

ULSTER TOWN BOARD MEETING
May 3, 2004 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WADNOLA, 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

CORRESPONDENCE - none

TOWN BOARD REPORTS – none

Presentation: Sharon LaRose- Pregnancy Support Center

Mrs. LaRose gave a brief overview of the Pregnancy Support Centers that are located in Saugerties and New Paltz. They are a non-profit organization supported by private donations and local churches. Among their services, they offer pregnancy assistance and parenting courses. She asked people to share this information with their friends and families, to make the public aware of the organization.

Resolution:

To authorize the issuance of Serial Bonds not exceeding \$2,760,000. for the establishment of the East Kingston Water District

Supervisor Wadnola read and motioned the following:
BOND RESOLUTION DATED May 3, 2004.

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,760,000 SERIAL BONDS OF THE TOWN OF ULSTER, ULSTER COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF EAST KINGSTON WATER DISTRICT IN SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12-A of the Town Law, the Town Board of the Town of Ulster, Ulster County, New York, has established East Kingston Water District of the Town of Ulster; and

WHEREAS, it is now desired to authorize the financing of the improvements proposed for such District; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the improvements in connection with the establishment of East Kingston Water District, consisting of the construction of a water distribution system, including a transmission line, mains, valves, a storage tank, as well as

ULSTER TOWN BOARD MEETING

May 3, 2004 AT 7:00 PM

original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, as further described in the map, plan and report prepared in connection with the establishment of such District, there are hereby authorized to be issued not exceeding \$2,760,000 serial bonds of the Town of Ulster, Ulster County, New York pursuant to the provisions of the Local Finance Law.

Section 2. The project has been determined to be an "Unlisted Action" for purposes of the State Environmental Quality Review Act which the Town Board as lead agency has determined will not result in any significant environmental effects.

Section 3. It is hereby determined that the maximum estimated cost of the aforesaid improvements is \$2,760,000 and that the plan for the financing thereof is by the issuance of \$2,760,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution;

PROVIDED, HOWEVER, that, to the extent that any grants-in-aid are received for such project, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said Town of Ulster, Ulster County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid from other sources, there shall be annually assessed upon and collected from the several lots and parcels of land within said East Kingston Water District at the same time and in the same manner as ad valorem taxes, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds.

ULSTER TOWN BOARD MEETING

May 3, 2004 AT 7:00 PM

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the Daily Freeman, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

2nd by Councilman Brink
A Roll Call Vote was taken – All Ayes

To Support the Kingston/Ulster Empire Zone Revision Application

Supervisor Wadnola read and motioned the following:

RESOLUTION OF 2004 TOWN OF ULSTER
RESOLUTION OF SUPPORT AND CONCURRENCE WITH THE KINGSTON/ULSTER
EMPIRE ZONE (FORMERLY ECONOMIC DEVELOPMENT ZONE)
REVISION APPLICATION

WHEREAS, New York State has created the Economic Development Zone program to encourage industrial and commercial development in selected municipalities across the State, and

WHEREAS, the City of Kingston (Ulster County), as an eligible municipality, received designation of an Economic Development Zone made up of sub-zones including portions of the City of Kingston, Town of Ulster, Town of Saugerties, Town of Wawarsing, Town of Lloyd,

ULSTER TOWN BOARD MEETING

May 3, 2004 AT 7:00 PM

Town of Marlborough, Town of Olive, Village of Saugerties and Village of Ellenville, and

WHEREAS, New York State has amended the Zones program to increase benefits and allow additional sub-zones, and

WHEREAS, the City of Kingston (Ulster County) intends to revise the Economic Development Zone boundaries (now referred to as Empire Zones) to encourage industrial and commercial development and to allow for the creation of an additional sub-zone in the Town of Ulster, and

WHEREAS, the Town of Ulster is committed to the development of business within the proposed sub-zone, and

WHEREAS, the Town of Ulster wishes to support and concur with the Kingston/Ulster Empire Zone revision application,

NOW, THEREFORE, be it resolved that the Town of Ulster Board, in its capacity as governing body of the town/village, does hereby support and concur with the City of Kingston (Ulster County) Empire Zone revision application.

2nd by Councilman Van Kleeck

A Roll Call Vote was taken – All Ayes

To deny the annexation of the property of Timothy and Frances Kovacs

Supervisor Wadnola read and motioned the following:

RESOLUTION, FINDINGS AND ORDER OF TOWN BOARD DENYING PETITION FOR ANNEXATION

WHEREAS, a petition, pursuant to General Municipal Law Article 17 was presented to the Town Board of the Town of Ulster, New York on January 15, 2004, for the annexation of certain territory in the Town to the City of Kingston from Timothy Kovacs and Frances Kovacs for a certain parcel of land known as Section 56.9 Block 4 Lot 32.200, commonly known as 6 Anand Place, said territory being described in said petition which is annexed hereto as Exhibit "A", and which adjoins the City of Kingston along the western boundary of Elaine Drive, and

WHEREAS, notice of a joint public hearing was duly given, and a joint public hearing of the Town Board of the Town of Ulster was duly held on said petition for annexation, according to the law in such cases made and provided, at the Town Hall, Town of Ulster on February 24, 2004, at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS, the Town Board heard comments from certain interested parties, and

WHEREAS, the Town Board of the Town of Ulster has duly considered the effects annexation would have on the territory proposed to be annexed on the City of Kingston, on the Town of

ULSTER TOWN BOARD MEETING

May 3, 2004 AT 7:00 PM

Ulster, on the school district and other special districts, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town Ulster finds as follows:

1. That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.
2. That the proposed annexation of certain territory in the Town to the City of Kingston as described in the aforesaid petition is not in the overall public interest because the Town of Ulster would lose land which would support good development and generate tax revenues for the Town of Ulster. The City of Kingston could extend sewer and water service to said parcel and generate service fees for its water and sewer departments. The exchange of services could be the subject of an inter-municipal agreement for which the Town is favorably disposed, and it is

NOW, THEREFORE, IT IS ORDERED that the consent and approval of the Town Board of the Town is hereby denied in the overall public interest to the annexation of the territory now situated in the Town and described in the aforesaid petition (exhibit "A") to the City of Kingston, and it is

ORDERED that the Town of Ulster shall sign and file an Order confirming its determination pursuant to General Municipal Law Article 17.

2nd by Councilman Artist

A Roll Call Vote was taken – All Ayes

To Authorize Supervisor Wadnola and Councilmember Brink to attend the Fourth Annual Town Finance & Management School in Saratoga Springs on May 12, 13, & 14, 2004. The cost is \$525 per person

Councilman Van Kleeck motioned to approve the following:

Resolution to Authorize Supervisor Wadnola and Council Member Brink to attend Town Finance and Management School

Whereas, the Fourth Annual Town Finance and Management School, co-sponsored by the Association of Towns and the New York State Office of the State Comptroller will be held in Saratoga Springs, NY on May 12, 13, & 14, 2004, and

Whereas, Supervisor Wadnola and Council Member Brink, (who is a member of the finance committee), have requested that they be authorized to attend the Fourth Annual Town Finance and Management School at a charge not to exceed \$525 per person, therefore be it

Resolved, that the Town of Ulster Town Board authorize Supervisor Wadnola and Council Member Brink to attend the Fourth Annual Town Finance and Management

ULSTER TOWN BOARD MEETING

May 3, 2004 AT 7:00 PM

School in Saratoga Springs, NY on May 12, 13, & 14, 2004

2nd by Councilman Artist

A Roll Call Vote was taken – All Ayes

Supervisor Wadnola motioned to approved the following:

BUDGET MODIFICATIONS:

General

Modify Revenue A2705 (Gifts & Donations) and appropriation A3120.440 (Car Seat Grant)
donation from Susan Worthman \$20.00

Modify Revenue A4389 (Safety/Fed.Aid) and appropriation A3120.104 (P/T Police wages)
Grant #2002SHWX0704 for P/T Police Officers \$14,562.16

Modify Revenue A2680 (Insurance Recoveries) and appropriation A5132.421 (Veh.Maint.)
damage reimb. to Ford Explorer from Selective Insurance (Hwy) \$1,165.27

Modify A3121.400 (Drug Enforcement) to be funded through A5110 (appropriated Reserve)
expenditures for renovations to Detective's Room GMS Construction \$11,700.00, Carpet Garage
\$220.00, Lowes \$126.59 \$12,046.59

General :

Transfer From	Transfer To	
A1990.400 Contingency	A3620.421 Veh. Maint.	\$1,000.00
A1990.400 Contingency	A5132.421 Veh. Maint.	500.00
A3120.100 Police Wages	A1620.454 Maintenance	10,800.00

General:

Modify Revenue A4389 (Safety/Fed. Aid) and Appropriation A3120.430 (Clothing/Cleaning)
Grant for Bulletproof Vest Partnership for Police \$ 3,823.93

2nd by Councilman Brink

A Roll Call Vote was taken – All Ayes

Councilman Van Kleeck motioned to adjourn the meeting at 7:55 PM

2nd by Councilman Brink

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk