4) cause affidavits of the publication and posting of the same to be filed with the Town Clerk, (5) cause a copy of said Local Law to be filed with the Secretary of the State in accordance with Article 3 of the Municipal Home Rule Law, and (6) maintain files of all SEQRA documents and notices which are readily accessible to the public and made available upon request.

Motion made by Councilwoman Thornton, seconded by Councilman Costello to amend to read Local Law #1 of 2008.

Vote on motion as amended: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Councilwoman Campbell to amend the law to read in Section 12.2 Fines and Imprisonment for first offense: not exceeding \$1,000.00 or imprisonment for a period not to exceed six months; second offense within five years: not less than \$1,000.00 nor more than \$5,000.00 or imprisonment for a period not to exceed six months or both; third offense within five years: not less than \$2,000.00, not more than \$10,000.00 or imprisonment for a period not to exceed six months or both.

Vote on amendment: Adopted – 5 Yes

Discussion: Councilwoman Campbell pointed out that at this time we are approving new zoning law after 2 ½ years of hard work! Councilman Costello added with a total of six Public Hearings and everyone’s hard work and persistence along with all the residents for their in-put.

Vote on motion as amended: Adopted – 5 Yes

Motion made by Councilman Costello, seconded by Supervisor Helmsmoortel to approve the purchase of the police chief’s vehicle from the rental company, Automotive Rentals, Inc. for the amount of \$7,915.00.

Vote: Adopted – 5 Yes

Motion made by Councilwoman Campbell, seconded by supervisor Helsmoortel to approve the following resolution on file with the Town Clerk concerning Site Plan Review Procedures in the Town of Saugerties.

Vote: Adopted – 5 Yes

RESOLUTION Dated April 16, 2008

WHEREAS, the Town Planning Board reviews applications regarding Site Development Plans for those uses requiring such review, issuing Special Permits, reviewing and submitting advisory opinions concerning applications for variance and amendments to the zoning regulations, as required by law; and

WHEREAS, the Town Planning Board must consider the cost incurred by the Town in inspecting an applicant's site plan development which includes, but is not limited to, performance bond, engineering fees, attorney fees and building department inspection and the like that may be associated with said project; and

WHEREAS, the Town Board desires to adopt a procedure to ensure that the applicant who appears before the Town Planning Board and who receives site plan approval posts the appropriate security and/or fees in advance of site disturbance; and

WHEREAS, said procedure sought to be adopted would effectuate a comprehensive plan for protecting and promoting public health, safety, comfort, convenience, economy and general welfare;

NOW, THEREFORE, it is

RESOLVED that any applicant who obtains site plan approval from the Town Planning Board shall notify the Town Planning Board at least 30 days before said applicant causes any site disturbance associated with the site plan, for the purposes of establishing an escrow account and follow the Town Board's procedures for bonding,

inspections and other necessary professional fees that may be incurred by the Town of Saugerties with respect to the applicant's site plan development.

Motion made by Councilwoman Campbell, seconded by Councilman Costello to approve the following resolution on file with the Town Clerk concerning the Standards for Private Rural Roads in the Town of Saugerties.

RESOLUTION APRIL 16, 2008

WHEREAS, the Town Planning Board reviews applications regarding Site Development Plans for those uses requiring such review, issuing Special Permits, reviewing and submitting advisory opinions concerning applications for variance and amendments to the zoning regulations, as required by law; and

WHEREAS, the Town Planning Board must consider development data in particular, in reviewing all existing and proposed means of vehicular ingress and egress to and from the site onto public streets; and

WHEREAS, the Town Highway Superintendent and the Town Engineer, together with the Planning Board, desire to establish General Standards for Private Rural Roads in the Town of Saugerties; and

WHEREAS, the Town Board desires to adopt administrative Standards For Private Rural Roads; and

WHEREAS, Standards For Private Rural Roads sought to be adopted by the Town Board so as to be implemented by the Town Planning Board for their review of subdivision applications that deal with Private Rural Road; and

WHEREAS, said Standards For Private Rural Roads sought to be adopted would effectuate a comprehensive plan for protecting and promoting public health, safety, comfort, convenience, economy and general welfare; and

WHEREAS, this Resolution is intended to amend the Town Board's prior Resolution dated March 21, 2007, specifically Paragraph 7 under the General Standards and Paragraph 7 under Design Standards to conform with the Town of Saugerties amended zoning legislation which has been approved on April 16, 2008;

NOW, THEREFORE, it is

RESOLVED that the Standards For Private Rural Roads as set forth below shall be adopted as a standard for private rural roads when dealing with subdivision applications to assist the Planning Board in its determinations in reviewing developmental data for said applications that come before it.

See annexed hereto Standards For Private Rural Roads, Town of Saugerties, New York,

Upon a roll call vote, the vote is as follows:

Supervisor Helsmoortel	voting	Yes
Councilman Costello	voting	Yes
Councilman Leighton	voting	Yes
Councilwoman Thornton	voting	Yes
Councilwoman Campbell	voting	Yes

STANDARDS FOR PRIVATE RURAL ROADS TOWN OF
SAUGERTIES, NY

A. GENERAL STANDARDS

1. The boundary of each lot served by a private rural road shall extend to the

center line of the road with the right-of-way for ingress and egress over the road granted to each lot served by such road.

2. The applicant shall submit to the Planning Board as part of the application for preliminary plat approval, a professional engineer's drawings showing the exact location, dimensions and grade of the private rural road, as well as the specifications setting forth the proposed composition of the road.
3. Written comment from the Town Highway Superintendent shall be secured before approval of any private rural road.
4. A Homeowners' Association (HOA) may be created to provide for the perpetual care and maintenance of the private rural road. The HOA must have the power to assess the subdivision lot owners for their share of the maintenance costs of the common driveway. The HOA shall ensure that the road is properly maintained and kept open to permit emergency vehicle access. A performance bond must be posted by the applicant to ensure the proper completion of the road. If an HOA is not created for perpetual care and maintenance, all lot owners served by the common driveway shall enter into a maintenance and repair agreement with all other lot owners served by such common driveway. Such agreement shall be approved by the Town Attorney.
5. The Planning Board may waive the requirement of HOA ownership of a private rural road if it finds, after consulting with the Town Attorney, that a recorded maintenance agreement, executed by the applicant as a condition of

subdivision approval, will provide sufficient protections to lot owners and the Town, and that all of the requirements and HOA functions will be properly fulfilled by such maintenance agreement.

6. The private rural road may never be offered for dedication to the Town of Saugerties unless it conforms to the Town Road Specifications in effect on the date of the offer of dedication. However, the Town Board shall be under no obligation to accept such an offer of dedication, even if the road conforms to Town Street Specifications. In the event such dedication becomes necessary to ensure public safety, the cost of bringing the road up to Town Road Specifications shall be borne by the Homeowners' Association (or the lot owners if there is no HOA).
7. The lots in a conservation or average density subdivision shall be restricted by conservation easement so that they may never be subdivided beyond **10 lots.**
8. The subdivision plat shall show the road clearly labeled "private rural road".

B. DESIGN STANDARDS

1. All construction shall be in accordance with these regulations and shall be under the immediate inspection, supervision and approval of the Town Highway Superintendent or the Town Engineer.
2. The right-of-way for a private rural road shall be not less than 50 feet in width with a wearing surface not less than 16 feet in width. Curbs shall be avoided unless deemed necessary by the Superintendent of Highways. The private rural road shall be cleared and graded to a width of 25 feet and a horizontal clearance maintained for

a distance of 12 feet from the center line and a vertical clearance of 15 feet maintained.

3. Whenever possible private rural roads shall follow natural contours and drainage shall be provided by swales or culverts designed to the satisfaction of the Town Highway Superintendent or Town Engineer. Drainage plans shall be prepared by a licensed professional engineer and shall comply with applicable NYSDEC requirements for MS4 and SPDES storm-water regulations for construction activities,
4. Minimum curve radius shall be 100 feet, minimum tangent distance between reverse curves shall be 50 feet.
5. Grade shall not exceed 12% nor be less than 1%. Grade shall not be greater than three percent within 50 feet of an intersection.
6. The foundation course shall be constructed of not less than twelve (12) inches of compacted quarry rubble, NYSDOT Item 304.02, creek gravel, run-of-bank gravel, or other pervious material acceptable to the Highway Superintendent or designated Town Engineer.
7. The wearing surface shall consist of two inches of porous materials.
8. The maximum length of the common portion of any private rural road shall be 1,200 feet from the access road unless there are two points of access.
9. There shall be an adequate turnaround for emergency vehicles at the end of the common portion of the private rural road.

Motion made by Supervisor Helsmoortel, seconded by Councilman Leighton to adjourn Town Board Meeting, carried.

NEXT SCHEDULED MEETINGS:

Thursday, April 17, 2008	Executive Session	4:30 p.m.
Wednesday, May 7, 2008	Pre-Board Meeting	6:00 p.m.
	Youth Awards	7:00 p.m.
	Town Board Meeting	following

Town Clerk