

ULSTER COUNTY LEGISLATURE

TRACEY A. BARTELS, Chairwoman
DAVID B. DONALDSON, Vice Chairman
JONATHAN R. HEPPNER, Majority Leader
KENNETH J. RONK, JR., Minority Leader
VICTORIA A. FABELLA, Clerk



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MINUTES

DECEMBER 18, 2019

REGULAR SESSION

6:30 PM

MEETING CALLED TO ORDER BY CHAIRWOMAN: 6:31 PM

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

CELL PHONES

Please silence cell phones for the duration of the Session.

MICROPHONES

Please be reminded to use your microphones when speaking so that you are recorded for the official record.

ROLL CALL: Present: 21 Absent: 2 (Legislator's Eckert and Fabiano)

BIRTHDAYS:

Legislator Herbert Litts, December 6th
Legislative Financial Analyst, Natalie Kelder, December 7th
Legislator Kevin Roberts, December 8th
Legislator David Donaldson, December 11th
Legislator Joseph Maloney, December 13th
Legislator James Delaune, December 26th
Legislator Hector Rodriguez, December 30th

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETINGS

Majority Leader Heppner motioned, seconded by Minority Leader Ronk to dispense with the reading of the minutes of the previous meeting. All in favor.

COMMUNICATIONS FROM:

UC Legislator Manna Jo Greene
UC Planning Dept., Deputy Dir. Chris White
UC Planning Board, Chairman Michael Calimano
NYSAC
Abe Uchitelle, Legislator Elect
Peter Baker, West Hurley
Concerned Citizens

Cynthia Nikitin, Friends of Brunel Park
Daniel Leader, Bread Alone
Amanda Sisenstein
Ami Madeleine
Green Procurement in NYS
Francesca Banfield
Cornell Cooperative Extension UC
Trails Advisory Committee
County News
HCD Tech, Inc., Kingston
UC Regional Chamber of Commerce

Comments, UCRRR Draft 10-Year Plan
Mid-Hudson Reg. Energy Forum 12/13
Public Hearing Eminent Domain
Procedure Law Transcript & Exhibits
Report 2020-2025 Capital Program
Legislative Conference January 27-29th
Comments 2020 Budget Amendments
Rail With Trail
(23) Support The 2020 Executive Budget
(11) Oppose Taxpayer Funding Political
Campaigns - Phone Messages
Email, In Support of Ashokan Rail Trail
Email, In Support of Ashokan Rail Trail
Email, In Support of PLL No. 13 of 2019
Email, In Support of PLL No. 13 of 2019
Seminar on Green Procurement 12/3/19
Abolish Family Court & CPS
November Update
Sign In Sheet November 18, 2019
Vol. 51, No. 22, 23, 24, 2019
Flyer
Ribbon Cutting, Artisan Beauty Bar
12/17
Chamber News December 2019

COMMUNICATIONS (continued):

UC Department of Tourism
UC Board of Health
Rails-to-Trails Conservancy

UC Attorney, Clinton Johnson
The Boys & Girls Club of Ulster County
Ernest Hunt, CMRR
NYS Office of Addiction Services & Supports

Trending, December 2019
Minutes, 10/7/2019 & 11/18/2019
Ashokan Rail Trail Named Trail of the Month
County Litigation, November 2019
Message To Help Our Youth
Email, Moved Equipment 12/15/19
NYS OASAS Naloxone (NARCAN) Training Available Statewide

COUNTY EXECUTIVE COMMUNICATIONS:

Veto Message Res. No. 374, 11/19/19
Press Release, Veto Res. No. 374
Press Release, Pass Budget As Proposed Order of Succession, County Executive Deputy Marc Rider, Deputy John Milgrim
UC Corporate Compliance Minutes 9/25/19
Press Release, UC Legislature Adopts 2020 Budget
Press Release, Free County-Wide Naloxone Training's And Kits
Budgetary Transfers, November 2019
Press Release, Weather Emergency
Press Release, HEAP Energy Assistance
Press Release, Appointment Office of Employment & Training, Tomasine Oliphant
Press Release, Appointment Deputy County Exec., Evelyn Wright
Appointment Interim Director of Public Transportation, Sajaa Ahmed Effective 12/9/2019
Press Release, 2020 Budget Announcement

COMMITTEE REPORTS:

Economic Development, Tourism, Housing,
Planning & Transit
Energy & Environment
Law Enforcement and Public Safety

Laws and Rules, Governmental Services

Legislative Programs, Education & Community Services
Public Health and Social Services
Public Works and Capital Projects
Ways and Means

DATE:

November 7, 2019
November 7, 2019
October 23, 2019
November 12, 2019
November 18, 2019
November 18, 2019
November 19, 2019
November 13, 2019
November 4, 2019
November 6, 2019
October 23, 2019
November 12, 2019
November 19, 2019

Legislative Clerk Fabella made the following announcement:

Please be advised for the purpose of being entered into the official record, a veto message was filed with our office on November 26, 2019 regarding Resolution No. 374 which establishes a policy to prohibit appointees of Ulster County elected officials and Board of Elections staff from holding any elective public office of any city, town or village within Ulster County.

PRESENTATION:

Chairwoman Tracey Bartels called upon District No. 22 Legislator Kathy Nolan to present a Pride of Ulster County Award to Mt. Tremper resident and Onteora Central School District student, Thea Millenson-Wilens. Ms. Millenson-Wilens was recognized for her selection as winner of the 2019 Library of Congress' Letters About Literature National Writing Contest, Level II (grades 7 to 8.) Of the thousands of entries received from across the country, Thea was chosen for her letter to acclaimed writer Gayle Forman, author of *If I Stay*, a young adult novel published in 2009. Joining Thea this evening was her mother Anna Millenson.

PUBLIC COMMENT:

There were (11) speakers signed up for public comment.

1. Zura Capelli, Lincoln Park, Kingston: Ms. Capelli spoke out against the adverse environmental impacts of the proposed 850 LLC Route 28 pre-cast cement fabrication plant – Onteora Lake. (see attached)
2. Victor Capelli, Lincoln Park, Kingston: Mr. Capelli spoke out against the adverse environmental effects of the proposed 850 LLC Route 28 pre-cast cement fabrication plant – Onteora Lake.
3. Mel Sadownick, Hurley: Mr. Sadownick spoke out against the adverse environmental effects of the proposed 850 LLC Route 28 pre-cast cement fabrication plant – Onteora Lake.
4. Mike Ivino, Town of Saugerties: Mr. Ivino, Saugerties Town Board member effective January 1, 2020, spoke in favor of the Veto override Resolution No. 374.
5. Laura Cunningham, Stone Ridge: Ms. Cunningham opposes the idea to raze the woodlands for a town park and college ballfields for development near SUNY Ulster campus in Marbletown. (see attached)
6. Elizabeth Lee, New Paltz: Ms. Lee spoke in support of postponing PLL No. 11 of 2019 to decrease the size of the Legislature noting it needs more discussion and vetting by the Charter Revision Commission. Public Comment notifications should be more visible to the public.
7. Richard Erickson, Woodstock: Mr. Erickson proprietor of Bistro-To-Go on Rt. 28 spoke in support of the rail trail bringing business to the area, however noted concerns with increased traffic.
8. Sean Mullady, Saugerties: Mr. Mullady a volunteer in his community would like people to be able to bike to the trails vs. driving by extending CCMR train tracks to meet the trail at mile marker 10.1.
9. March Gallagher, Rosendale: Ms. Gallagher shared her private and work relationship/interaction over the years with a sitting legislator – asking for legislative support going forward so history doesn't repeat itself.
10. Clare Flemming, Cottekill: Ms. Flemming opposes the idea to raze the woodlands for a town park and college ballfields for development near the SUNY Ulster campus in Marbletown. (see attached sources)

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11. Rashida Tyler, Kingston: Ms. Tyler, founder of Kingston's Tenant Union and member of the Board of Citizen Action, who spoke in support of Proposed Local Law No. 13 of 2019 – UC Office Multi Family Dwellings.

Please Note: Complete content of the public comment period can be heard on the Ulster County Legislative Website.

RESOLUTION NOS: 416, 459, 501, 517, 518, 523 – 534, 536 – 548, 550 – 579; 535 – DEFEATED; 448, 519 – 522, 549 – POSTPONED; 415 – WITHDRAWN

Resolution No. 415 - Establishing Program Administration For The Ulster County Revolving Loan Fund Committee

WITHDRAWN BY SPONSOR

Resolution No. 448 - Adopting Proposed Local Law No. 23 Of 2018, A Local Law Entitled “Ulster County Ethics Law”

POSTPONED IN COMMITTEE

Resolution No. 519 – Adopting Proposed Local Law No. 10 Of 2019, A Local Law Regarding Campaign Finance Reform in Ulster County

POSTPONED IN COMMITTEE

Resolution No. 520 – Adopting Proposed Local Law No. 11 Of 2019, A Local Law Amending Various Sections Of The Ulster County Charter And Ulster County Administrative Code To Reduce The Ulster County Legislature To 21 Members

POSTPONED IN COMMITTEE

Resolution No. 521 – Adopting Proposed Local Law No. 12 Of 2019, A Local Law Amending Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter Form Of Government For The County Of Ulster, State Of New York) And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Require Submission Of Departmental Budget Estimates From Elected Officials To The Legislature

POSTPONED IN COMMITTEE

Resolution No. 522 – Adopting Proposed Local Law No. 13 Of 2019, A Local Law Requiring That Property Owners Of Multi-Family Dwellings Located In Ulster County With More Than Twenty Units Have An Office In Ulster County

POSTPONED IN COMMITTEE

Resolution No. 535 - Imploring The State Of New York To Immediately Amend Or Delay Implementation Of Bail And Discovery Reform Laws That Will Endanger The People Of New York And Reverse Decades Of Bipartisan Progress In Reducing Crime

DEFEATED IN COMMITTEE

Resolution No. 549 – Adopting The Ulster County Code Of Conduct
POSTPONED IN COMMITTEE

A motion was made by Majority Leader Heppner, seconded by Minority Leader Ronk, to move Resolution Nos. 416, 546 and 579 out of the Non-Consent Agenda and into the Consent Agenda. All in favor.

Chairwomen Bartels called upon Legislator Joseph Maloney who made a motion to override the County Executive VETO, Resolution No. 374, November 19, 2019, and seconded by Minority Leader Ronk.

Resolution No. 374 - Establishing A Policy To Prohibit Appointees Of Ulster County Elected Officials And Board Of Elections Staff From Holding Any Elective Public Office Of Any City, Town or Village Within Ulster County.

DEFEATED BY THE FOLLOWING LONG ROLL
VOTE:

AYES: 8 NOES: 13
(AYES: Legislators Donaldson, Gerentine, Litts,
Lopez, Joseph Maloney, Roberts, Ronk and Wawro)
(Absent: Legislators Eckert and Fabiano)

Consent

416 Establishing A Policy For Consideration Of Solar Arrays On All New Or Renovated/Replaced Roofs On Ulster County Buildings

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

459 Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With Various Municipalities For The Operation Of U.R.G.E.N.T. (Ulster Regional Gang Enforcement Narcotics Team) – Ulster County Sheriff

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 501 Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With Various Municipalities For The Operation Of U.R.G.E.N.T. (Ulster Regional Gang Enforcement Narcotics Team) – Ulster County Sheriff**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 517 Calling Organizational Meeting Of 2020**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 518 Calling Upon The Governor To Sign Legislation Regulating Toxic Chemicals In Children's Products, Protecting Children's Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 523 Confirming Reappointment Of A Member To The Environmental Management Council**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 524 Confirming Reappointment Of A Member To The Environmental Management Council**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

525 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

526 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

527 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

528 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

529 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

530 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

531 Confirming The Appointment Of Tomasine Oliphant As Director Of The Department Of Employment And Training

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

532 Confirming The Appointment Of Mark A. Cozzupoli As Director Of Ulster County Veterans' Service Agency

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

533 Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

534 Authorizing The Ulster County Executive To Accept Laptops And Tablets From The New York State Association Of Counties And The New York State Department Of Health To Aid In The Battle Against The Opioid Epidemic – Department Of Health And Mental Health

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

**536 Amending Capital Project 482 – Countywide Radio System –
Department Of Emergency Communications/Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

**538 Reappointing Member To The Ulster County Planning Board – Town of
Woodstock**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

**541 Amending Capital Project 475 – Slope Analysis & Stabilization –
Increasing Funding For Construction Of Dewitt Lake Road Slope
Stabilization Project In The Town Of Rosendale – Department Of Public
Works (Highways & Bridges)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

**543 Authorizing The Chair Of The Ulster County Legislature To Execute A
Rider To The Existing Lease Agreement With Spring Lake Fire
Department For Additional Space To Be Used As An Impound Lot –
Department Of Public Works (Buildings And Grounds)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

**544 Authorizing The Chair Of The Ulster County Legislature To Amend An
Agreement With The New York State Unified Court System –
Department Of Public Works (Buildings And Grounds)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 545 Approving And Executing A One-Year Extension Of The Collective Bargaining Agreement Between The County Of Ulster And The Ulster County Community College Organization Of Professional And Administrative Personnel (OPAP) – SUNY Ulster**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 546 Adopting Updated Procurement Manual Pursuant To General Municipal Law Section 104-b – Department Of Purchasing**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 547 Authorizing The Chair Of The Ulster County Legislature To Convey A Parcel Of County Owned Property Acquired Pursuant to Article 11 Of the Real Property Tax Law For Unpaid Taxes To The Town Of Wawarsing For Public Use And Benefit – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 548 Authorizing The Commissioner Of Finance To Accept A Bid For A Parcel Of County-Owned Real Property For Private Sale And Authorizing The Chair Of The Ulster County Legislature To Convey Such Parcel – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 550 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – HealthAlliance Hospital Broadway
Campus – Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Brenda Maloney)
(Absent: Legislators Eckert and Fabiano)

- 551 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – Family Services, Inc. – Department Of
Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 552 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – Family Of Woodstock, Inc. – Department
Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 553 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – Access: Supports For Living Inc. –
Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 554 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – Gateway Community Industries, Inc. –
Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Nolan)
(Absent: Legislators Eckert and Fabiano)

- 555 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – Mental Health Association In Ulster
County, Inc. – Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 556 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – PEOPLE: Projects To Empower And
Organize The Psychiatrically Labeled, Inc. – Department Of Mental
Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 557 Approving The Execution Of A Contract In Excess Of \$50,000.00
Entered Into By The County – Astor Services For Children & Families –
Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 559 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – NYSARC, Inc. D/B/A The Arc Of Ulster - Greene – Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 560 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – HealthAlliance Hospital Broadway Campus – Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Brenda Maloney)
(Absent: Legislators Eckert and Fabiano)

- 561 Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Berkshire Farm Center And Services For Youth – Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 562 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Legal Services Of The Hudson Valley – Department Of Probation**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 563 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – S&O Construction Services, Inc. – Ulster County Community College**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 564 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Family Of Woodstock, Inc. – Youth Bureau**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 565 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Ulster County Community College – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 566 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Computer Professionals International Inc. – Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 567 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Trapeze Software Group, Inc. – Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 568 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – RTB, Inc. D/B/A Continuum Systems – Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 569 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Cubic, Inc. – Department Of Tourism**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 570 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Berkshire Farm Center And Services For Youth – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 571 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Family Of Woodstock, Inc. – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 572 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – LandVScape, Inc. D/B/A Nicky Diggs Excavation – Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 573 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Dutchess Tekcon Industries, Inc. – Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Litts)
(Absent: Legislators Eckert and Fabiano)

- 574 Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Safeco Alarm Systems, Inc. – Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 575 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Motorola Solutions, Inc. – Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 576 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Goosetown Network Services, LLC – Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 577 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Motorola Solutions, Inc. – Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 578 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Motorola Solutions, Inc. – Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 579 Repealing Resolution No. 444 Of 2019 And Adopting Proposed Local Law No. 5 Of 2019, A Local Law Amending The Code Of The County Of Ulster To Include Mandatory Food Scraps Composting By Large Generators**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

Non-Consent

- 416 Establishing A Policy For Consideration Of Solar Arrays On All New Or Renovated/Replaced Roofs On Ulster County Buildings**

MOVED TO CONSENT

- 537 BOND Authorizing The Issuance Of An Additional \$8,475,000 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Upgrade To The Countywide Radio System, For Said County**

ADOPTED BY THE FOLLOWING LONG ROLL VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 539 Issuing Determination And Findings Pursuant To Eminent Domain Procedure Law For The Ulster County Midtown Linear Park - PIN 8761.82 - In The City Of Kingston - Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 18 NOES: 3
(Noes: Legislators Donaldson, Joseph Maloney, and Petit)
(Absent: Legislators Eckert and Fabiano)

- 540 Amending Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Ulster County Executive To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf Of Ulster County With The New York State Department Of Transportation For Funding Right-Of-Way Acquisition - Amending The 2019 Capital Fund Budget - Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 18 NOES: 3
(Noes: Legislators Donaldson, Joseph Maloney, and Petit)
(Absent: Legislators Eckert and Fabiano)

- 542 Authorizing The Issuance Of An Additional \$499,250 Bonds Of The
BOND County Of Ulster, New York, To Pay Part Of The Cost Of Slope Stabilization On Various County Roads, In And For Said County**

ADOPTED BY THE FOLLOWING LONG ROLL VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Eckert and Fabiano)

- 546 Adopting Updated Procurement Manual Pursuant To General Municipal Law Section 104-b – Department Of Purchasing**

MOVED TO CONSENT

558 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Rehabilitation Support Services, Inc. – Department Of Mental Health

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 1
(Noes: Legislator Petit)
(Absent: Legislators Eckert and Fabiano)

Late Resolution

579 Repealing Resolution No. 444 Of 2019 And Adopting Proposed Local Law No. 5 Of 2019, A Local Law Amending The Code Of The County Of Ulster To Include Mandatory Food Scraps Composting By Large Generators

MOVED TO CONSENT

MEETING ADJOURNED IN MEMORY OF: Read by Legislator Richard A. Gerentine.

Hon. George Devine, New Paltz, NY
Hon. Thomas E. Nyquist, New Paltz, NY
John Mazza, Marlboro, NY
Marguerite A. Sutton, New Paltz, NY
William Leong, Saugerties, NY
Gloria Smith, Saugerties, NY
Walter DeBaun, Lake Katrine, NY
Josh Gohl, Saugerties, NY
Dan DiMare, Highland, NY
Elizabeth Nordstrom, Kingston, NY
William Kennedy, Saugerties, NY
Joseph Comito, Saugerties, NY
Robert Conklin, Ephrata, PA
William F. Schmalkuche, Highland, NY
Elizabeth S. DeSiano, Gardiner, NY

Richard I. Matthews, West Hurley, NY
Maureen LoDolce, Port Orange, FL
Herbert Houtman, Saugerties, NY
Brian Sawchuk, Saugerties, NY
Judith A. Hines, High Falls, NY
Katerine Gardiner, Saugerties, NY
Patricia Solitto, Saugerties, NY
Giovanna A. Furbush, Saugerties, NY
Ralph F. Temple Jr., Accord, NY
Robert Slate, Saugerties, NY
Margaret Wiltbank, Saugerties, NY
Anna Eilenberger, Sarasota, FL
Jennifer Organtini-Judware, Lake Katrine, NY
Sandra J. Sherman, New Paltz, NY

Motion by Legislator Litts, seconded by Legislator Donaldson to adjourn Legislative Session.
All in favor.

MEETING ADJOURNED: 7:32 PM

NEXT MEETING:

The Organizational Meeting of the Ulster County Legislature will be held on Wednesday, January 8, 2020 at 6:30 PM, in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

The **Town of Hurley** is only “a width away” from an industrial site (in the Town of Kingston). The width is as wide as route 28, which separates your town from the Town of Kingston. There is a current proposal to pollute your Praymaher Brook with industrial wastes, which will then enter the Esopus Creek. Your Praymaher Brook is officially designated by the NYS Dept of Conservation as a “TS” **TROUT SPAWNING STREAM**, a natural reproduction of Trout spawning.

The proposed “ 850 Route 28 LLC “ project in the Town of Kingston includes the construction of two 120,000 SF buildings, one for structural steel and the other for concrete products. The structural steel facility will receive steel stock and then cut and weld the steel to manufacture plate girders and other structural steel products for the bridge market throughout the northeast as well as commercial application. The concrete facility will receive cement, sand, and aggregate, which will be processed through a mobile batch plant to create the necessary concrete used to manufacture pre-stressed hollow core planks, pre-stressed NEXT Beams, and NEBT girders utilized for rapid bridge construction and other infrastructure projects.

The 850 Route 28 LLC project is waiting for 2 state permits.

1. A NYSDEC Article 15 Protection of Water Permit & an Article 24 Freshwater Wetlands Permit for disturbances within the adjacent area.
2. A NYSDEC Stream Disturbance Permit will be required for the discharges from the two proposed Water Quality Basins to Tributary 6 of the Praymaher Brook.

The stormwater discharges will enter the stream which flows offsite towards a four foot diameter concrete pipe under NYS route 28. The NYSDEC recognize the string of existing ponds as a protected stream (Tributary of Praymaher Brook C[T] H-171-25-6) and are connected.

A NYSDEC Stream Disturbance Permit will be required for the discharges from the two proposed Water Quality Basins to Tributary 6 of the Praymaher Brook.

The Praymaher Brook is a tributary to the Esopus Creek.

The 850 Rt 28 LLC project’s stormwater management plan is deficient and inadequate.

In case of a 50 or 100 year storm, like that of Irene and Sandy, the proposed industrial basins will not contain the toxic concrete washout from entering the Praymaher Brook. This will result in toxicity lethal to fish, invertebrates and habitat. Super Storm Irene resulted in drowning of humans and livestock, destruction of roads, bridges and infrastructure. Creeks and streams were severely disrupted.

For the sake of your Hurley residents and integrity of your watershed, we would implore you to read the project’s application and proposal, available in the Town of Kingston’s Town Hall. In the records , you will find a large updated black binder entitled, “ Stormwater Pollution Prevention Plan”, whereupon; your town’s Praymaher Brook is adversely effected. Caveat emptor, read also environmental reports from Hudsonia and CHA Consulting, Inc. Be prepared to make a fully informed decision regarding your town’s most valuable asset, your land.

Recently, Auringer has a website: 850Route28.com, in which glaring omissions are demonstrated on his FAQs page. On his 8th FAQ point, he writes “...and then across Route 28....”,omitting the toxic concrete washout affecting Tributary 6 of the Praymaher Brook & the effects on the Town of Hurley’s watershed.

Victor and Zura Capelli
December 18th, 2019

**850 Rt. 28 LLC, Steel and Pre-cast Cement Fabrication Plant and the Environmental Impacts on the
Town of Hurley**

There will be widespread systemic ecological poisoning due to metabolic insufficiency caused by high pH from concrete washout discharge into the stream waters and anoxic load DO conditions due to eutrophication of stream waters in Praymaher Brook and Esopus Creek water sheds.

Enumerated are the following environmental effects of an industrial pre-cast cement fabrication plant across the road, Rt. 28, from the Town of Hurley.

1. The high alkalinity from the industrial pre-cast cement process will drastically raise the pH of the trout streams below the site. It will create a toxic shock syndrome of the streams.
2. The Onteora Lake watershed and wetland ecology will be severely disrupted and compromised by the discharges of the pre-cast cement plant.
3. In 50 or 100 year storms, like Hurricane Irene and Hurricane Sandy, the proposed stormwater runoff prevention system is inadequate. The severe storms will overwhelm their pre-cast cement containment systems. Toxic chemicals and silted water will runoff into the Praymaher Brook and the Esopus Creek.
4. Industrial chemical hazards will hurt both humans and the natural environment. The Praymaher Brook and Esopus Creek will receive an onslaught of chemical wastes.
5. The farmland soil east of Praymaher Brook, Rt 5, Hurley Mtn Rd, will become contaminated.
6. The proposed blasting and water use will cause the water table to be lowered and wells will go dry. Well recharge is declining every year, as snow melt contribution to the aquifers has greatly diminished due to yearly warmer weather. Drought conditions are self-evident.
7. The hydrologic impact of daily industrial drawdown will initiate chronic water level depletion and a spreading 'cone of depression' will begin to develop outward, affecting wells of nearby residences to go dry.
8. The shallow soil conditions do not hold the water well and will run down into the underlining bedrock, disappearing very quickly.
9. The concrete and black top creates an oven effect in the air, "urban heat island effects", causing storms which will cause severe flooding, gullyng and washing out of top soil. It will cause mini tornadoes/down bursts with 100mph winds.
10. Blasting stone shocks the animals and causes them to leave producing a biological dead zone.
11. There will be increased exhaust fumes, industrial noise, blasting and litter/garbage left behind.
12. Breathing of concrete dust will cause silicosis in the lungs

The environmental impacts will contaminate the air, water, soil and plant/animal species. It will affect the beautiful farm land. Property values will decrease.

Victor and Zura Capelli

October 10th, 2019

**POTENTIAL BIOLOGICAL, ECOLOGICAL AND EDAPHIC (AGRONOMIC)
IMPACTS FROM THE CONCRETE WASHOUT DISCHARGES FROM THE PROPOSED
850 ROUTE 28 STEEL & PRE-CAST CEMENT PLANT
ON THE PRAYMAHER BROOK AND ASSOCIATED WETLANDS. By Victor C. Capelli,
Environmental Analyst and Ecologist.**

The following is an environmental prognosis and environmental impact statement on the critically ecological adverse consequences of the concrete washout discharges on the Praymaher Brook in the Town of Hurley, the connected wetlands along Route 28 and the agricultural soils in Hurley and the Roundout Valley that will be the result of poorly contained storm water prevention systems of the proposed Route 28 850 Pre-Cast Cement Plant.

- Perhaps the most immediate biological and devastating ecological effect on the wetlands and Praymaher Brook aquatic ecology along Route 28 from the discharge of concrete washout effluent will be **anoxic “suffocation” of the base of the wetland food chain; the phytoplankton, zooplankton, algae, diatoms, rotifers and micro invertebrates-that will be covered by the gelled concrete washout particles; both on the surface of the water and in colloidal suspension below the surface of the wetland waters. The toxic and persistent concrete washout materials; which includes chemical admixtures such as muriatic acid, polymers and hydrophilic compounds (water retarding admixtures, plasticizers, corrosion inhibitors) will not dissipate easily from the wetlands or Praymaher Brook and will clump together.** The Praymaher Brook has low or zero water velocity throughout the year, except during late winter when it receives spring snow and ice melt recharge. This, of course, is problematic, considering the erratic storms and weather systems created by Climate Change. “Biologic insufficiency “will occur in the low water aquatic ecology of the Praymaher Brook and wetlands all across the trophic levels up to and including fish, reptiles (water snakes and turtles) amphibians,(frogs and salamanders)

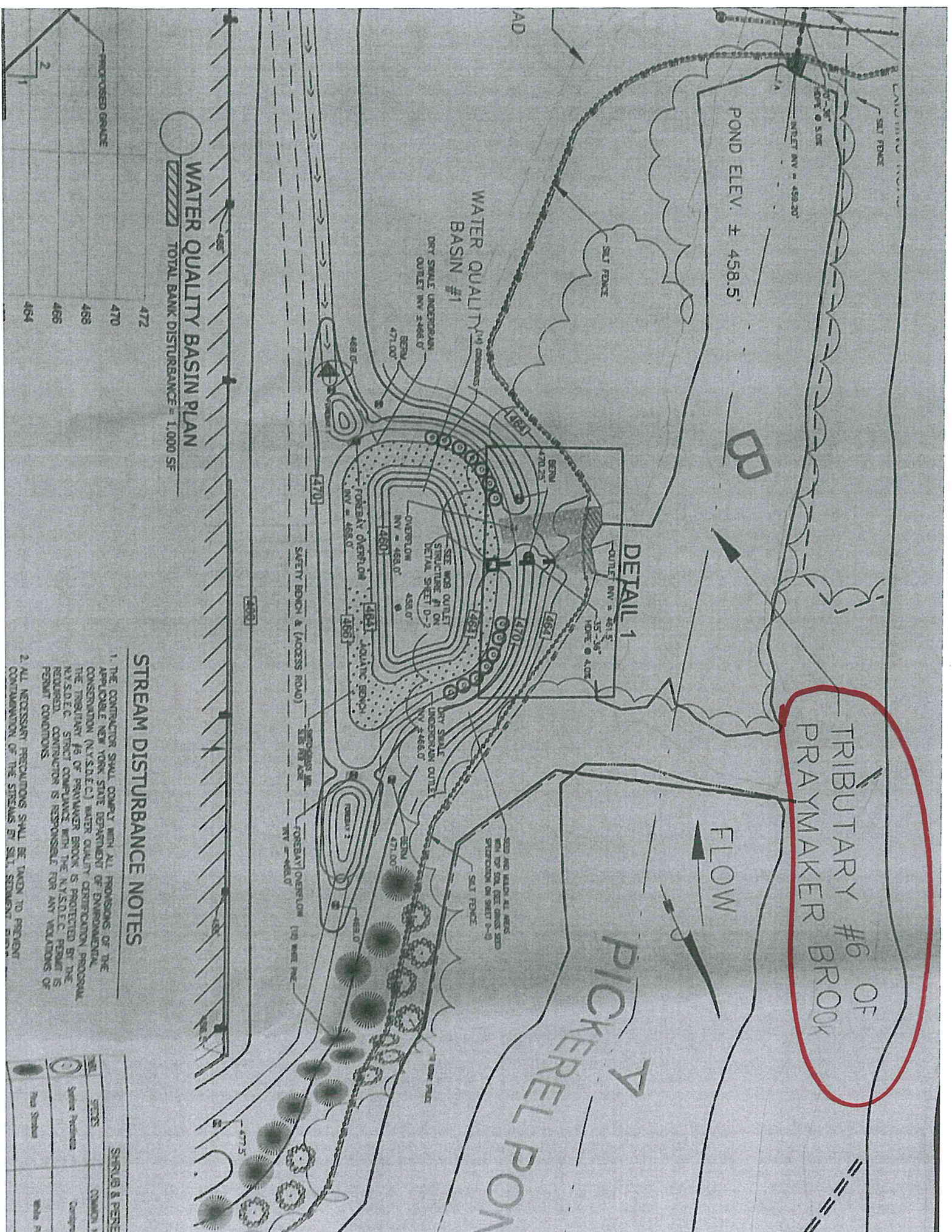
macro invertebrates (such as crayfish and snails) and aquatic insects such as stoneflies, mayflies and other species that are food sources for spawning trout (the Praymaher Brook is a designated TS stream) and other fish species in Praymaher Brook. **An accelerated seasonal “anaerobiosis” (an algae bloom) in the wetlands will also occur as the result of the CW (concrete washout) discharge, as the high alkalinity of the CW particles will at first encourage wetland plant growth and then create a lethal BOD- a Biological Oxygen Demand, that would “suffocate” the rest of the food chain. The wetlands will die.**

- In addition to the **biological insufficiency** of the wetland waters and Praymaher Brook that will occur as a result of uncontrolled CW from the cement plant; the high pH of the colloidal particles will create an unhealthy water environment for normal O₂ exchange in the gills of fish and aquatic invertebrates. **Gill membranes in many species of fish and aquatic invertebrates are highly sensitive to the ionic balance and exchange of free oxygen and carbon dioxide in stream waters.** When the amount of alkali carboxyl ions exceeds the tolerable limit (no higher than 9), osmotic exchange and respiration is inhibited. **The Aquatic Life Advisory Committee back in 1955 said in part- “insofar as possible, pH values should be maintained between 6.5 and 8.5 to maintain the productivity of the water for aquatic life.”** The high pH of the stream waters will compromise the ability of aquatic animals to breathe underwater. Aquatic fish and invertebrates will suffocate.
- Another negative environmental consequence from uncontrolled CW discharge into **Praymaher Brook is the downstream contamination of floodwaters into the agricultural lowlands bordering the brook. Fertility of adjacent cropland soils could be seriously degraded by the repeated contamination of the upper soil profile with CW particles and chemicals.**

The same process of excessive alkalinity in the wetlands and Praymaher Brook will be repeated in the agricultural soils because the “balance” of available nutrients to crops, the soil’s ability to fix nitrogen and availability of critical nutrients will be upset and negatively impacted. The abnormally high pH will encourage a quick growth surge of mychorrzial soil fungi, actinomycetes,(which are key to soil organic matter decomposition), aerobic bacteria and weedy plant growth. This high alkalinity will quickly exhaust the available soil nutrients of nitrogen, calcium and phosphorus. Crop plants, such as corn, require a high soil nitrogen and calcium, but because the quick drain of nitrogen in the upper soil profile caused by this “phyto-bloom” of soil protozoa and aerobic bacteria, they will become stunted or turn yellow. (“Chloritic”) The “**phyto-bloom**” will also cause a corresponding high **BOD** and exhaust the available oxygen in the soil. An increase in anaerobic bacteria will follow the exhaustion of soil oxygen. **The super abundance of CW effluent discharge will overwhelm the 12 other vital micro-nutrients that are necessary for healthy crop plants.** Soil fertility of downstream crops will decline as the chemical and biological process of Cation Exchange Capacity(CEC) in the soils are seriously degraded by the excess of calcium into the organic layer of the soil profile. Normally, the soil’s colloidal elements of hydrogen, aluminum, sulfur, iron, potassium, ammonium, sodium and other ions are present in varying amounts and are used by plants in their growth cycle. Adsorption of beneficial ions onto plant roots is necessary for proper growth and the CEC, pH, C/N ratio, nitrification, soil structure and texture, seasonal fertilization, crop rotation and adequate soil moisture will also be affected by an **excess of calcination of farmland soil** contributed by CW discharge pollution from the pre-cast cement plant on Route 28.

- Fertility of the crop soil could also degrade as an overabundance of calcium carbonate ions from the CW effluent washed onto the soils will cause a corresponding deficiency in available micro elements of iron, phosphorus, manganese, copper available to bottomland crops such as corn & soybeans.
- **Natural soil fertility along the Praymaher Brook** will also be affected, as the nitrogen fixing capabilities of soil bacteria (such as soil fixing types of nitrite bacteria known as Nitrosomonas, Nitrobacter) are hindered due to increasingly higher and higher soil pH values. **Optimal nitrification and the availability of fixed or free nitrogen in the soils along the stream are dependent on pH's which fall in the normally restricted range of 5-9.** Concrete Washout has an upper alkaline range of 14-15 which has the toxicity of Drano, a common caustic soda used to unclog pipes.
- **An abnormally high pH will also increase the toxicity of certain micro-nutrients such as molybdenum,** which at normal values is a valuable nutrient to plants and thus becomes "poisonous." An abnormally high soil pH will toxify nutrients and create a lethal soil environment for crops.

These are just some of the potential ecological effects on the Praymaher Brook and Esopus Creek from the uncontrolled discharge of Concrete Washout. This also has serious environmental consequences on the downstream agricultural soils and fields on the Hurley farmlands and the Rondout Valley.



WATER QUALITY BASIN PLAN

TOTAL BANK DISTURBANCE = 1,000 SF

STREAM DISTURBANCE NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL PROVISIONS OF THE APPLICABLE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) WATER QUALITY CERTIFICATION PROGRAM. THE TRIBUTARY #6 OF PRAYMAKER BROOK IS PROTECTED BY THE NYSDEC. STRICT COMPLIANCE WITH THE NYSDEC PERMIT IS REQUIRED. CONTRACTOR IS RESPONSIBLE FOR ANY VIOLATIONS OF PERMIT CONDITIONS.
2. ALL NECESSARY PRECAUTIONS SHALL BE TAKEN TO PREVENT CONTAMINATION OF THE STREAMS BY SILT, SEDIMENT, AND OTHER POLLUTANTS.

SHRUB & PERENNIALS			
NO.	SPECIES	QUANTITY	COMMENTS
1	Spirea Vanhouttei	100	Planting
2	Red Spirea	100	Planting

June 17, 2019

Tom McNamee +
Lochner Attorneys
@law

any receptors at the applicant's property lines to the north of the site. Certainly, the applicant's expectation as set forth in EAF Part 1 of operating all of the excavation/mining equipment during construction for a period of years from 6 a.m. to 7 p.m. on weekends must be evaluated and mitigated by the Board in accordance with law. See EAF Form 1(D)2.1. See also Section E.1.a, which fails to list public recreational areas and the Addition as adjoining/nearby land uses. Other parts of the EAF Form 1 fail to list Pickerel Pond as a lake or pond on the applicant's property. See EAF Form 1E.2.h.iv. Remarkably, the applicant's deficient Noise Study, uninformed by the surrounding wilderness, suggests moving the "crusher pan" closer to the Pickerel Pond, much of which is a recreational, unmotorized public body of water. The mitigation measures recommended in the noise study establish a lack of regard, or lack of knowledge regarding the recreational uses of the bordering lands.

For all of these reasons, the deficiencies in the Noise Study must be rectified. The Board is entitled to know the actual sound levels by the pieces of excavation and processing equipment that are going to be used during the excavation operation in order to take a hard look at the noise impact of the proposed project.

The Stormwater Management Plan is Deficient

The applicant began the application process with the Planning Board by submitting Part 1 of the Environmental Assessment Form that is inaccurate and incomplete in many respects. There is no mention that the proposed project is located in the Hudson River National Heritage Area and within the boundaries of the protected Catskill Forest Reserve/Catskill Park.

The applicant states in the EAF that the stormwater runoff will be directed to existing ponds (D.2eiii), but site plans indicate that the existing ponds discharge to a perennial Catskill Mountain trout stream and its associated wetlands. This trout stream is not mentioned in the EAF and is not shown on the site plans. The Board has an obligation to protect the trout stream from runoff that may impair its function and classification.

Applicant has a legal obligation to comply with two stormwater discharge permits: (1) the SPDES general permit for stormwater discharges from construction activity (GP-0-15-002) (2016); and (2) the SPDES multi sector general permit for stormwater discharges associated with industrial activity GP-0-17-004 (2018). The materials now before the Board reveal that the applicant is unaware of the rigors of these permit requirements.

Specifically, as pointed out in greater detail by CHA, the two "water quality basins" proposed for collection, retention and detention of stormwater on site propose to hold 1.7 million gallons of water through construction of some kind of structures that allow the basins to be twice as deep as the stormwater regulations require. The heavy metals, suspended solids and other runoff from the excavation/mining activity discharges from the massive "water quality basins" to

June 17, 2019

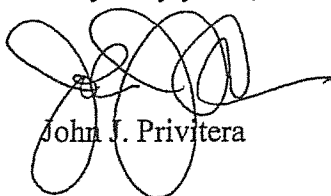
a Catskill trout stream are not discussed. These impacts must be fully reviewed by the Board once a complete Stormwater Management Application for both construction and industrial operations are submitted by the applicant in accordance with State and Federal law.

In addition, New York State reviews the design and construction of large structures that are planned to hold huge volumes of water. DEC should make a determination as to whether the design of any of the ponds are such that the applicant requires a dam permit. See 6 NYCRR Parts 608.3 and 673.

CONCLUSION

For all of these reasons, the Planning Board is obliged to rescind the Negative Declaration of March 2019. The applicant should be directed to provide amended, accurate Environmental Assessment Forms for the Board's review prior to acceptance. The Board must then take a hard look at all of the Special Permit requirements in Town Law that require critical review prior to consideration of a Special Use Permit. Finally, the New York State Department of Environmental Conservation should be notified under SEQRA so that coordinated review will be conducted so that DEC may bring its expertise to bear regarding its stewardship of public recreational lands within the constitutionally protected Catskill Forest Preserve and the Addition. DEC may then coordinate its technical review of the proposed project under New York's mining regulations, wetlands protection laws, stream protection laws and stormwater permit requirements so that the Board can take a hard look at all of the environmental impacts of this proposed project.

Very truly yours,



John J. Privitera

JJP/klh

Laura Cunningham documents to Legislature Dec 18, 2019

Enclosed are documents attesting to the unsuitability of the U.C.C.C 52 acre parcel off Cottekill Rod which was disqualified for development by this Legislature in 2017.

A new and equally unsuitable and destructive project is now being proposed by Marbletown in shared services with SUNY. The project calls for five ballfields, parking lot and public toilets on this already proven unsuitable ground.

If this comes before the County, we, the residents and members of the Cottekill Coalition, hope that the Legislature will not entertain this unnecessary and unwise expenditure which could easily cost the County several million dollars.

Ulster County Fire Training Facility Site Alternative Analysis

The site was viewed as having an advantage based on its location (accessibility) and neighborhood impact. Two areas on the site were identified as potential locations for the facility. A third area was also scouted but was dropped due to existing site operations (mulch) and presence of high voltage power lines. During site visits to both locations on the property it was found that neither of the areas was suitable as both lacked the ability to accommodate program elements. The primary difficulty was site elevation changes. Option 1 was complicated by the presence of unmarked wetland areas, and rock outcrops. The consultant determined that the site would not accommodate the needed program elements without significant investment and site disturbance. Option 2 required improvement of over 1,000 ft. of interior road that had a closed landfill on the east and a large drainage swale on the west. Here again, site topography was a challenge



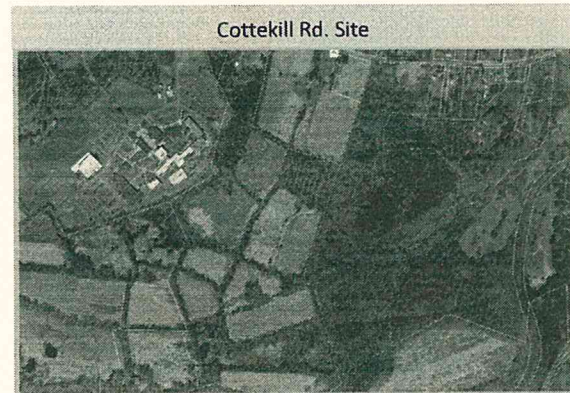
New Paltz Site Option1

Cottekill Road Site Near SUNY Ulster

The Cottekill Road site lies just east of SUNY Ulster campus and is owned by the County. It consists of 51 acres with 20 acres separated by a stream at the rear of the site.

The site was identified by the original Task Force as being a preferred location for the fire training facility. The site offers significant advantages for county-wide accessibility and access to the site itself off of Cottekill Road would meet the required sight distances. The site size is more than capable of meeting the program needs. From these perspectives it is easy to see why the site was originally considered.

Accordingly, the Committee felt it necessary to examine the site further. Members of the Committee walked the site numerous times to document site advantages and constraints. A concept plan was developed for the site. This Plan gave the Committee a much clearer picture of the difficulty of placing the required program elements on the site and the likely costs and environmental issues associated with its development.



Cottekill Rd. Site

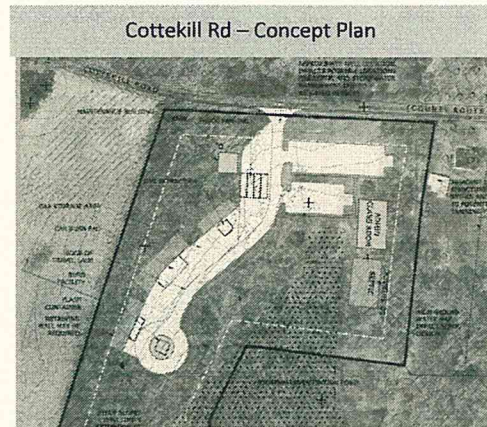


Cottekill Rd - meadow area - wet areas

The Concept Plan illustrates the site's significant development challenges so much so that it struggles to meet the program needs due to the high investment required for roadwork to access developable areas of the site. The additional constraints of a high water table and federal designated wetlands

Ulster County Fire Training Facility Site Alternative Analysis

also present challenges as does the cross slope changes in elevation. Buffers from adjoining residences can be achieved but would require moving further into the site with associated impacts that include increased cost and loss of forested lands. The Committee noted the significant neighborhood opposition to the facility. The concept plan locates many of the program elements toward the front of the site to avoid costs, wetlands, and the more sensitive forested areas. However, this increases site visibility and the likelihood of impacts to nearby residents.



Town of Ulster – Existing Fire Training Center – Ulster Landing Road

The Town of Ulster Fire Training Center site is located off of the west side Ulster Landing Road just south of NYS Rt. 199. It is owned by the Town of Ulster and contains some fire training elements. The site consists of approximately 58 acres. It is accessed by an existing road of approximately 1,600 ft. that is in relatively good condition.

The site was originally used for mining clay and more recently for dredged material disposal from the Hudson River associated with the construction of the Marcy South Power Line. Upon completion of the dredge material disposal operation, the site was donated to the Town of Ulster by the New York State Power Authority. Deed restrictions require this portion of the site to be utilized for “municipal purposes”. The County Planning Department as an intervenor in this project was, in a large part, responsible for this donation.



The site adjoins the Ulster County Resource Recovery Agency. It appears that electric for the UCRRA passes through the site. The site currently houses elements of a fire training center and a shooting range is used by numerous law enforcement agencies. The shooting range used routinely whereas ,use of the fire training facilities has waned. The existing fire training facility includes a two story burn facility, a two-story training tower, and an approximately 2,100 sq. ft. administration building. A fire pond with an appropriate standpipe is capable of feeding several fire hydrants that are located on site. In general, the site as a whole suffers from both age and lack of maintenance likely due to funding shortages. That said, the fire

DEC restrictions on Cottekill parcel

**To: Town Board, Incumbents Sprachman, Foote, Town Attorney,
Ulster county Legislature, SUNY Board, Alan Roberts**

Re: Cottekill Site - DEC restrictions

We understand that the Town Board, SUNY and Ulster county are considering a parcel on Cottekill Road for the development of a new town park.

Before the Town spends taxpayer dollars to assess this location, we would like to enter into the record the following characteristics of the site, as drawn from the USDA, the USGS, and the NY State DEC.

- 1. NY State DEC classifies the ENTIRE site a habitat to 'rare plants and animals'**
- 2. NY State DEC classifies the Cottekill Creek (which runs through the center of the site and feeds the Rondout Creek) as Class CTS. Class CTS is defined as not swimmable depth, but TS stands for feeding trout spawning estuaries. CTS classification requires the stream is 'protected and subject to stream protection provisions'.**
- 3. NY DEC also classifies the site as 'ecologically important'**
- 4. Federal wetlands are designated on 8 acres on the northern portion of the site and 11 acres on the southern portion. The Federal Government requires these acres to be buffered and protected.**
- 5. USDA classifies the site as 'farmland of statewide importance'**
- 6. USGS mapping shows 'considerable cross slope and changes in elevation'**

To repurpose this site would require protecting wetlands, clearcutting dozens of acres, disrupting animal habitat, protecting the Cottekill Creek, and leveling topographically sloping acreage to make it usable at the same time respectful of adjoining properties.

These Federal and NY state environmental protections and restrictions cannot be ignored.

This site is a gigantic ecological challenge. Ulster County spent \$50,000 in 2017 to perform this assessment and rejected the site as 'too difficult'.

There is a reason this site has never been developed. Don't waste Marbletown and Ulster County and New York State taxpayer money to come to the same conclusion.

Primary Sources:A

Ulster County Tax Parcel Website - parcel # 62.3-4-20, tax description indicates only 30 usable acres of the 51.

United States Geographical Services - USGS - US Topographical Data Map 2019 shows slope of the parcel. CT Male referenced this data in their assessment and rejection of the parcel for Fire Training

Official US FEMA Maps classify the parcel as follows

- US Wetlands - two wetlands (north near Cottekill # PF04E)
 - south (near Meyer/Wood boundary and crossing into Meyer/Wood parcel #PF01E)****
- School Aquifer # 77512462 - abuts almost entire eastern edge of Cottekill parcel. Runoff would directly affect this aquifer**
- FEMA Maps classify Hydric Soils mapped on northern and southern portions of the parcel, approximately 20 acres**
- FEMA Maps - Entire parcel mapped as 'Prime Farmland' along with abutting parcels of Langer, Meyer/Wood which we all know are 1) actively farmed 2) AG Exempt 3) in Ag District #3, and 4) Meyer/Wood land is now under conservation easement, registered with NY state**

NY DEC Maps - classification of Cottekill Stream - CTS - class C, too shallow for swimming TS, feeds trout spawning estuaries - requires protection

- NY DEC maps define the entire Cottekill parcel as 'Habitat Core' for wildlife.

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 - south (near Meyer/Wood boundary and crossing into Meyer/Wood parcel #PF01E)
- School Aquifer # 77512462 - abuts almost entire eastern edge of Cottekill parcel. Runoff would directly affect this aquifer
- FEMA Maps classify Hydric Soils mapped on northern and southern portions of the parcel, approximately 20 acres
- FEMA Maps - Entire parcel mapped as 'Prime Farmland' along with abutting parcels of Langer, Meyer/Wood which we all know are 1) actively farmed 2) AG Exempt 3) in Ag District #3, and 4) Meyer/Wood land is now under conservation easement, registered with NY state

NY DEC Maps - classification of Cottekill Stream - CTS - class C, too shallow for swimming TS, feeds trout spawning estuaries - requires protection

- NY DEC maps define the entire Cottekill parcel as 'Habitat Core' for wildlife.

To Marbletown Town Board and Town Lawyer Tracey Kellogg, Ulster County Legislature and SUNY and New York State Kevin Cahill

Regarding the Cottekill parcel being explored for building a Municipal Park with 5 ballfields, parking lot and facilities.

The chosen parcel is--

the WORST possible land to try to do it is one that needs drainage. This description classifies the parcel as worst case scenario for building 5 ballfields.

They are dangerous to players and spectators...on this disastrous site selection, it could never be done safely or correctly, and it would easily cost \$5 million...Even if as Tim Sweeney claims the state and college assume half the cost, that's a minimum of \$2.5 million. More like \$5 million even half fare.

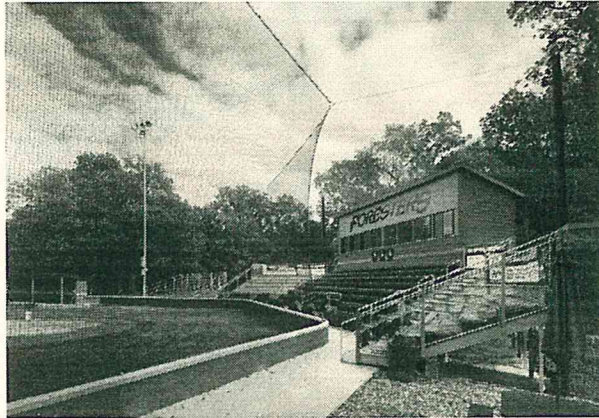
This town cannot afford this ill-conceived and unnecessary project which would be out of control expense-wise as well as destructive to the environmental devastation already mentioned.

FIELD DIMENSIONS GUIDE

Space Needs of a Ballfield



How much space will you need?



When looking for space to build a ballfield or a complex of fields, there are several factors that should be considered during the planning stage. In many cases, it is not just the ball diamond that is being built. Typically there are additional features to consider such as, dugouts, bathrooms, concession areas, storage facilities, bleachers, drainage swales, parking and even buffer zones that may need to be built as well.

For the ballfield portion, the table below gives you rough estimates for the area needed for various sized ballfields allowing adequate space for field amenities such as bleachers, dugouts, fences, lights and scoreboards.

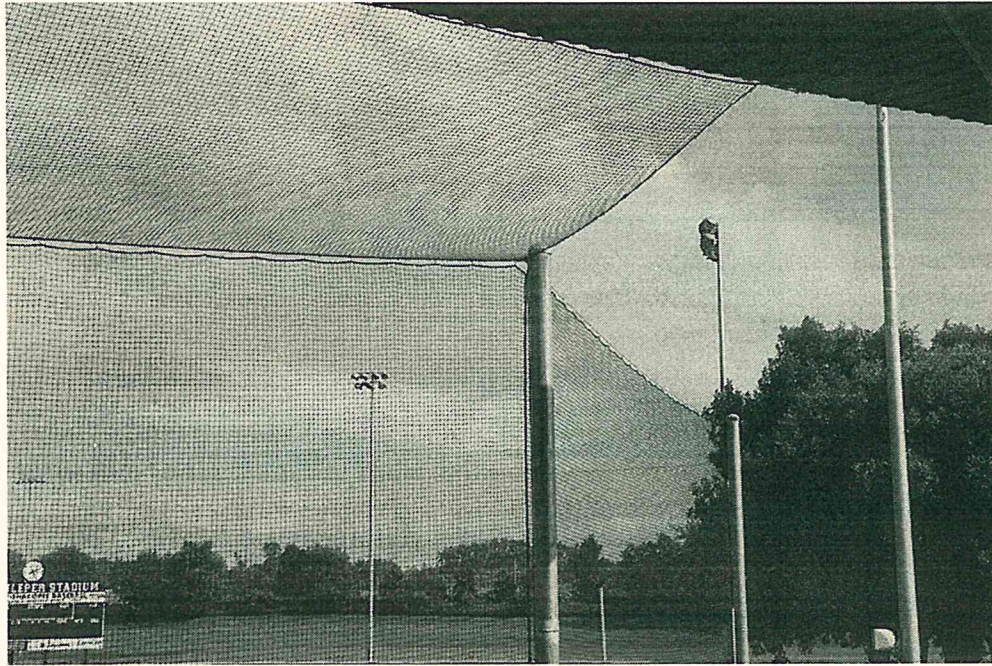
Remember, your parking lot is a piece of the puzzle that can use up a lot of space in a hurry. You can use 20 spaces as the starting point for the minimum amount of parking at a ballfield. 20 spaces will need approximately 0.3 acre. For each additional parking space you'll need to add another 0.015 acre per space.

Baseball Field Space Needs	
90 ft bases with 400 ft fence	4.5 acres
80 ft bases with 315 ft fence	3 acres
70 ft bases with 275 ft fence	2 acres
60 ft bases with 215 ft fence	1.5 acres
Softball Field Space Needs	
65 ft bases with 275 ft fence	2.5 acres
60 ft bases with 200 ft fence	1.5 acres

Addressing Fan Safety

Multi-field complexes are often planned with little thought regarding protection of spectators. Sometimes fields are squeezed tight together with a bare minimum of common

space between fields. Fans watching a game on one field can be subject to stray foul balls from other fields that are right behind them. This is a common issue with many multi-field complexes. Now, with recent line-drive injuries to fans at MLB ballparks, more attention than ever is being paid to protecting fans at all levels. Beacon is an excellent resource for netting options from local ballparks all the way up to professional venues. We have more info regarding protective netting available for you here: *Beacon Netting Solutions for Keeping Fans Safe*



There are three ways you can address multi-field safety. The first way would be to install an overhead netting system to protect the fans. A second idea would be to address this potential problem in the planning stages when simple realignment of fields can help to increase the amount of room between fields, reducing foul ball risk. Your third option involves a little bit of the first two options, and in most cases will prove to be your best overall plan.

Start by planning your common areas to be as open as possible between fields. Then, use a combination of barrier protective netting and deciduous trees. Planting trees along the common areas along with netting will greatly reduce the risk of spectator injury. Barrier netting will deflect the lower flying line drive foul balls while trees will become a living, growing ball deflection system for the higher foul pops entering common areas. The older the trees get between fields, the bigger and more dense the natural deflection system will be. Additionally, trees will also provide much appreciated shade for those hot summer days and they'll serve as a wind breaker on gusty days. They'll improve fan comfort and provide some foul ball protection while at the same time providing a more visually appealing park-like atmosphere.

Managing Drainage

Probably the most critical part of an athletic field is its surface drainage. There are two main styles of surface grade that commonly are used for controlling surface water removal. The first and most popular is called the “turtle back” where the base of the pitcher’s mound is the highest point on the field and elevations fall away from that point in all directions much like the back of a turtle’s shell. On this type of field, the infield is typically graded to a 0.5 – 1% slope. The outfield and foul areas should be graded at a 1 – 1.5% slope. This is the quickest and most efficient method to shed water off a ballfield.

Another, less popular option involves having the whole field tilt from one side of the field to the opposite side. This type of drainage is called “sheet flow” drainage — like a sheet of water sliding off the side of a hill. This surface drainage will work provided the home plate area is at the highest point of the slope. You want to avoid water draining toward the infield and home plate — it should always move away from the infield. Sheet flow will drain slower than the turtle back method because the water will have a longer distance to travel before exiting the field.

With all of the above in mind, try to find land for your ballfield that will require the least amount of rough grading in order to satisfy one of the above drainage styles. Drainage swales and/or storm drains along the edges of a ball diamond in “out-of-play” areas should be used to carry the surface drained water away from the site.

Get in Touch

If you would like help in planning your ballpark, let our team of engineers help guide you through the process. We’re here to help you make sure you avoid costly mistakes and see that in the end you have a great ballpark your community will take pride in.

AUGUST 2019

Dear fellow ballfield professionals,

We’ve all seen the horrific headlines, images and stories of fans being struck by errant line drives and foul balls. While fans being injured isn’t necessarily a new phenomenon, that precise fact is really at the heart of the sentiment being expressed by so many in our industry: ***“why is this continuing to happen?”***

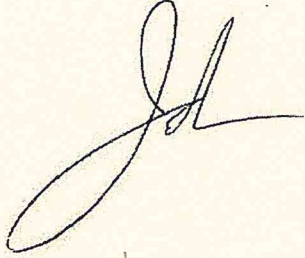
Answers typically vary from a reluctance to change the spectator’s view, to cost factors and the challenges of retrofitting netting to existing structures. But something has to be done. The game we love continues to stand at risk of being marred by serious, life-changing injuries to our friends, family and neighbors.

I share your concerns and we stand ready to help you answer the other unrelenting question: ***“what can we do?”***

Now is the time to improve fan safety, and we understand what needs to be done to achieve it. We have outfitted and retrofitted facilities with netting for decades, engineering systems

for all levels of play. Together, let's get this done to ensure all fans can safely enjoy the tradition of watching ballgames for decades to come.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a smaller 'M' and a horizontal line extending to the right.

John Maher,
Owner & CEO, Beacon Athletics

Town of Hurley
P.O. Box 569
Hurley, New York 12443
Tel: 845-331-7474 x6
Fax: 845-331-0058



John Perry
Supervisor

National Historic Landmark

Mr. John Konior, Chairman
Town of Kingston Planning Board
906 Sawkill Road
Kingston, New York 12401

Dear Chairman Konior,

I am writing to you as the Chairperson for the Town of Hurley Conservation Advisory Council (CAC) with regard to the 850 Route 28 Project proposed for the Town of Kingston. On Wednesday, November 6, three residents of Hurley attended our meeting and asked to speak about the project. They made the CAC aware of potential impacts to Hurley associated with the project. They were concerned with the discharge of waste water, through a series of holding ponds and quarries into the Praymaher Brook. Praymaher Brook is classified as CT(s) by the NYS DEC, meaning it supports a population of naturally reproducing wild trout. Praymaher Brook eventually flows through the Town of Hurley before entering the Esopus Creek. We suggest a further study be done and a "positive declaration" be initiated so a complete SEQR review will take into consideration the concerns of Hurley.

The high alkalinity from the industrial pre-cast cement will drastically raise the pH of the trout streams below the site. It will create a toxic shock to the streams. Beyond the impact to the trout, the disruption of the stream will affect the farmlands and drinking water in Hurley. The proposed blasting will disrupt aquifers and water tables in all surrounding areas, as well as the effect of the industrial drawdown on existing water supplies. Has there been consideration given to the 50 or 100 years storm flooding for proposed run off? This type of run off can cause considerable contamination of surface water, as well as the surrounding soils. In addition, we are concerned with the impact on biodiversity and habitat disruption. One species we are concerned with is the Bald Eagle as well as the smaller animals that will have their habitat destroyed.

The Hurley CAC is very concerned regarding the potential impacts with the release of the by-products the cement plant produces and possible well contamination, therefore, we are requesting to be considered as an "interested party" to all proceedings concerning this project and to be active participants in reviewing any and all information that can be provided as the process goes further. My team can support your team in ensuring safe and responsible development for the residents of our respective communities. Please confirm your support for our participation in the review process and who specifically we can engage, ASAP.

Respectfully,

Joan Paccione

cc: John Perry, Town of Hurley Supervisor
Town of Hurley Planning Board

Sampling Considerations

Chapter 6 summarized several factors that should be considered when determining monitoring sites, where to monitor, and when to monitor. In addition to the considerations in Chapter 6, a few additional ones specific to monitoring pH are presented here.

When to Sample

It is well-established that levels of pH fluctuate throughout the day and season, and a single pH measure during the day may not draw a very accurate picture of long-term pH conditions in the estuary. Photosynthesis by aquatic plants removes carbon dioxide from the water; this significantly increases pH. A pH reading taken at dawn in an area with many aquatic plants will be different from a reading taken six hours later when the plants are photosynthesizing. Likewise, in waters with plant life (including planktonic algae), an increase in pH can be expected during the growing season. For these reasons, it is important to monitor pH values at the same time of day if you wish to compare your data with previous readings. It is also important to monitor pH values over a long period of time to provide useful data. The actual time to measure pH will depend on local conditions and the monitoring goals of the volunteer program.

Choosing a Sampling Method

The pH test is one of the most common analyses done in volunteer estuary monitoring programs. In general, citizen programs use one of two methods to measure pH: (1) the colorimetric method or (2) electronic meters. Both require that measurements be taken in the field, since the pH of a water sample can change quickly due to biological and chemical processes.

Color comparator (also called “colorimetric”) field kits are easy to use, inexpensive, and sufficiently accurate to satisfy the needs of most programs. The colorimetric method can also be used with an electronic colorimeter. If very pre-

cise measures are required, more expensive electronic pH meters provide extremely accurate readings. Test paper strips to obtain pH are *unsuitable* for use in estuarine waters since they do not provide consistent measurements in salt water. The following sections describe the use of the two common methods.

Colorimetric Method

Colorimetric means “to measure color.” In a colorimetric test method, reagents are added to a water sample, and a reaction occurs which produces a color. The color can be measured visually or electronically. This method is not suitable for water containing colored materials such as dissolved organic compounds or excessive algae. For water samples that are colored, a meter is suggested.

Visual Method to Measure Color

Field kits cover a range of pH values. They cost between \$15 and \$50, depending on the range of pH values to be tested. These kits come with several color standards built into a plastic housing unit or printed on a card. After adding reagents according to the instructions, the volunteer compares the color in the test tube

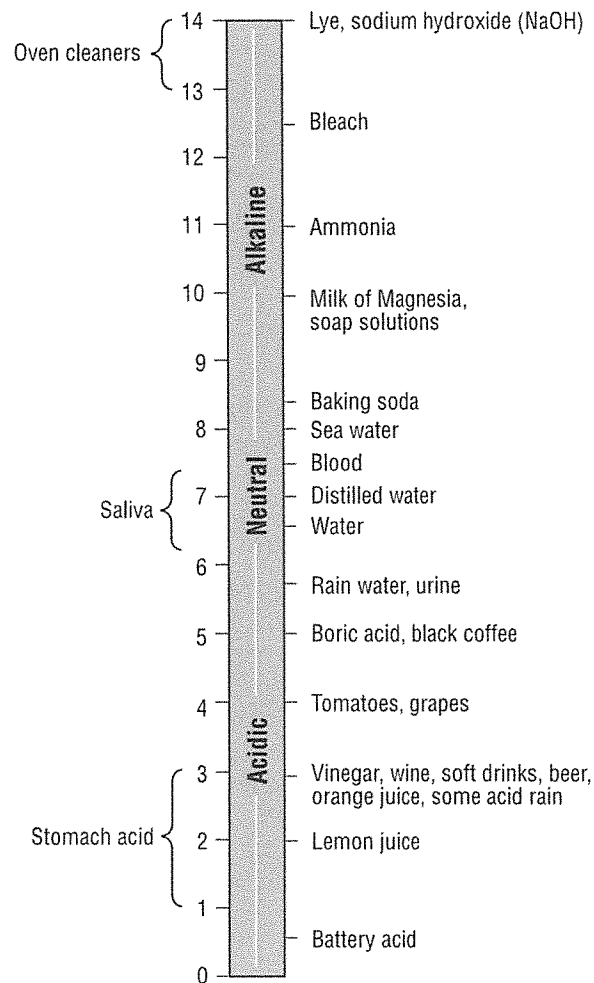


Figure 11-1. pH range scale.

(11)

To: Ulster County Legislature

From: From Clare Flemming, 12/18-2019

Re: Federal and New York protections on parcel near
SUNY Ulster between Cottekill and Leggett Roads,
Marbletown, Ulster County, NY

We understand that the Marbletown Town Board, SUNY, and Ulster County are again considering a parcel in Stone Ridge between Cottekill and Leggett Roads for potential development, as they did in 2017 for a fire training facility. This time the idea is to raze the woodlands for a town park / college ballfields, both of exist in underutilized states.

Before the Town spends taxpayer dollars to assess this very same, already disqualified location, we would like to enter into the record the following characteristics of the site, as drawn from the USDA, the USGS, and the NY State Department of Environmental Conservation (sources are cited in this written submission):

1. NY State DEC classifies the ENTIRE site habitat as having QUOTE rare plants and animals” and of being QUOTE ecologically important.”
2. It classifies the Cottekill Creek (which runs through the center of the site and feeds the Rondout Creek) as Class CTS, where TS stands for “trout spawning” estuaries, which designation requires the stream

remain QUOTE protected and subject to stream protection provisions”.

3. Federally designated wetlands occur on 8 acres on the northern portion of the site and 11 acres on the southern portion -- the Federal government requires these acres be both protected and buffered.

4. USDA classifies the site as QUOTE farmland of statewide importance”.

5. USGS mapping shows QUOTE considerable cross slope and changes in elevation”.

To repurpose this site would require clearcutting dozens of acres of trees, disrupting animal habitat that presently supports a number of apex predators, and leveling

topographically sloping acreage --- WHILE protecting significant acreage of wetlands and the Cottekill Creek— AS WELL AS respecting adjoining properties and residential concerns.

These Federal and NY state environmental protections and restrictions cannot be ignored. And yet Ulster County spent \$50,000 in 2017 to perform an assessment on this parcel which it ultimately rejected for being QUOTE too difficult.”

There is a reason this site has never been developed. We ask respectfully that you do not spend more taxpayer money to come to the same conclusion. Thank you.

END COMMENT

Sources Cited

- Ulster County Tax Parcel Website [parcel # 62.3-4-20], tax description indicates only 30 potentially usable acres of the 51.
- United States Geographical Services - USGS – US Topographical Data Map 2019 shows slope of the parcel. CT Male referenced this data in their assessment and rejection of the parcel for Fire Training Facilities
- Official US FEMA Maps classify the parcel as follows:
 - US Wetlands - two wetlands (north near Cottekill # PF04E) south (near Meyer/Wood

boundary and crossing into Meyer/Wood parcel
#PF01E)

- School Aquifer # 77512462 - abuts almost entire eastern edge of Cottekill parcel. Runoff would directly affect this aquifer
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 - actively farmed
 - AG Exempt

- in Ag District #3, and
 - Meyer/Wood land is now under
conservation easement, registered with NY
state
- NY DEC Maps: classify Cottekill Stream as CTS class,
where C = too shallow for swimming; TS = creek
feeds trout spawning estuaries: requires protection
 - NY DEC maps define the entire Cottekill parcel as a
'Habitat Core' for wildlife.