

## **PRE-BOARD MEETING – MARCH 21, 2007**

The Pre-Board Meeting was held on Wednesday, March 21, 2007 at 6:25 p.m. at the Frank D. Greco Multi-Purpose Building located on the corner of 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

ABSENT: Supervisor Greg Helsmoortel

Councilwoman Thornton asked the other board members if they have had time to review the information on tax exemption regarding historical improvements. This specifically would be a Local Law enacting real property tax exemption for Historic Property that is altered or rehabilitated in accordance with local Historic Preservation Laws. Councilwoman Thornton would like to discuss further at the next Town Board Meeting.

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Town Clerk

## **TOWN BOARD MEETING – MARCH 21, 2007**

The Town Board Meeting was held on Wednesday, March 21, 2007 at 7:00 p.m. at the Frank D. Greco Multi-Purpose Building located on the corner of 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

ABSENT: Supervisor Greg Helsmoortel

**PRIVILEGE OF FLOOR: none**

**PUBLIC COMMENT PERIOD:**

**James Fowler** – resides on Route 9W, would like to know what is going on with building next door. Nothing is being done. March 15<sup>th</sup> he called the Town of Saugerties Police Department to tell them an elderly lady was broken down at 2:30 p.m. by PVI hill,

dispatcher said they couldn't send a car, but he should call the state police. No accountability with Police Chief or Building Inspector.

**Michael Catalinotto, Sr.** – this agenda does not tell what resolutions mean that are being voted on tonight. Why is a three year contract needed for an attorney? Also, what has happened to the \$10,000.00 down payment on the carousel now that the deal is off?

**Cliff Tienken, Sr.** – glad carousel is scrapped; the group that is buying the carousel should also build the building, hire employees and take care of maintenance.

**SUPERVISOR'S COMMENTS: none**

**APPROVAL OF MINUTES:**

Motion made by Councilman Costello, seconded by Councilwoman Campbell to accept the minutes of Pre-Board and Town Board Meetings on March 7, 2007, carried.

**APPROVAL OF BILLS:**

Motion made by Councilman Costello, seconded by Councilwoman Thornton to approve the bills as presented, carried.

General Fund	\$133,913.48
General Outside Village	22,849.87
Recreational Capital	121.91
Highway Townwide	45,127.70
Highway Outside Village	26,682.18
Capital Projects	862.73
Lighting District	4,169.44
Barclay Heights Sewer	80,102.30
Glasco Sewer	691.91
Malden Sewer	4,511.57
Glasco Water	62,679.95
Malden Water	5,781.65

**BOARD COMMITTEE REPORTS:**

**Councilman Leighton** – at the March 8<sup>th</sup> meeting at Diaz Ambulance, they ordered a new ambulance and Lisa Benjamin has been hired as full time Manager. Boys & Girls Club needs a new program director and their bowling tournament raised over \$3,000.00. On April 28<sup>th</sup> at 6:00 p.m. will be the annual auction fundraiser at Gisianos. Malden Wastewater average was 43,000 gal/day for the month of February. Glasco Wastewater average was 193,000 gal/day for the month of February.

**Councilwoman Thornton** – On March 22<sup>nd</sup> at 4:00 p.m. there will be a library meeting regarding expendable trust. TV 23 meeting will be March 22<sup>nd</sup> at 7:00 p.m. with police.

CPC will be in the small room as Assemblyman Pete Lopez is having a town meeting in the large room. Historic Preservation continues the Public Hearing on Winston Farm on April 16<sup>th</sup>. CAC is doing an inventory of open space. Bio-diversity will meet on March 28<sup>th</sup>.

**Councilwoman Campbell** – Planning Board met with designer for design guidelines for commercial properties for the future in our town. Citizens are forming a group to save the Saugerties Carousel, which will include a lot of fundraising.

**Councilman Costello** – Ice Rink has done very well this season. We will replace police car that was totaled in an accident. Continuing NIMS preparedness – flood management program.

### **MOTIONS & RESOLUTIONS:**

Motion made by Councilman Costello to add Bryan Mower to the part time security call-out list at a rate of \$10.00 per hour per the recommendation of Greg Chorvas, Superintendent of Buildings & Parks.

Vote: Adopted – 4 Yes (Supervisor Helmoortel absent)

Motion made by Councilwoman Campbell, seconded by Councilman Costello to approve the following resolutions, as read, adopting Local Law #1 of 2007 to institute a moratorium in the Town of Saugerties Gateway Overlay District:

### **RESOLUTION**

WHEREAS, the Town of Saugerties has recently increased growth and development in the Gateway Overlay District of Automobile Service or Gasoline Stations, Convenience Food Stores, Automobile Dealerships and Storage Units requiring site plan, special use and other approvals, all of which place severe pressure on the town's Gateway, natural resources of the town and appropriate commercial development; and

WHEREAS, the town board has recently formed a committee and engaged a consultant as a Town Planner to gather information and to make recommendations with respect to the town's Comprehensive Plan and current Zoning Law, in an effort to create and adopt necessary amendments to the foregoing; and

WHEREAS, the town board believes that it will take at least six (6) months to conduct a thorough and responsible review of the Town of Saugerties' Zoning Law and Comprehensive Plan, and to formulate recommendations concerning the same; and

WHEREAS, the town board wishes to maintain the *status quo* during the review period in order to enable the town to focus on crafting and implementing a strategy that achieves appropriate planning objectives; and

WHEREAS, the town board does not wish to discourage appropriate commercial or residential development, but is mindful that such development must be consistent with the town's planning objectives; and

WHEREAS, the town board believes that the best and least restrictive method to accomplish its purposes would be to institute a moratorium in the town's Gateway Overlay District concerning development, alteration, expansion or change of and to Automobile Service or Gasoline Stations, Convenience Food Stores, Automobile Dealerships and Storage Units, affecting applications that have been submitted subsequent to March 1, 2007, for a period expiring September 1, 2007, subject to a ninety (90) day extension by resolutions, if necessary; and

WHEREAS, pursuant to Article 8 of the State Environmental Quality Review Act of the Environmental Conservation Law ("SEQRA") and N.Y.C.R.R. SS 617.5(30), the adoption of a moratorium on land development or construction is a Type II action, and is not subject to SEQRA review; and

WHEREAS, the town Clerk published a notice of public hearing in the Saugerties Times on February 15, 2007 and posted said notice on the town's sign board, and held a public hearing pursuant to the notices on February 28, 2007 at 5:00 p.m. and March 21, 2007 at 6:00 p.m. at the Frank D. Greco Multi Purpose Building, and accepted comments and input from the public; and

NOW, THEREFORE, it is resolved that, after due deliberation, Local Law No. 1 of the year 2007 of the Town of Saugerties, known as the "Interim Development Law for Automobile Service or Gasoline Stations, Convenience Food Stores, Automobile Dealerships and Storage Units in the Gateway Overlay District", a copy of which is attached hereto and made a part of this Resolution, is hereby adopted; and be it further

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

Roll Call Vote:

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

Motion made by Councilman Leighton, seconded by Councilman Costello to approve the following resolution, as read, to allow the Town of Saugerties Supervisor, Greg Helsmoortel, to obtain and sign-off on a permit from the New York State Department of

Transportation with regards to the water main break on Route 9W in the Town of Saugerties:

UNDERTAKING (MUNICIPALITY) IN CONNECTION WITH  
HIGHWAY WORK PERMITS  
ISSUED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the undersigned Town of Saugerties from time to time receives permits from the Department of Transportation of the State of New York (hereinafter referred to as the "Department") allowing Town of Saugerties to temporarily obstruct, install, construct, maintain operate or replace any facilities within the bounds of a state highway right-of-way pursuant to Sections 52, 103, 203, 249 and/or 250 of the Highway Law; and

WHEREAS, the department requires that the municipality file an undertaking to secure the Town of Saugerties faithful performance within the terms of any such permit and also to indemnify the State of New York and others with respect to all operations under such permits by the Town of Saugerties.

NOW THEREFORE, the Town of Saugerties hereby undertakes, to and with the State and the department, that:

1. The Town of Saugerties will well, truly and faithfully comply with and perform all the terms and conditions of each such permit on its part to be kept and performed, and abide by and comply with all such conditions, rules and regulations as may be, from time to time, promulgated by the Commissioner of Transportation of the State of New York, (hereinafter referred to as the "Commissioner"), according to the true intent and meaning of such permits, rules and regulations.
2. Town of Saugerties will, at its own expense, promptly complete the work allowed under each permit and within a reasonable time restore state property damaged by its work to substantially the same or equivalent condition as existed before such work was begun; and in the event that the Town of Saugerties fails to so restore damaged state property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the municipality may restore the property to substantially the same or equivalent condition as existed before the municipality began the work and require the municipality to reimburse the state for any and all costs incurred by the state in such restoration;
3. Te Town of Saugerties will indemnify, hold harmless and defend and protect the state of New York, the Commissioner and the department, their officials, officers, agents and employees against and pay any and all amounts, damages and costs and judgments which may or shall be recovered against said state, or its officers, or agents, or which such state may be called upon to pay to any person or corporation by reason of damages arising or growing out of operations pursuant to said permits or the manner of doing the same, or the neglect of said Town of Saugerties or its agents or servants, or the improper performance pursuant to the conditions of said permits by the municipality, its agents or servants.

4. The Town of Saugerties which is self-insured, will pay any and all damages, costs including but not limited to attorney's fees, and judgments recovered against the state, the Commissioner of Transportation, the Department of Transportation and their officials, officers and employees in connection with work allowed by a permit or from use of a permit by the Town of Saugerties or by any person acting by, through or for the Town of Saugerties including omission and supervisory acts of any of the entities or persons names above;
5. It is understood that this undertaking is one of the indemnity only and is not to be construed as imposing on Town of Saugerties an obligation to pay claims for which there would not otherwise be a remedy in law against the State of New York.
6. Any payments required by the foregoing will be guaranteed by the full faith and credit of Town of Saugerties or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casually reserve fund or from the proceeds of bonds which currant laws permit the Town of Saugerties to issue to pay claims against it.

Roll Call Vote:

Councilman Bruce Leighton	voting	Yes
Councilwoman Leeanne Thornton	voting	Yes
Councilwoman Nancy Campbell	voting	Yes
Councilman Fred Costello	voting	Yes
Supervisor Greg Helmoortel	ABSENT	

Motion made by Councilman Costello, seconded by Councilman Leighton to replace patrol car 787 at the cost of \$22,060.00 and the cost of this car will be partially reimbursed by the trade in value of 787 and 785 and the insurance buy out of 786.

Vote: Adopted – 4 Yes (Supervisor Helmoortel absent)

Motion made by Councilman Leighton, seconded by Councilman Costello to approve the following Resolution, as read, dealing with municipal water and sewer infrastructure for the Kings Highway corridor through shovel ready funds:

**RESOLUTION APPROVING AN APPLICATION FOR \$1 MILLION IN ULSTER COUNTY SHOVEL READY FUNDS IN SUPPORT OF MUNICIPAL WATER AND SEWER INFRASTRUCTURE FOR THE KINGS HIGHWAY CORRIDOR**

Whereas, the County of Ulster, desirous of enhancing job creation and retention of employment, is promoting economic development and growth through the financial assistance of the Ulster County Industrial Development Agency (IDA),

Whereas the Ulster County Development Corporation (UCDC) has established the Shovel Ready Fund for the purpose of encourage municipalities within Ulster County to develop, enhance, and expand public supporting infrastructure, and has promulgated Procedures and Guidelines of the Shovel Ready Fund for such purposes,

Whereas the Town of Saugerties has committed its efforts to the creation of municipal water and sewer districts to promote economic growth and development along the Kings Highway Corridor, a principal business zone within the Town of Saugerties,

Whereas the Town is reviewing and updating its zoning law to create an Office-Light Industrial Zone for the Kings Highway Corridor and is promoting economic growth within the Corridor through its Economic Development Committee and by other means, including the securing of funding necessary to complete a \$5.4 million infrastructure improvement project delivering necessary municipal water and sewer services to the Kings Highway Corridor,

Whereas wide community support for this effort exists in the Town of Saugerties and Ulster County,

And whereas to date \$2,007,000.00 in federal Environmental Protection Agency funding and \$800,000.00 in New York State Environmental Facilities Corporation funding have been secured by the Town of Saugerties toward this effort,

Therefore be it resolved, the Town Board hereby approves application for \$1 million in Ulster County Shovel Ready Fund assistance, \$500,000.00 of which shall be allocated to water district purposes and \$500,000.00 of which shall be allocated to sewer district purposes, and agrees to enter into agreement with the County, IDA and UCDC in accordance with the Procedures and Guidelines of the Shovel Ready Fund in the administering of these funds.

Roll Call Vote:

Councilman Bruce Leighton	voting	Yes
Councilwoman Leeanne Thornton	voting	Yes
Councilwoman Nancy Campbell	voting	Yes
Councilman Fred Costello	voting	Yes
Supervisor Greg Helmsmoortel	ABSENT	

Motion made by Councilwoman Campbell, seconded by Councilman Costello to approve the following Resolution, as read, for adopting Standards for Private Rural Roads:

#### REOLUTION DATED MARCH 21, 2007

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;

NOW, THEREFORE, it is

RESOLVED that the Standards for Private Rural Roads as set forth before 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.

Discussion: Councilwoman Campbell added that the guidelines for Standards for Private Rural Roads can be obtained at the Town Clerk's Office or the Planning Board.

Roll Call Vote:

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

Motion made by Councilwoman Campbell, seconded by Councilman Costello to approve the following Resolution, as read, pertaining to municipal training requirements for the Town's Planning Board and Zoning Board of Appeals:

**ESTABLISHING QUALIFYING TRAINING ACTIVITIES FOR THE MUNICIPAL  
PLANNING BOARD AND ZONING BOARD OF APPEALS MEMBERS AS  
REQUIRED BY NEW YORK STATE LAW, CHAPTER 662 OF THE LAWS OF  
2006**



**WHEREAS**, the Town of Saugerties has primary responsibility to regulate private land use through citizen planning boards and zoning boards and their actions have a profound impact on state and local land use policies and individual land owners, and

**WHEREAS** effective January 1, 2007, New York State Law, Chapter 662 of the Laws of 2006, Mandatory Training for Planning Board and Zoning Board of Appeals Members, requires a minimum of four hours of training be received by municipal planning and zoning board members and their alternates each year, and

**WHEREAS**, New York State Law, Chapter 662 of the Laws of 2006, provides that a planning and zoning board of appeals members and their alternates shall not be eligible for reappointment to such board if they have not completed the required training; and

**WHEREAS**, training received by planning and zoning board member in excess of four hours in any one year may be carried over by the member into succeeding years; and

**WHEREAS**, Town Law Sections 267 and 271, Village Law Sections 7-712 and 7-718, and General City Law Sections 27 and 81 provides that the legislative body of the town, village and city specifies which activities qualify as training to satisfy the state requirements;

**RESOLVED**, that the following list of agencies, commissions, associations, universities, other organizations and private firms or individuals are approved to provide training to meet the requirements of New York State Law, Chapter 662 of the Laws of 2006 when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local or county government functions and practices:

1. **State Agencies** including: the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; Hudson River Valley Greenway, and other state agencies; and
2. **Associations and Professional Organizations**: as offered by the NYS Association of Towns, the NY Conference of Mayors, the NYS Association of Counties, the NY Planning Federation, the American Planning Association, the Upstate New York Chapter of the American Planning Association and the Metro New York Chapter of the American Planning Association, Association of State Wetland Managers, Urban Land Institute, NYS Bar Association; and
3. **New York State Regional Planning Commissions and Boards** including: the Capital District Regional Planning Commission, Central New York Regional Planning and Development Board, Herkimer-Oneida Counties Comprehensive Planning Program, Lake Champlain-Lake George Regional Planning Board, Long Island Regional Planning Board, Southern Tier Central Regional Planning and

Development Board, Southern Tier East Regional Planning Development Board, Southern Tier West Regional Planning and Development Board, Genesee-Finger Lakes Regional Planning Council, Hudson Valley Regional Council, Tug Hill Commission, and Adirondack Park Agency; and

4. **County Planning Boards and Federations** including: any county planning board, regional council, or county planning federation established pursuant to Article 12 of New York State General Municipal Law; and
5. **Universities and Colleges:** the Albany Law School Governmental Law Center, Pace Law School, Cornell University and its cooperative extension, SUNY ESF and other universities and colleges with a degree program in land use law or planning; and
6. **Approved Local Municipal Training:** any training that has been approved by resolution for planning board members by a legislative body of a municipality in Ulster County
7. **Private Firms and Individuals:** where such training is sponsored by any of the above
8. **On-Line Planning and Zoning Training Programs:** as offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy; and
9. **Other Approved Training:** as offered by a NYS Soil and Water Conservation District and that portion of any meeting of the local planning and zoning board designed to provide training on issues consistent with the above including updates on land use laws, environmental statutes and programs, and case law as documented in minutes and agenda of the Board.

**FURTHER RESOLVED**, that except where the Town of Saugerties itself provides the training, it is the responsibility of the planning and zoning board of appeals members to submit written confirmation of training attended to the Town Clerk to receive credit.

**FURTHER RESOLVED**, that any new planning board or zoning board of appeals member appointed to fill the last three months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and

**FURTHER RESOLVED**, that the Town Clerk shall create and maintain a system of tracking the training individual members complete annually. Such information shall be reported to the Town Board on an annual basis and an individual's training records shall be presented to the Town Board prior to considering a member for reappointment.

Roll Call Vote:

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

Motion made by Councilwoman Thornton, seconded by Councilman Costello to approve the renewal agreement between the Town and Village of Saugerties and Roemer, Wallens & Mineaux Counsellors at Law, LLP for the term of March 1, 2007 through February 28, 2010.

Discussion: Councilman Costello mentioned that the last Contract was for three years and they have given us excellent service.

Vote: Adopted – 4 Yes (Supervisor Helsmoortel absent)

Motion made by Councilwoman Thornton, seconded by Councilman Leighton to adjourn Town Board Meeting, carried.

**NEXT SCHEDULED MEETINGS:**

<b>Wednesday, April 4, 2007</b>	<b>Public Hearing</b>	<b>5:30 p.m.</b>
	<b>Pre-Board Meeting</b>	<b>6:00 p.m.</b>
	<b>Town Board Meeting</b>	<b>7:00 p.m.</b>

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Town Clerk