

TOWN OF ULSTER TOWN BOARD
TOWN OF ULSTER TOWN BOARD MEETING
MARCH 15, 2004 AT 7:00 PM

CALLED TO ORDER BY DEPUTY SUPERVISOR WISE, CHAIRMAN

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN CRAIG ARTIST
TOWN COUNCILMAN ROBERT VAN KLEECK
TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCIL MEMBER BARBARA WISE
SUPERVISOR FREDERICK J. WADNOLA - Absent

COMMITTEE REPORTS

Councilman Artist reported from the Finance Committee, that the abstract review went well.

Council Member Wise reported from the Insurance Committee, that they were going to review the dental plans again to look for more savings.

Councilman Artist reported from the Parks and Recreation committee, that ads had been placed in the daily paper seeking summer help for the town parks.

Council Member Wise read the monthly Historic Committee Report

The Post Card sub-committee has finalized the selection of the historic post cards, which are at the printer and should be available for sale in 2 weeks at the Town Clerk's office and local shops.

The Recipe Book sub committee requests that you continue to send in your recipes. The book is projected to be available for sale mid-summer.

The Calendar sub-committee is preparing pictures from the Bruce Burgher Collection and others and will have the calendar available in September. It will be a 15 month calendar starting in October 04, which is the actual anniversary of the Town of Ulster, and continuing through December 05.

The schools are continuing their curricula on the History of the Town.

Councilman Artist motioned to open the Robert E. Post Park for the 4-H Program for their environmental awareness field day on Tuesday, April 27, 2004 with a rain date of Tuesday, May 6, 2004

2nd by Councilman Van Kleeck

Four Ayes - Supervisor Wadnola was absent

Councilman Van Kleeck offered a warm congratulations to James Maloney, the Town Assessor, and his attorney for their success on the recent court finding about the grievance for the Hudson Valley Mall.

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DEPARTMENT HEAD REPORTS

Police Department- Police Chief Watzka praised Sergeant Koeppen, Officer Tylor, NY Trooper Gerudo and Officer Banks from Hyde Park for work on preventing a jump from the Kingston/Rhinecliff Bridge. The monthly Police report was read.

Town Clerk – Read the monthly clerk report

Sewer Department - Monthly report was read.

Water Department - Monthly report was read. The Glenerie Water District is progressing.

Highway Department – The monthly Highway report was read.

Town Assessor – Issued a reminder for the seniors to reapply for their STAR exemption. Is applying for another SARA grant to further develop the GIS program for the Town.

Building Department- Monthly report was read.

Council Member Wise recognized County Legislators, James Maloney & Michael Berardi from the audience. They briefed the town on the size and scope of the county and the committees they are serving on. Legislator Berardi spoke about the proposed Open Space law, which the county is looking for feedback on. The county is concerned about protecting rural areas and dealing with the way those areas are developed.

Council Member Wise read the monthly court report.

Council Member Wise reported from the police commission that the Ulster PBA held a fund raiser bowling tournament and that was a success.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Wise motioned to approve the minutes of February 2, 2004 and February 23, 2004.

2nd by Councilman Van Kleeck

Four Ayes - Supervisor Wadnola was absent

Councilman Artist motioned to approve the following:

ABSTRACT OF CLAIMS

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	301-329	\$ 10,769.27
ULSTER WATER	301-308a	\$ 12,180.14
HALCYON PK. WATER	301	\$ 680.51
SPRING LAKE WATER	301-303	\$ 238.42
BRIGHT ACRES WATER	301	\$ 458.09
CHERRY HILL WATER		
WHITTIER SEWER	301-302	\$ 1,211.80
ULSTER SEWER	301-305	\$ 5,428.21
SPECIAL LIGHT	301-306	\$ 2,826.08

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ALL OTHERS

GENERAL	301-3139	\$	73,142.72
HIGHWAY	301-330	\$	29,358.49
WHITTIER SEWER	301-304	\$	220.00
ULSTER SEWER	301-324	\$	50,338.65
ULSTER WATER	301-319	\$	10,383.51
HALCYON PK. WATER	301-307	\$	636.42
SPRING LAKE WATER	301-303	\$	33,338.00
BRIGHT ACRES WATER	301-306	\$	1,839.65
CHERRY HILL WATER	301-302	\$	50.00
INSURANCE (ALL FUNDS)	301-3016	\$	73,393.93
MEDICARE REIMB.		\$	6,393.60
ELECTION	301-361	\$	8,293.63
CAPITAL PROJECTS			
TRUST & AGENCY	301	\$	482.49
GLENERIE WATER	301-302	\$	259,213.00
	TOTAL	\$	580,876.61

2nd by Councilman Brink

A Roll Call Vote was taken – Four Ayes - Supervisor Wadnola was absent

Council Member Wise motioned to award the following to the salt and chemical bidders (bid open on 2/26/2004 at 3:00 PM):

Companies	Product
Cargill	Salt - \$ 77.00 per ton
DUSO Chemicals	Potassium Permanganate -\$1.60 per pound
DUSO Chemicals	Chlorine Gas - \$.57 per lb.

2nd by Councilman Van Kleeck

A Roll Call Vote was taken – Four Ayes - Supervisor Wadnola was absent

To authorize the Supervisor to send letters and other means to support the Collateral Source Bill

Council Member Wise read and motioned the following:

RESOLUTION AUTHORIZING LETTERS IN SUPPORT OF NEW YORK STATE ASSEMBLY BILL NO. 3483 AND NEW YORK STATE SENATE BILL NO. 622 AMENDING SECTION 4545 OF TILE NEW YORK STATE CIVIL PRACTICE LAWS AND RULES.

WHEREAS, the Town Board has reviewed and considered State legislation which would amend Section 4545 of the New York State Civil Practice Laws and Rules; and

WHEREAS, the Town Board believes that this proposed legislation will provide much

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needed equity for municipalities, including the Town of Ulster when a lawsuit is brought against a municipality by one of its employees; and

WHEREAS, the County of Ulster, Town of Esopus, Town of Lloyd, Town of Marlborough, Town of Rochester, Town of Rosendale, Town of Woodstock, Town of Olive and Village of Saugerties have already expressed support for this legislation; and

WHEREAS, the Town of Ulster would like to express its support of this legislation.

NOW, THEREFORE IT IS RESOLVED, by at least a majority of the Town Board, in accordance with applicable law, as follows:

1. The Town Board hereby requests that the Supervisor or Deputy Supervisor send letters in support of NEW YORK STATE ASSEMBLY BILL NO. 3483 and NEW YORK STATE BILL NO. 622 to the Governor's counsel, Senate Majority Leader, Assembly Speaker, and the town's State Assemblyman and State Senator
2. The Supervisor or Deputy Supervisor is hereby authorized to take such further actions and execute such additional documents and instruments as may be necessary or desirable to carry out the intent of the foregoing resolution.

2nd by Councilman Van Kleeck
Four Ayes - Supervisor Wadnola was absent

To set regulations regarding open burning

Council Member Wise motioned to table the burning ordinance resolution pending further revision and review

2nd by Councilman Van Kleeck
Four Ayes - Supervisor Wadnola was absent

To amend the Alarm Law

Councilman Brink motioned to adopt the following:

LOCAL LAW NO. 1 FOR THE YEAR 2004, AMENDING CHAPTER 54, SECTIONS 54-9 AND 54-10 OF THE ULSTER CODE, ALARM SYSTEM LOCAL LAW OF THE TOWN OF ULSTER, IN PART

Article 54, Sections 54-9 and 54-10 are hereby amended to read as follows:

§54-9 PENALTIES FOR FALSE ALARMS

- A. Upon the second (2nd) false alarm, in any one (1) calendar year, the holder of the permit shall be sent written notice, by certified or registered mail, from the Police Chief, of fees payable upon all subsequent false alarms.

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- B. Upon the third (3rd) false alarm in any one (1) calendar year, the holder of the permit shall be assessed a fee of Fifty (\$50.00) dollars by the Town Police Department, and for each subsequent false alarm thereafter, the fee shall be increased by the sum of Twenty-five (\$25.00) dollars to a maximum fee of Two Hundred (\$200.00) dollars per violation.
- C. After the thirteenth (13th) false alarm in any one (1) calendar year, the Police Chief is authorized, but not required, to revoke the permit.
- D. The failure to pay any assessment within fifteen (15) days after assessment by the Town Police Department may result in the immediate disconnection of the alarm system, revocation of the permit, and/or issuance of an appearance ticket by any Town Police Officer or any peace officer within the Town to prosecute any such person or persons with a violation of this Town law. Anyone found guilty of such a violation shall be subject to a fine, to be set by the court, not to exceed Five Hundred (\$500.00) dollars.
- E. The Police Chief shall have the authority to disregard a false alarm or alarms from the annual total for good cause shown. The Police Chief shall maintain records concerning the reasons any such alarm was disregarded.

§54-10 PENALTIES FOR OFFENSE

In addition to the suspension or revocation of a license or permit, a violation of this local law may subject the violator to the following fines and penalties:

- A. Alarms Users.
 - (1) Operating, maintaining, monitoring or installing an alarm system without a permit: a fine of Two Hundred Fifty (\$250.00) dollars.
 - (2) Operating, maintaining, monitoring or installing an alarm system after a permit has been suspended or revoked: a fine of Two Hundred Fifty (\$250.00) dollars.
- B. Each day that a violation continues shall constitute a separate offense of operating without a permit or operating with a revoked permit.

2nd by Councilman Van Kleeck

A Roll Call Vote was taken – Four Ayes - Supervisor Wadnola was absent

To award bid for 1—2004 Tandem chassis & 1—14 ft 12/14 dump body
[bid opening on March 11, 2004 at 2:00 PM]

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Councilman Van Kleeck motioned to award \$82,773.31 to Mid-Hudson Mac for a 2004 tandem chassis

2nd by Councilman Brink

A Roll Call Vote was taken – Four Ayes - Supervisor Wadnola was absent

Councilman Van Kleeck motioned to award \$19,679.00 to Amthor Welding for a 14 Foot 12/14 cubic yard heavy-duty municipal dump body & hoist package

2nd by Councilman Brink

A Roll Call Vote was taken – Four Ayes - Supervisor Wadnola was absent

To change EMS provider status for Ulster Fire District #1 (Spring Lake) to Mobile Life

Councilman Artist motioned to remove Alamo Ambulance service from providing bi-monthly EMS service for Ulster Fire District #1 (Spring Lake) and for the town to write notification letters to 911 Dispatch Center and Mobile Life. Mobile Life would respond to all emergencies unless specifically requested by the 911 calling party or if they were unavailable to respond.

2nd by Councilman Van Kleeck

Four Ayes - Supervisor Wadnola was absent

To oppose enforcement of Breed Specific Legislation Bill # A09389

Council Member Wise motioned for authorization from the Town Board to write to the town's NY State Senator and Assemblyman in opposition to the breed specific legislation bill #A-09389

2nd by Councilman Artist

3 Ayes - 1 Nay by Councilman Brink - Supervisor Wadnola was absent

To support the E. Kingston Volunteer Fire Company's grant application to Dept. of Homeland Security

Council Member Wise read and motioned the following:

IN SUPPORT OF THE EAST KINGSTON VOLUNTEER FIRE COMPANY'S
APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR
THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

WHEREAS, The East Kingston Volunteer Fire Company is the primary response fire/emergency unit for the Ulster County side of the Kingston Rhinecliff Bridge, maintaining a fire station within its one mile radius, and

WHEREAS, The Kingston Rhinecliff Bridge is a critical piece of highway infrastructure connecting Ulster County with northern Dutchess County allowing over 7 million vehicles a year to cross over the Hudson River, and

WHEREAS, The Kingston Rhinecliff Bridge also functions as an alternate route for vehicles in the event of a traffic disruption at the Mid-Hudson Bridge, responsible for 13.5 million vehicles a year crossing the Hudson River, and

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WHEREAS, The Ulster County Comprehensive Emergency Management Plan cited in it's Executive Summary that "HAZ MAT in transit" (Hazardous Materials) is the greatest threat in Ulster County, and

WHEREAS, the safety of the volunteer fire fighter is crucial to effective vehicular emergency response; a proper respiratory breathing apparatus being an essential part of that effort,

RESOLVED, that the Ulster County Legislature supports the grant application of The East Kingston Volunteer Fire Company to the U.S. Dept. of Homeland Security in an effort to secure 17 OSHA compliant Scott Air Paks helping to secure a crucial highway bridge transportation link

FINANCIAL IMPACT: NONE

2nd by Councilman Van Kleeck

A Roll Call Vote was taken – Four Ayes - Supervisor Wadnola was absent

Councilman Brink motioned to adjourn the meeting at 7:55 PM

2nd by Councilman Artist

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk