

Town of Ulster

8/1/2016

AUGUST ABSTRACT

PREPAID BILLS 8/16PP		ABSTRACT BILLS 8/16AB		ESCROW - 8/16E		RESERVE - 8/16R		FUND TOTAL	
General Fund	\$ 237,717.95	General Fund	\$ 89,602.67			\$ 456.09	\$	327,776.71	
Highway Fund	61,522.19	Highway Fund	33,253.09					94,775.28	
Ulster Water Fund	21,646.86	Ulster Water Fund	16,439.82					38,086.68	
Halcyon Water Fund	325.46	Halcyon Water Fund	125.20					450.66	
Spring Lake Water Fund	106.06	Spring Lake Water Fund	114.79					220.85	
Bright Acres Water Fund	162.51	Bright Acres Water Fund	1,937.60					2,100.11	
Cherry Hill Water Fund		Cherry Hill Water Fund	15.00					15.00	
Glenerie Water Fund		Glenerie Water Fund	308.09					308.09	
East Kingston Water Fund		East Kingston Water Fund	67.60					67.60	
Whittier Sewer Fund	75.46	Whittier Sewer Fund	4,443.94					4,519.40	
Ulster Sewer Fund	22,940.10	Ulster Sewer Fund	33,609.22					56,549.32	
Washington Ave Sewer Fund	9.43	Washington Ave Sewer Fund	47.33					56.76	
Special District Library	2,175.58	Special District Library						2,175.58	
Eddyville Fire Protec. Dist.		Eddyville Fire Protec. Dist.						-	
Eddyville FDP - LOSAP		Eddyville FDP - LOSAP						-	
Albany Ave. Lighting District	1,074.67	Albany Ave. Lighting District	1,821.16					2,895.83	
E. K. Lighting District		E. K. Lighting District	585.72					585.72	
Kraus Farm Lighting District		Kraus Farm Lighting District	740.97					740.97	
Spring Lake Lighting District		Spring Lake Lighting District	171.05					171.05	
Elmendorf Lighting District		Elmendorf Lighting District	226.92					226.92	
Whittier Lighting District		Whittier Lighting District	420.34					420.34	
Brigham Lane Water C.P.		Brigham Lane Water C.P.						-	
Whittier Sewer C.P.		Whittier Sewer C.P.						-	
Trust & Agency		Trust & Agency				3,462.50		3,462.50	
E. King. Fire Prot. Dist.		E. King. Fire Prot. Dist.						-	
Ulster Fire Dist. #5 Bond	993.99	Ulster Fire Dist. #5 Bond						993.99	
Ulster Fire Dist. #5	14,218.98	Ulster Fire Dist. #5						14,218.98	
GRAND TOTAL	\$ 362,969.24		\$ 183,930.51	\$	3,462.50	\$	456.09	\$	550,818.34

August
2016
Budget Modifications

August 18, 2016

General Fund:

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) registration softball teams with USSSA	250.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) rhythm shells & skirts from Athletica	971.46
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric - Orlando St. Ballfield	372.09
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) paint lime from BSN Sports	84.00

Highway Fund:

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. - Oper.Funds	5,808.99
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (Ruby Fire Dist.)	139.31
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (Ulster Fire Dist.#1/Spring Lake)	74.01
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) July Gas Reimb. (Ulster Hose #5)	75.05
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (E.Kng.Vol.Fire Co.)	329.38
Modify Revenue D1289 (Oth.Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (Town of Kng.Hwy. Dept.)	512.90
Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip.Maint.) reimb. For Intermunicipal. LeeBay 8515 Paver parts from Town of Woodstock	1,403.15
Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.422 (Equip.Maint.) reimb. For Intermunicipal. LeeBay 8515 Paver parts from Town of Hurley	\$1,403.15

August
2016
Budget Modifications

August 18, 2016

Highway:	Modify Appropriation D.1930.400 (Judgments&Claims) to be funded through D.5990 (Approp.Fund Bal.) refund to Ulster County for 2013 and 2014 taxes paid to Ulster Business Complex LLC (Bank of America Bldg.) for Tax Certiorari Action-Article 7	20,781.28
Special Districts:		
Library	Record payment from Town of Ulster Public Library - repayment of advance for Tax Cert. Settlement for 2013 & 2014 (Ul.Business Complex) Bank of America	
	Increase Revenue	SLL.2770 Misc.Revenues 2,175.58
	Decrease Approp.Fund Balancae	SLL.5990 Approp. Fund Bal. (2,175.58)
Special Districts:		
Fire - Ul.Hose #5	Record payment from Ulster Hose #5 - repayment of advance for Tax Cert. Settlement for 2013 & 2014 (Ul.Business Complex) Bank of America	
	Increase Revenue	SLL.2770 Misc.Revenues 14,218.98
	Decrease Approp.Fund Balancae	SLL.5990 Approp. Fund Bal. (14,218.98)
Special Districts:		
Fire - Ulster Hose #5-Bond	Record payment from Ulster Hose #5 Bond - repayment of advance for Tax Cert. Settlement for 2013 & 2014 (Ul.Business Complex) Bank of America	
	Increase Revenue	SLL.2770 Misc.Revenues 993.99
	Decrease Approp.Fund Balancae	SLL.5990 Approp. Fund Bal. (993.99)

August 2016
Budget Modifications

Aug. 18, 2016

Whittier Sewer:

Transfer From

SS1.8130.409 Repairs & Suppls.
SS1.8130.409 Repairs & Suppls.
SS1.8130.200 Equipment

Transfer To

SS1.8130.420 Gas & Oil
SS1.8130.422 Equip. Maint.
SS1.8130.456 Sludge Removal

85.00
211.00
5,000.00

7:10pm - Local Law No. ____ 2016, a Local
Law providing for the Adoption of a New
Chapter ____ of the Town Code (Hydrant
Law of the Town of Ulster)

TOWN OF ULSTER

Local Law No. _____ of 2016

A Local Law Providing for the Adoption of a New Section 177-26 of Chapter 177 of the Town Code

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. A new Section 177-26 of Chapter 177 of the Code of the Town of Ulster is hereby enacted as follows:

§177-26. Fire hydrants; obstructing or opening valves or gates; penalties

- A. No person or persons shall open any fire hydrant or draw water therefrom, except the Superintendent of the District or persons under his direction or with his permission and except in case of fire, when the Chief of the Fire Department, his assistants, officers and members of the Fire Department shall have free and entire control of the hydrants for the purpose of extinguishing fires.
- B. No person or person shall open any fire hydrant or draw water therefrom without a meter and backflow device properly installed and working.
- C. No person or persons, except the Superintendent and employees under his direction, shall open or close any valve or gate in any water main or street pipe, or in any manner interfere with or obstruct the same.
- D. No person shall erect or plant any obstruction within three and one-half (3 1/2) feet of any hydrant or cause any obstruction that will hinder a fire company from hooking onto it, or operating any hydrant. No obstruction shall be placed so as to obstruct the view of any hydrant for a distance of at least two hundred (200) feet up and down the road.
- E. Penalty. Any violation of the rules, regulations or provisions of this section, is hereby declared to be an offense punishable by a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed fifteen (15) days, or by both said fine and imprisonment, plus the cost of the water used. If the amount of water used cannot be determined, the person or persons shall be charged for one million (1,000,000) gallons at the current bulk rate. When a violation of any of the provisions of this chapter is continuous, each twenty-four (24) hours thereof shall constitute a separate and distinct violation.

Section II. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in 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, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section III. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.

Resolution granting conditional Site Plan
Amendment Approval for Stewart Shop No.
286, 1872 Ulster Avenue, Lake Katrine,
SBL# 39.16-1-20 & 21

**RESOLUTION
TOWN OF ULSTER TOWN BOARD**

Stewart's Shop No. 286
Conditional Site Plan Amendment Approval
1872 Ulster Avenue
S-B-L: 39.16-1-20 & 21

WHEREAS, the applicant – *Stewart's Shops Corp* – submitted an application seeking *Site Plan Amendment approval* for the demolition of their existing 2,320 square foot (sf) convenience store and canopy with 2 gas dispensers and to build a new 3,897 sf convenience store with a 3,358 sf fueling station canopy and 6 gas dispensers; and

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

WHEREAS, the Town of Ulster Planning Board, as the Lead Agency for this Unlisted-Action Coordinated Review, has granted a SEQRA Negative Declaration for the Proposed Action that included a Lot Line Adjustment and Site Plan Amendment application; and

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

- *Project Narrative* prepared by Steven R. Kinley, dated February 25, 2016;
- *Site Plan Consent Form* signed by George Devine property owner, dated 2/17/16;
- *Site Plan Application* prepared by Stewart's Shops Corp dated February 25, 2016;
- *Application for preliminary subdivision plat approval* by Stewart's Shops dated 2/25/16;
- *SEQR Short EAF* prepared by Stewart's Shops Corp. dated February 25, 2016;
- *Title Sheet and Elevations* prepared by Stewart's Shops dated February 23, 2016; and
- *Proposed Site Plan* prepared by Stewart's Shops dated February 23, 2016.

- *Project Narrative* prepared by Steven R. Kinley, Real Estate Rep., dated May 31, 2016;
- *Site Plan Consent Form* signed by George Devine property owner, dated 2/17/16;
- *Title Sheet and Elevations* prepared by Stewart's Shops dated May 25, 2016;
- *Lot Line Adjustment Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Existing/Demolition Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Proposed Site Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Grading Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Stormwater Management Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Lighting Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Landscaping Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Erosion and Sediment Control Plan* prepared by Stewart's Shops dated May 25, 2016;
- *Miscellaneous Details* prepared by Stewart's Shops dated May 25, 2016;
- *Vehicle Movements* prepared by Stewart's Shops dated May 25, 2016;
- *Emergency Vehicle Movements* prepared by Stewart's Shops dated May 25, 2016; and
- *Stormwater Pollution Prevention Plan* prepared by Stewart's Shops dated February 23, 2016.

- *Project Narrative* prepared by Steven R. Kinley, Real Estate Rep., dated July 29, 2016;
- *Title Sheet and Elevations* prepared by Stewart's Shops dated July 25, 2016;
- *Lot Line Adjustment Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Existing/Demolition Plan* prepared by Stewart's Shops dated July 25, 2016;

- *Proposed Site Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Grading Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Stormwater Management Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Lighting Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Landscaping Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Erosion and Sediment Control Plan* prepared by Stewart's Shops dated July 25, 2016;
- *Miscellaneous Details* prepared by Stewart's Shops dated July 25, 2016;
- *Vehicle Movements* prepared by Stewart's Shops dated July 25, 2016;
- *Emergency Vehicle Movements* prepared by Stewart's Shops dated July 25, 2016;
- *Stormwater Pollution Prevention Plan* prepared by Stewart's Shops revised July 2016; and
- *Threatened & Endangered Species Survey* prepared by the LA Group dated 6/14/16.

WHEREAS, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide, and comments were received on July 7, 2016; and

WHEREAS, the UCPB issued required modifications in its July 7, 2016 decision letter that included the following: 1) Final approval of the proposed access by the NYSDOT will be necessary; 2) A sidewalk or stripped connection from the proposed sidewalk to the convenience store should be established; 3) Lighting Levels should conform to the Town of Ulster's standards for outdoor lighting levels and also not exceed the Illuminating Engineering Society (IES) Outdoor Site/Area recommended luminance levels; and 4) The proposed sign should conform to the standards of the Town's zoning statute; and

WHEREAS, the applicant's revised Plan Set dated July 25, 2016 complies with the required modifications of the UCPB; and

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

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

WHEREAS, the Planning Board determined it had complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and thereby issued a SEQR Determination of non-significance and issued a *SEQR Negative Declaration* for the Proposed Action at its August 16, 2016 meeting; and

NOW THEREFORE BE IT RESOLVED, the Town Board has determined the Town has complied fully with the procedural requirements of NYCRR Part 617 of the State Environmental Quality Review (SEQR) Law and hereby concurs with the Planning Board's *SEQR Negative Declaration* for the Proposed Action; and

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

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with final site plan, design plans and all details as cited herein;
4. Applicant addresses all technical comments by the Town Designated Engineers Brinnier & Larios, PC;
5. In order to avoid impacting the Northern Long Eared Bat summer roosting, the applicant will perform any tree removal associated with the proposed project between November 1st and March 31st;
6. No blasting shall occur on the site without prior review and approval of an applicant prepared blasting protocol by the Town Board;
7. The Town's consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
8. All fees, including consultant fees, shall be paid.

Motioned by: _____
Seconded by: _____

All in Favor:

All Opposed:

James E. Quigley, III, Supervisor
Eric Kitchen, Deputy Supervisor
Joel Brink, Councilmember
John Morrow, Councilmember
Rocco Secreto, Councilmember

Date: _____

Resolution granting Site Plan Amendment
Approval for All Space Storage, 1693 Ulster
Avenue, Lake Katrine, SBL# 39.19-3-24

**RESOLUTION
TOWN OF ULSTER TOWN BOARD**

Site Plan Amendment Approval
Apollo Group, LLC dba All Space Storage
1693 Ulster Avenue (U.S. Route 9W)
S-B-L: 39.19-3-24

WHEREAS, the applicant – *Apollo Group, LLC dba All Space Storage* – is seeking *site plan amendment approval* for the construction of 4 storage buildings totaling 26,400 square feet, along with the construction of associated access drives, site lighting and stormwater treatment facilities on the subject site, which is located at 1693 Ulster Avenue; and

WHEREAS, the Proposed Action is Phase 2 of a Master Plan, which received a SEQRA Negative Declaration and was approved by the Town of Ulster Town Board in April of 2014; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

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

- *Written Narrative for All Space Storage* by Kenneth Casamento, Principal dated 6/27/16;
 - *Site Plan Amendment Application* by Jason Page – Apollo Group, LLC dated 6/27/16;
 - *Site Plan Consent Form* prepared by Jason Page – Apollo Group, LLC dated 6/27/16;
 - *Amended Site Plan Cover Sheet* prepared by LRC Group, Engineering dated 6/28/16;
 - *Topographic Survey* prepared by Vincent P. Ausfeld, P.L.S, dated November 7, 2013;
 - *Amended Site Plan Allspace (Phase II)* prepared by LRC Group, Engineering dated 6/28/16;
 - *Site Plan Sheet* prepared by LRC Group, Engineering dated 6/28/16;
 - *Grading & Drainage Plan Sheet* prepared by LRC Group, Engineering dated 6/28/16;
 - *Erosion & Sediment Control Plan Plan* prepared by LRC Group, Engineering dated 6/28/16;
 - *Lighting Plan Sheet* prepared by LRC Group, Engineering dated June 28, 2016;
 - *Truck Turning Plan* prepared by LRC Group, Engineering dated June 28, 2016; and
 - *Detail Sheet* prepared by LRC Group, Engineering dated June 28, 2016.
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- *Written Narrative for All Space Storage* by Kenneth Casamento, Principal dated 7/18/16;
 - *Amended Site Plan Cover Sheet* prepared by LRC Group, Engineering dated 7/18/16;
 - *Topographic Survey* prepared by Vincent P. Ausfeld, P.L.S, dated November 7, 2013;
 - *Current Conditions Phase 1 Plan* prepared by LRC Group, Engineering dated 7/18/16;
 - *Amended Site Plan Allspace (Phase II)* prepared by LRC Group, Engineering dated 7/18/16;
 - *Grading & Drainage Plan Sheet* prepared by LRC Group, Engineering dated 7/18/16;
 - *Erosion & Sediment Control Plan Plan* prepared by LRC Group, Engineering dated 7/18/16;
 - *Lighting Plan* prepared by LRC Group, Engineering dated July 18, 2016;
 - *Truck Turning Plan* prepared by LRC Group, Engineering dated July 18, 2016;
 - *Master Plan Sheet* prepared by LRC Group, Engineering dated July 18, 2016;
 - *Detail Sheet* prepared by LRC Group, Engineering dated June 28, 2016; and
 - *Building Elevations* prepared by Nel-Struct, LLC dated August 25, 2015.

WHEREAS, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide and the Ulster County Planning Board opined the Proposed Action would have “No County Impact”; and

All Space Storage
Page 2

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

WHEREAS, the Town's consulting engineer Brinnier & Larios, PC have recommended the Town Board accept the SWPPP prepared for the Proposed Action; and

WHEREAS, the Town Board has received a recommendation by its consulting planner to accept the Proposed Site Plan; and

WHEREAS, the Town Board upon review of the entire record (including its prior SEQRA Negative Declaration) found there were no issues related to the Current Proposed Action that would warrant supplemental environmental review pursuant to Part 617 of State Environmental Quality Review (SEQR) law; and

WHEREAS, the Town of Ulster Town Board has determined the Town has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board reaffirms its April 2014 SEQR Negative Declaration on the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Site Plan Approval to – *Apollo Group, LLC dba All Space Storage* – at the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. The Town's consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
4. All fees, including consultant fees, shall be paid.

Motioned by: _____

Seconded by: _____

All in Favor:

All Opposed:

James E. Quigley, III, Supervisor

Eric Kitchen, Deputy Supervisor

Joel Brink, Councilmember

John Morrow, Councilmember

Rocco Secreto, Councilmember

Date: _____

Motion to authorize the hiring of one part
time Recreation Attendant for Post Park

TOWN OF ULSTER



PERSONNEL FORM

Employee's Name : Earl Mitchell

Title: Recreation Attendant

Department: General FUND: General

Position: ☐ Full Time ☐ Intermediate ☐ Part Time ☒ Seasonal

Civil Service : ☐ Exempt ☐ Competitive ☒ Non- Competitive

Union Position : ☐ Yes ☒ No

Contract : ☐ Local #17 ☐ PBA ☐ Other: _____

Grade: _____ Step: _____ Promotion: _____

Wage : \$ 9.00 License ID #: _____

Start Date: 08/08/2016

Requested by Department Head: Jeff Hayner Date: 08/08/2016

Recommended by Personnel CMTE: _____ Date: _____

Approved by Town Board: _____ Date: _____

Notes:

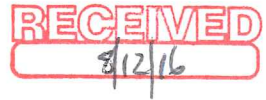
Earl will be replacing Ryan Maisch, who left for college as a part time recreation attendant at Post Park. He will work 20 hours a week at a rate of pay of \$9.00 per hour, no benefit.

**** Employee's Original Employment Application needs to be attached.**

Form Created 4/28/2011

Last updated 1/5/2012

Motion to accept the resignation of Austin
Reposa from the Sewer Department



To whom it may concern,

I Austin Reposa would like to resign from my position as a waste water maintenance worker from the Town of Ulster Waste Water Treatment Plant to be effective august 14th, 2016 at 11:59 pm.

Sincerely,

Austin Reposa

Austin Reposa
8/11/16

Motion authorizing the Supervisor to sign
the Renewal for Town's CDPHP Health
Insurance program for the period December
1, 2016 to November 30, 2017



CDPHP Universal Benefits, Inc.

Town of Ulster

20028925

Effective December 01, 2016 through November 30, 2017

HDEPO

	Employee/			
	Individual	Two Person	Child(ren)	Family
3 Tier				
Active				
Total	\$439.50	\$879.00	\$0.00	\$1,182.62

Class = All
Region = Mid-Hudson

QEPOL1916

\$0 PCP
\$0 SPC
\$0 IP
\$0 SNF
\$0 ER
\$0 SURG
\$0 DME
\$0 AMB
\$0 Other OP
\$4500 INN Ded 2.0 x Ded
\$5500 INN OOP Max
\$0 OON Ded N/A x Ded
0% OON Coins
\$0 OON OOP Max

Riders:

HDRXL4A16 - \$10/\$30/\$50
National Network

Conditions under which rates are valid:

Rates shown are good for 60 days from 8/8/2016. If group does not accept these rates prior to the expiration date, CDPHP reserves the right to adjust the rates.

Rates reflect 4.0% commission.

CDPHP Universal Benefits, Inc. is offered in a multi-carrier setting.

CDPHP/UBI reserves the right to increase the rates to include any taxes, fees and assessments required by any statutory, regulatory, or other legal authority, which directly impact the financial consequences of this quote.

CDPHP/UBI reserves the right to adjust the rates if the demographic make up (e.g. age/sex, area and industry) changes by more than 10% from the initial calculation.

Rates are based on 37 subscribers.

Account may be cancelled on renewal if minimum underwriting guidelines are not maintained.

This plan is quoted as a single offering.

Quote assumes no undisclosed or potential large claims in excess of \$100,000.

Requires a minimum participation level of 10% of eligibles or 10 enrolled subscribers, whichever is greater.

CDPHP/UBI assumes % of deductible is funded, any variation is subject to rate modification.

Rates include the Affordable Care Act Health Insurer Fee 0.16%, Reinsurance Fee \$0.19 PMPM and Patient-Centered Outcomes

Research Institute fee \$0.12PMPM.

Print Name and Title	Signature
CM (0017518-01 Proposal 1)	Marshall and Sterling, Inc.

Jenifer Buttle

08/08/2016

Motion to set a Public Hearing for Local
Law No. ____ of 2016 providing for the
regulation of and the keeping of Poultry for
September 1, 2016 @ 7:10pm

TOWN OF ULSTER

Local Law No. _____ of 2016

A Local Law Regulating the Keeping of Chickens

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. Article XVII of Chapter 190 of the Town Code is hereby enacted as appears in Schedule "A" attached hereto.

Section II. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in 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, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section III. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.

SCHEDULE "A"

Article XVI – Chickens

Section 190-70 – Purpose and Intent

In recent years, there has been an upsurge of interest in the keeping of chickens in the Town of Ulster. The locavore movement, promoting the development and consumption of local foodstuffs, is a factor in proposing an amendment to the Town Code. Additionally, it is advocated that the sustainable production of eggs and poultry at home will economically contribute to assuring food safety and quality. The Town Board has received substantial public interest in requesting an evaluation of poultry in certain zoning districts. The Town Board finds that the keeping of domestic chickens may have a measurably positive impact upon the health and welfare of Town residents. Regulation of such practice is necessary to insure that the keeping of chickens will not negatively impact surrounding properties or landowners.

Section 190-71 -- Definitions

Chickens	The term chicken shall, for the purpose of this local law, refer exclusively to domestic hens and shall intentionally exclude roosters. No other fowl but the domestic chicken is to be permitted or included in the category of fowl addressed by this local law.
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Section 190-72 – Partial Repeal of Prior Inconsistent Code Provisions

- A. The definition of "Chickens" is to be added to Chapter 190 of the Town Code. The existing code definition of "Agricultural Operation" and "Farming Operation" shall continue unchanged.
- B. This local law is intended to regulate the raising of chickens, as defined herein, within certain zoning districts of the Town of Ulster under certain conditions. Chapter 190 of the Town Code shall accordingly be augmented to permit such activity by incorporation of the terms of this local law.

**Section 190-73 – Requirements Applicable to Keeping and Raising Chickens
Other Those Located in a Town of Ulster farm operation**

- A. Permit. The keeping and raising of chickens within the R10 and R30 zoning districts of the Town of Ulster (excepting a farm operating within the Town) shall be authorized only upon obtaining a permit from the Town of Ulster Code Enforcement Officer. Said permit shall be made upon an application form to be promulgated by the Town Board, and upon satisfactory inspection(s) by the Town of Ulster Code Enforcement Officer to verify compliance with the requirements of this local law. The permit shall be valid for one year only, and an annual permit fee, to be set by the Town of Ulster Town Board, shall be assessed and paid by each successful applicant.
- B. Zoning Exclusion. Only applicants residing at residential properties located in the R10 and R30 zoning districts shall be subject to this local law.
- C. Area Requirements.
 - a. All chickens must be kept at all times in a secure pen or enclosure, constructed and maintained to prevent the chickens from running at large. The pen must be resistant to rodents and to predators, and provide chickens with adequate protection from inclement weather. The pen or enclosure is to be constructed of materials that are reasonably complementary to existing structures within the viewshed of the pen or enclosure, in order to forestall complaints by neighbors or persons within the viewing vicinity of the pen or enclosure.
 - b. Only one pen or enclosure shall be permitted on any residential property. All pens or enclosures must be located at least twenty (20) feet from side and rear property or lot lines, and at least thirty (30) feet from any neighboring residence. No pen or enclosure shall be permitted in a front yard, but only in the rear of the lot, meaning that all pens or enclosures must be located to the rear of the rear wall of the applicant's home. On a corner lot, the applicant must locate the pen to the rear of the rear wall of the applicant's home.

- c. The location and design of the pen or enclosure must be approved by the Code Enforcement Officer before the applicant shall be permitted to keep chickens on the premises. If the applicant's lot is insufficient in area to meet the setback requirements of this local law, the applicant shall not be entitled to a permit to keep chickens on the premises.

D. Minimum Standards for Condition of Pen or Enclosure.

- a. No more than six (6) chickens may be housed or kept on the property at any time. No roosters shall be permitted. The pen or enclosure must be regularly cleaned and serviced so as to keep it clean, dry and odor free at all times in order to minimize possible nuisance to neighboring properties. The pen or enclosure must be maintained in a sanitary condition at all times. All feed for chickens must be kept within a building in rodent-proof containers, and may not be kept outside.
- b. Storage of chicken manure shall be permitted no closer than thirty (30) feet to any property line, and must be located to the rear of the rear wall of the applicant's dwelling. Storage of chicken manure is discouraged, unless such waste is properly and sanitarily composted. If the presence of chicken manure shall lead to unsanitary conditions such as the attraction of pests, insects, or rodents, such condition must be rectified to the reasonable satisfaction of the Code Enforcement Officer, or the permit to keep chickens may be revoked.

Section 190-74 – Inspection of Chicken Pen or Enclosure by Code Enforcement Officer

All applicants for a permit to authorize the keeping of chickens in the R10 and R30 zoning districts of the Town of Ulster shall agree, as an incident of the application process, to allow the Town of Ulster Code Enforcement Officer to enter upon the premises of the applicant at any reasonable time during daylight hours to inspect the pen or enclosure to verify compliance with the requirements of this local law. It is specifically understood, and a condition of the application, that the applicant shall allow such inspection without the necessity of prior notice. Because all pens or enclosures housing chickens are to be located in exterior lot areas inspected and authorized by the Code Enforcement Officer, it shall be deemed permissible for the Code Enforcement Officer to enter upon the premises of any party maintaining a pen or enclosure sheltering chickens.

Section 190-75 – Miscellaneous Provisions

- A. The slaughter of chickens shall take place inside an enclosed structure, or in an area of the permit holder's lot which is certain to be shielded from the view of the street or neighboring homes.
- B. In the event that any conflicting State or County law, regulation, or similar legislation shall address the keeping of chickens in a Village setting, the requirements of this local law shall supercede such legislation unless such legislation is more restrictive, in which case the State or County law or regulation shall apply.

Section 190-76 – Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in 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, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section 190-77 – Penalties

- A. A permit to keep chickens shall be revoked by the Code Enforcement Officer in the event that two (2) substantiated violations of this local law shall be received and verified by the Code Enforcement Officer.
- B. Upon receipt of a complaint of a violation of the permit, the Code Enforcement Officer shall inspect, investigate, and verify such violation. The findings of the Code Enforcement Officer shall be made in writing and delivered or mailed to the permit holder. Such notice shall identify the violation, and shall require the immediate remediation of the violation by the permit holder. The Code Enforcement Officer shall inspect and verify compliance with the permit within five (5) days of the delivery of such notice of violation. If the permit holder fails to remediate the violation, the permit shall be revoked. Revocation for cause of any permit to raise or keep chickens shall result in a disallowance of new or renewal permit by that party for at least one year.
- C. If the violation of the permit continues unabated, the Code Enforcement Officer or Town Attorney may file a complaint in the Town Court to prohibit such violation, and may request the Court to invoke the following penalty provisions. Any person violating this local law will be guilty of an offense and upon conviction thereof shall be punishable by a fine of not more than \$250.00 for each offense. Each day's continuation of the offense shall be considered a separate offense.

Section 190-78 – Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.