

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

**CALLED TO ORDER BY SUPERVISOR WADNOLA, CHAIRMAN**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN ARTIST  
TOWN COUNCILMAN VAN KLEECK  
TOWN COUNCILMAN BRINK  
TOWN COUNCIL MEMBER WISE  
SUPERVISOR WADNOLA

**CORRESPONDENCE**

Assemblyman Kevin Cahill – A letter of receipt was read stating his support for the elimination of the sunset provision of the Local Government Records Management Improvement Fund.

Hudson Valley Ice & Sports, Inc. – A letter was read asking for a one-year extension of the site plan approval.

**COMMITTEE REPORTS**

Council Member Wise reported from the Buildings and Grounds Committee, that there is still some more work being performed on the A/C for the Town Hall. A valve still has to be changed.

Councilman Van Kleeck motioned to allow the Highway Department to go out to bid for a dump truck replacement (The old one had a cracked frame and was not able to be repaired)

2<sup>nd</sup> by Councilman Brink

All Ayes

Councilman Van Kleeck motioned to allow James Maloney, the Town Assessor, to attend a seminar on marina assessment in Fishkill, NY for \$85. (This is a required elective for the assessor to maintain his state accreditation)

2<sup>nd</sup> by Council Member Wise

A Roll Call Vote was taken – All Ayes

Councilman Artist announced the Town of Ulster Summer Camp Program

Supervisor Wadnola announced the 3<sup>rd</sup> Annual Flag Day Parade on June 13, 2004 at 3 PM

Council Member Wise motioned to hire Paul Gambino as a part time police officer at \$16.87 an hour effective immediately

2<sup>nd</sup> by Councilman Van Kleeck

A Roll Call Vote was taken – All Ayes

**DEPARTMENT HEAD REPORTS**

Town Clerk's Office – The monthly report was read.

Water Department – The Monthly report was read.

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

Highway Department – “Mac” Tinnie, the Town Highway Superintendent, reported big paving was going on in the town. The problem is that his crews can’t be on all the town roads at the same time. The Department will be moving over to its summer hours of 6AM-2 PM.

Town Assessor – The Town tentative assessment roll was filed on April 30, 2004.

Building Department- Monthly building report was read.

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Councilman Brink motioned to approve the minutes of April 5, 2004 and April 19, 2004  
2<sup>nd</sup> by Councilman Van Kleeck

All Ayes

**ABSTRACT OF CLAIMS**

Supervisor Wadnola motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	501-529	\$ 7,247.44
ULSTER WATER	501-506a	\$ 4,759.34
HALCYON PK. WATER	501	\$ 297.20
SPRING LAKE WATER	501-503	\$ 167.08
BRIGHT ACRES WATER	501	\$ 191.96
WHITTIER SEWER	501	\$ 42.29
ULSTER SEWER	501-506	\$ 4,856.10
SPECIAL LIGHT	501-506	\$ 2,421.70
ALL OTHERS		
GENERAL	501-5152	\$ 163,457.82
HIGHWAY	501-530	\$ 16,933.66
WHITTIER SEWER	510-503	\$ 155.00
ULSTER SEWER	501-524	\$ 16,662.92
ULSTER WATER	501-526	\$ 28,996.92
HALCYON PK. WATER	501-503	\$ 184.02
SPRING LAKE WATER	501-502	\$ 28,757.80
BRIGHT ACRES WATER	501-506	\$ 423.75
CHERRY HILL WATER	501-502	\$ 8,647.50
INSURANCE (ALL FUNDS)	501-516	\$ 74,969.29
CAPITAL PROJECTS		
TRUST & AGENCY	501-503	\$ 11,704.73
GLENERIE WATER	501-503	\$ 822,588.50
COMMUNITY DEVELOPMENT	501-504	\$ 3,543.59
DRAINAGE PROJECTS	501-517	\$ 36,596.78
	<b>TOTAL</b>	<b>\$ 1,233,605.39</b>

2<sup>nd</sup> by Councilman Van Kleeck

A Roll Call Vote was taken – All Ayes

**Presentation: S.T.E.M.**

Mr. Hans Funcicious stated the “Stop the Eddyville Mine” group collected over 2,000 signatures against the project. The group has successfully lobbied the municipalities of the Town of New Paltz, Town of Rosendale, City of Kingston and Ulster County. He stated that his group felt that a zoning change was needed to prevent mining in the Town of Ulster. He thanked the Town Board for their time and consideration in this matter.

**Setting Dates for Public Hearings:**

The Town Board set a public hearing to establish a service awards program for volunteer firefighters in the East Kingston Fire Company, who contract with the Town of Ulster to provide fire protection, on June 17, 2004 at the East Kingston Firehouse at 7:00 PM

The Town Board set a public hearing for a local law to eliminate the special use permit in R-60 zone on June 10, 2004 at 7:00 PM at the Ulster Town Hall

**To designate Parcel 47.004-1-29.2 (Carlson) as an open development area**

Supervisor Wadnola read and motioned the following:

**RESOLUTION TO DESIGNATE AN OPEN DEVELOPMENT AREA -CARLSON**

WHEREAS, the Planning Board has received an application for a four lot subdivision from G. & V. Carlson, R. Maim and M. Mulligan for property off Gallis Hill Road (S-B-L: 47.004-1-29.2); and

WHEREAS, the lots which would be created by such subdivision do not have direct frontage on an existing or approved street or highway, as required by §280-a.1 of New York State Town Law for issuance of a building permit; and

WHEREAS, §280-a.4 of New York State Town Law authorizes the town Board to establish an “open development area” in which building permits may be issued when access is provided by right-of-way or easement “upon such conditions and subject to such limitations as may be prescribed by general or special rule of the Planning Board;” and

WHEREAS, the Town of Ulster Planning Board regularly reviews and approves subdivisions under the provisions of Chapter 11 of the Town Code and is very familiar with the need to provide safe and efficient access to all structures and properties in the Town; and

WHEREAS, the Planning Board has reviewed the proposed access road to the proposed subdivision and determined that it will provide safe access to the proposed lots; and

WHEREAS, the Town Attorney has reviewed and approved the proposed road maintenance agreement; and

WHEREAS, the only other relief available in such instances requires a variance, in each case,

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

from the Zoning Board of Appeals; and

WHEREAS, The Town Board wishes to make the development approval process as timely and efficient as possible within the bounds of public safety;

NOW, THEREFORE, BE IT RESOLVED by the Town of Ulster Town Board that:

1. Parcel 47.004-1-29.2 is hereby established as an open development area as authorized by §280-a.4 of New York State Town Law.
2. The Building Inspector is hereby authorized to issue building permits for the erection of buildings on such lots.

2<sup>nd</sup> by Councilman Brink  
All Ayes

**To designate Parcel 48.013-1-38.21 (Beisswenger) as an open development area.**

Supervisor Wadnola read and motioned the following:

**RESOLUTION TO DESIGNATE AN OPEN DEVELOPMENT AREA - BEISSWENGER**

WHEREAS, The Planning Board has received an application for a four lot subdivision from Thomas Beisswenger, et al for property off Ulster Landing Road (S..B-L: 48.013-1-38.21); and

WHEREAS, the lots which would be created by such subdivision do not have direct frontage on an existing or approved street or highway, as required by §280-a.1 of New York State Town Law for issuance of a building permit; and

WHEREAS, §280-a.4 of New York State Town Law authorizes the town Board to establish an “open development area” in which building permits may be issued when access is provided by right-of-way or easement “upon such conditions and subject to such limitations as may be prescribed by general or special rule of the Planning Board;” and

WHEREAS, the Town of Ulster Planning Board regularly reviews and approves subdivisions under the provisions of Chapter 161 of the Town Code and is very familiar with the need to provide safe and efficient access to all structures and properties in the Town; and

WHEREAS, the Planning Board has reviewed the proposed access road to the proposed subdivision and determined that it will provide safe access to the proposed lots; and

WHEREAS, the Town Attorney has reviewed and approved the proposed road maintenance agreement; and

WHEREAS, the only other relief available in such instances requires a variance, in each case, from the Zoning Board of Appeals; and

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

WHEREAS, The Town Board wishes to make the development approval process as timely and efficient as possible within the bounds of public safety;

NOW, THEREFORE, BE IT RESOLVED by the Town of Ulster Town Board that:

1. Parcel 48.013-1-38.21 is hereby established as an open development area as authorized by §280-a.4 of New York State Town Law.
2. The Building Inspector is hereby authorized to issue building permits for the erection of buildings on such lots.

2<sup>nd</sup> by Council Member Wise  
All Ayes

**To refer a request for zoning change of property at 411 Lucas Ave. to Town and County Planning Dept.**

The above matter was pulled from the agenda by the Town Supervisor at the request of the applicant.

**To refer a request for zoning change eliminating special use permit mining in R-60 districts to the Town of Ulster Planning Board and the County Of Ulster Planning Board**

Council Member Wise motioned to refer a request for zoning change eliminating the special use permit for mining in R-60 districts to the Town of Ulster Planning Board and the County of Ulster Planning Board

2<sup>nd</sup> by Councilman Van Kleeck  
All Ayes

**To Transfer monies from the Landfill Closure Reserve Fund to the Equipment Reserve Fund for the purchase of the Trane Model TTA1 80B300F- 15 Ton, 2 stage Air conditioning Condensing unit from Jeff Lowe Plumbing, Heating A/C, Inc. for the Ulster Town Hall Police Dept. in the amount of \$20,430.00.**

Supervisor Wadnola read and motioned the following:

RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER PURSUANT TO SECTION 6-c (9-a) TO TRANSFER MONIES FROM THE LANDFILL CLOSURE RESERVE FUND FOR THE PURCHASE OF TRANE MODEL TTA180B300F- 15 TON, 2 STAGE AIR CONDITIONING CONDENSING UNIT AND HEATING SYSTEM REPLACEMENT FROM JEFF LOWE PLUMBING, HEATING A/C, INC FOR THE ULSTER TOWN HALL IN THE AMOUNT OF \$20,430.00 TO THE EQUIPMENT RESERVE FUND

WHEREAS on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

the "LANDFILL CLOSURE RESERVE FUND" to finance the closing of the town's landfill, and,

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund, and

WHEREAS the supervisor was authorized to invest from time to time the monies of said fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill and,

WHEREAS the money deposited in the Landfill Closure Reserve Fund in the amount of \$1,880,776.43 is no longer needed for this purpose and may be transferred to another capital account pursuant to the authority vested in General Municipal Law Section 6-c (9-a), and

WHEREAS it is proposed to transfer the sum of TWENTY THOUSAND FOUR HUNDRED THIRTY and 00/100 (\$20,430.00) DOLLARS from said fund to the Equipment Reserve Fund for the purchase and installation of a Trane Model TTA180B300F- 15 ton, 2 stage air conditioning condensing unit and Heating system replacement from Jeff Lowe Plumbing, Heating A/C. INC for the Ulster Town Hall, NOW THEREFORE,

BE IT RESOLVED that the supervisor of the Town of Ulster be and he is authorized to expend monies from the Landfill Closure Reserve Fund in the sum of TWENTY THOUSAND FOUR HUNDRED THIRTY and 00/100 (\$20,430.00) DOLLARS (\$20,430.00) DOLLARS from said fund to the Equipment Reserve Fund for the purchase and installation of a Trane Model TTA180B300F- 15 ton, 2 stage air conditioning condensing unit and heating system replacement from Jeff Lowe Plumbing, Heating A/C. INC for the Ulster Town Hall.

2<sup>nd</sup> by Councilman Van Kleeck  
A Roll Call vote was taken - All Ayes

**To expend monies from the Equipment Reserve Fund for the purchase of the Trane Model TTA180B300F- 15 Ton, 2 stage Air conditioning Condensing unit from Jeff Lowe Plumbing, Heating A/C, Inc. for the Ulster Town Hall Police Dept. in the amount of \$20,430.00. This resolution is subject to permissive referendum.**

Supervisor Wadnola read and motioned the following:  
RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER PURSUANT TO SECTION 6-c OF THE GENERAL MUNICIPAL LAW TO EXPEND MONIES FROM THE EQUIPMENT RESERVE FUND FOR THE PURCHASE OF TRANE MODEL TTA180B300F- 15 TON, 2 STAGE AIR CONDITIONING CONDENSING UNIT AND HEATING SYSTEM REPLACEMENT FROM JEFF LOWE PLUMBING, HEATING A/C, INC FOR THE ULSTER TOWN HALL IN THE AMOUNT OF \$20,430.00

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

WHEREAS on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "EQUIPMENT RESERVE FUND" to finance the purchase of equipment, and,

WHEREAS monies have been deposited in a bank account known as the Equipment Reserve Fund, and

WHEREAS the supervisor was authorized to invest from time to time the monies of said fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

WHEREAS said resolution was subject to permissive referendum as provided by Section 8 1, sub 1, paragraph h, and,

WHEREAS, it is proposed to transfer and expend the sum of TWENTY THOUSAND FOUR HUNDRED THIRTY and 00/100 (\$20,430.00) DOLLARS from the Equipment Reserve Fund for the purchase and installation of a Trane Model TTA180B300F- 15 ton, 2 stage air conditioning condensing unit and heating system replacement from Jeff Lowe Plumbing, Heating A/C, INC for the Ulster Town Hall, NOW THEREFORE,

BE IT RESOLVED that the supervisor of the Town of Ulster be and he is authorized to expend monies from the Equipment Reserve Fund in the amount of TWENTY THOUSAND FOUR HUNDRED THIRTY and 00/100 (\$20,430.00) DOLLARS from said fund to the Equipment Reserve Fund for the purchase and installation of a Trane Model TTA180B300F- 15 ton, 2 stage air conditioning condensing unit and heating system replacement from Jeff Lowe Plumbing, Heating A/C, INC for the Ulster Town Hall.

2<sup>nd</sup> by Councilman Van Kleeck  
A Roll Call vote was taken - All Ayes

Supervisor Wadnola read and motioned the following:

**Resolution authorize Supervisor Wadnola to sign and expedite the renewal of the contract for cell phones with Nextel.**

Whereas, the current contract with Hudson Valley Cellular is due to expire and the Town of Ulster wishes to continue its current cellular telephone service, and

Whereas, Hudson Valley Cellular has proposed a new contract with the Town of Ulster which will continue its current cellular telephone service and has proposed a reduction in cost by moving the cellular service to Nextel,

Now, therefore be it resolved, that the Town of Ulster Town Board authorize Supervisor Wadnola as the Chief Fiscal Officer to enter into contract with Hudson Valley Cellular to expedite the Nextel cellular telephone service for the Town.

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

2<sup>nd</sup> by Council member Wise  
All Ayes

Supervisor Wadnola read and motioned the following:

**Resolution: to appoint Joseph Garvila as a Full-time Police Officer with the Town of Ulster Police Department.**

Whereas, the Town Board of the Town of Ulster has determined that there is a need to fill a vacancy for a police officer in the Town of Ulster Police Department, and

Whereas, there is a current civil service list of available candidates to fill the vacancy,

Now, therefore be it Resolved, that the Town of Ulster Town Board appoints Joseph Garvila from the current Civil Service list as a probationary police officer on the Town of Ulster Police Department (effective immediately).

2<sup>nd</sup> by Council Member Wise  
A Roll Call Vote was taken – All Ayes

Supervisor Wadnola read and motioned the following:

**Resolution: to appoint Lisa Petramale as a Part-time Payroll Clerk in the Supervisor's office**

Whereas, the Town Board of the Town of Ulster has determined that there is a need to create a position of part-time Payroll Clerk in the Supervisor's Office and

Now, therefore be it Resolved, that the Town of Ulster Town Board appoints Lisa Petramale as a Part-time Clerk in the Supervisor's Office at a starting salary of \$9.25 per hour at Step 1, Grade 5.

Whereas, the Town Board of the Town of Ulster has determined that there is a need to create a position of part-time Payroll Clerk in the Supervisor's Office and

Now, therefore be it Resolved, that the Town of Ulster Town Board appoints Lisa Petramale as a Part-time Clerk in the Supervisor's Office at a starting salary of \$9.25 per hour at Step 1, Grade 5.

2<sup>nd</sup> by Councilman Brink  
A Roll Call Vote was taken – All Ayes

Supervisor Wadnola read and motioned the following:

**Resolution: To name the Kingston/Ulster Empire Zone Administrative Board as the Lead Agency for the purpose of the environmental review of zone projects**

Whereas, the administrative Board of the Kingston/Ulster Empire Zone has requested that they be designated as the Lead Agency for the purpose of the environmental review for the properties



ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

in the Empire Zone, and

Whereas, the Town Board of the Town of Ulster agrees with the Administrative Board for the Kingston/Ulster Empire Zone that the Administrative Board should be the Lead Agency for the purpose of the environmental reviews for inclusion of properties in the Empire Zone

Now, therefore be it Resolved that the Town Board of the Town of Ulster consents that the Kingston/Ulster Empire Zone Administrative Board be designated as Lead Agency for the purpose of the environmental review for projects located in the Empire Zone.

2<sup>nd</sup> by Councilman Van Kleeck  
A Roll Call Vote was taken – All Ayes

Supervisor Wadnola read and motioned the following:

**Budget Modifications:**

Transfer from	Transfer to:	
SS2-8110.453 Lab Fees	SS2-1990.481 Sewer Rents City of Kingston	805.00

2<sup>nd</sup> by Council Member Wise  
A Roll Call Vote was taken – All Ayes

**To authorize expenditure from the Sewer Connection Impact Fee Trust Fund in the amount of \$34,000.00 to purchase and install a Grit Washier from Arold Paving Co. Inc. and \$288.00 for professional services from Brinnier and Larios, PC.**

Supervisor Wadnola read and motioned the following:

**RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER, PURSUANT TO SECTION 6-f OF THE GENERAL MUNICIPAL LAW TO EXPEND MONIES FROM THE SEWER IMPACT FEE TRUST FUND TO PURCHASE AND INSTALL A GRIT WASHER AND ENGINEERING SERVICES IN THE SUM OF \$34,288.00 FROM AROLD PAVING AND BRINNIER AND LARIOS PC.**

WHEREAS the Town of Ulster has, by Local Law # 6 of the Year 1988, established a schedule of sewer capital improvement fees and established in connection therewith a Sewer Connection Impact Fee Trust Fund, and

WHEREAS money in the trust fund has been deposited in a bank account, and

WHEREAS said resolution was subject to permissive referendum as provided by Section 81, sub 1, paragraph h, and,

WHEREAS it is proposed to transfer and expend the sum of THIRTY FOUR THOUSAND and 00/100 (\$34,000.00) DOLLARS from such fund to purchase and install a Grit Washer from Arold Paving Company INC. and TWO HUNDRED EIGHTY EIGHT and 00/100 (\$288.00) for professional services from Brinnier and Larios, PC., NOW THEREFORE,

ULSTER TOWN BOARD MEETING  
MAY 17, 2004 AT 7:00 PM

BE IT RESOLVED that the Supervisor of the Town of Ulster is authorized to expend monies from the Sewer Connection Impact Fee Trust Fund in the amount sum of THIRTY FOUR THOUSAND and 00/100 (\$34,000.00) DOLLARS from such fund to purchase and install a Grit Washer from Arold Paving Company INC. and TWO HUNDRED EIGHTY EIGHT and 00/100 (\$288.00) for professional services from Brinnier and Larios, PC.

2<sup>nd</sup> by Council Member Wise  
A Roll Call Vote was taken – All Ayes

Council Van Kleeck motioned to adjourn the meeting at 8: 40 PM  
2<sup>nd</sup> by Council Member Wise  
All Ayes

Respectfully Submitted by  
Jason Cosenza, RMC  
Ulster Town Clerk