

ULSTER TOWN BOARD MEETING
SEPTEMBER 20, 2004 AT 7:00 PM

CALLED TO ORDER BY DEPUTY SUPERVISOR WADNOLA, CHAIRMAN at 7:00PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK

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

COMMUNICATIONS

Ulster County Legislator Chairman Gerentine – A letter was read stating the county was supporting the town’s restoration of the original fine distribution formula in NY State to provide towns with necessary revenues

Supervisor Wadnola announced that the Town had received a sales tax check from the county in the amount of \$61,000.00.

Emergency Communication & Emergency Management - A letter was read congratulating Day Minervini on completing the following courses; code enforcement practices, inspecting existing structures, lead base paint regulations, overview of international fire code, and residential code in New York State.

Supervisor Wadnola announced that the Town received a check from the insurance company for repairs to the lower meeting room from the storm water damage.

COMMITTEE REPORTS

Supervisor Wadnola stated that he has instituted a new committee in the Town called the Information Services Committee. He appointed Councilmen Artist and Van Kleeck. The committee will oversee the town’s computer technology and networking.

Council Member Wise reported that the Town Finance Committee reviewed the abstract.

Councilman Van Kleeck motioned to grant permission to Highway Superintendent Tinnie to install a “Children at Play” sign and a “School Bus Stop Ahead” sign in Halcyon Park until a 30 mph speed limit could be imposed (This was done as a precautionary measure to slow down traffic because of the large number of school children in the area)

2nd by Supervisor Wadnola

All Ayes

Councilman Brink motioned to remove Leanne Pomeroy’s provisional title status and to hire her as a full-time permanent Court Clerk from the civil service list (see December 1, 2003 minutes)

2nd by Council Member Wise

Four Ayes – Councilman Artist was absent

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Councilman Brink would handle the civil service paperwork.
Supervisor Wadnola reported from the personnel committee that he has received a letter of resignation from Dale Dachenhausen, an employee from the town waste water management department.

Council Member Wise reported from the Recreation and Parks that the town parks are preparing to close.

Councilman Van Kleeck motioned to hire Lawrence Hand Jr. as a wastewater treatment worker effective immediately, at an hourly rate of \$9.25 (Grade 5 – Step 1), predicated upon him passing the physical exam
2nd by Council Member Wise
Four Ayes – Councilman Artist was absent.

Council Member Wise motioned to hire John Solian Jr. and Robert F. Libutti as part-time dispatchers at an hourly rate of \$12.11 an hour effective immediately
2nd by Councilman Van Kleeck
A Roll Call Vote was taken – Four Ayes – Councilman Artist was absent

DEPARTMENT HEAD REPORTS

Town Clerk – Read the monthly clerk’s report

Water Department – The monthly report was read. Glenerie Water District is ready for connections. There was 1 water break. The department plans to perform its annual hydrant flushing soon.

Highway Department – The monthly highway report was read. Things are plugging right along.

Assessor Office – The office is focusing on the 2005 tax roll.

Police Department - The monthly police report was read. They are waiting for the 30 mph speed limit to be posted in Halcyon Park.

Historic Committee - Mrs. Carbo reported that the Town of Ulster historic houses tour was a success. One hundred and seven people participated. The historic post cards are selling well. The Town Board thanked the Committee for their excellent work.

Building Department- The monthly report was read.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Wise motioned to approve the minutes of August 2, 2004, August 4, 2004, and August 16, 2004.

2nd by Councilman Brink

Four Ayes – Councilman Artist was absent

Councilman Brink motioned to approve the following:

ABSTRACT OF CLAIMS

| FUND | CLAIM # | AMOUNT |
|--------------|----------|--------------|
| UTILITIES | | |
| GENERAL | 901-936 | \$ 11,260.23 |
| ULSTER WATER | 901-906a | \$ 5,262.16 |

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| | | | |
|-----------------------|--------------|----|-------------------|
| HALCYON PK. WATER | 901 | \$ | 252.41 |
| SPRING LAKE WATER | 901-903 | \$ | 158.66 |
| BRIGHT ACRES WATER | 901 | \$ | 198.04 |
| WHITTIER SEWER | 901-902 | \$ | 421.13 |
| ULSTER SEWER | 901-907 | \$ | 7,383.08 |
| SPECIAL LIGHT | 901-906 | \$ | 2,594.73 |
| ALL OTHERS | | | |
| GENERAL | 901-9122 | \$ | 117,281.98 |
| HIGHWAY | 901-938 | \$ | 87,606.92 |
| WHITTIER SEWER | 901-904 | \$ | 1,573.00 |
| ULSTER SEWER | 901-926 | \$ | 22,946.00 |
| ULSTER WATER | 901-917 | \$ | 9,219.01 |
| HALCYON PK. WATER | 901-903 | \$ | 669.00 |
| SPRING LAKE WATER | 901 | \$ | 28,032.00 |
| BRIGHT ACRES WATER | 901-904 | \$ | 393.73 |
| CHERRY HILL WATER | 901 | \$ | 25.00 |
| INSURANCE (ALL FUNDS) | 901-916 | \$ | 72,753.04 |
| MEDICARE REIMB. | | \$ | 5,994.00 |
| ELECTION | 901-908 | \$ | 599.84 |
| CAPITAL PROJECTS | | | |
| GLENERIE WATER | 901-906 | \$ | 40,587.00 |
| DRAINAGE PROJECTS | 901-903 | \$ | 1,424.34 |
| EAST KINGSTON WATER | 901-905 | \$ | 9,645.44 |
| WASHINGTON AVE. SEWER | 901-906 | \$ | 35,575.90 |
| | TOTAL | \$ | 461,856.64 |

2nd by Council Member Wise

A Roll Call Vote was taken – Four Ayes – Councilman Artist was absent

Resolution to Hire Cost Control Associates, Inc. to do a review of energy bills for the Town of Ulster

Supervisor Wadnola read and motioned the following resolution:

Whereas, Cost Control Associates, Inc. made a presentation to the Town Board of the Town of Ulster on September 7, 2004 offering to review the utility bills of the Town to determine the correctness of the billing and

Whereas, the Town Board of the Town of Ulster has accepted the offer of Cost Control Associates, Inc. to review the Town's energy billing and

Now therefore be it resolved that the Town Board of the Town of Ulster hire Cost Control

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Associates, Inc. to conduct a review of the energy billing of the Town of Ulster at no charge to the Town. However, if they determine that the Town of Ulster was over-billed and a refund is calculated for the Town, Cost Control Associates, Inc. will receive fifty percent of any rebate.

2nd by Council Member Wise
Four Ayes – Councilman Artist was absent

Resolution for Dorothy Carbo to attend the Annual Statewide Training and update meeting of the Digital Towpath Website Users

Supervisor Wadnola read and motioned the following resolution:

Whereas, Digital Towpath provides the website for the Town of Ulster and

Whereas, they have received a SARA grant to make additional features available to the Website, and

Whereas, we are interested in including all possible features on our Website, and

Whereas, the annual statewide training for these features and update meeting will be held at SUNY Institute of Technology at Utica, NY on September 22, 2004

Now, therefore be it resolved that Dorothy Carbo, the webmaster of the Town of Ulster Website be allowed to attend the annual Digital Towpath update meeting on September 22, 2004 at Utica, NY. There will be no expense to the Town except the cost of mileage for travel to and from SUNY Institute of Technology

2nd by Councilman Brink
Four Ayes – Councilman Artist was absent

Resolution Supporting Restoration of Traffic Fine Revenue

Supervisor Wadnola read and motioned the following resolution:

Whereas, Vehicle and Traffic Law #1803 governs the disposition of fines and penalties collected in connection with convictions pursuant to the Vehicle and Traffic Law; and

Whereas, Chapter 56 of the Laws of 2004, effective August 20, 2004, changed the distribution of the fines taking them away from municipalities and placing them in the State Treasury; and

Whereas, this change in the fine and penalties distribution formula will result in a loss to local taxpayers of more than \$20 million in fine monies—monies which have historically been used to fund justice court operations; and

Whereas, the Town of Ulster will likely lose \$100,000 in 2004 and \$343,000 in 2005 in anticipated fine revenues; and

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Whereas, this State Budget provision with its immediate effective date will result in significant 2004 deficits and will negatively impact town property tax rates for 2005; NOW, THEREFORE BE IT

RESOLVED, that the Town of Ulster calls for the restoration of the original fine distribution formula in order to provide towns with necessary revenues to fund justice court operations; AND BE IT FURTHER

RESOLVED, that the Town of Ulster urges the passage of legislation introduced by Senator Bonacic (S.7757) and Assemblyman Cahill which amends the Vehicle and Traffic Law to restore this source of revenue to local governments; AND BE IT FURTHER

RESOLVED, that a copy of this resolution be sent to the Governor George E. Pataki; Joseph L. Bruno, Majority Leader of the Senate; Sheldon Silver, Speaker of the Assembly; Senator Elizabeth Little, Chair of the Local Government Committee; Assemblyman Robert Sweeney, Chair of the Local Government Conunittee; Senator Owen Johnson, Chair of the Finance Committee; Assemblyman Herman D. Farrell Jr., Chair of the Ways and Means Committee; Senator John A. DeFrancisco, Chair of the Judiciary Committee; Assemblywoman Helene E. Weinstein, Chair Judiciary Committee; and Senator John J. Bonacic and Assemblyman Kevin Cahill.

2nd by Councilman Brink
Four Ayes – Councilman Artist was absent

To grant an exemption for Town Taxes pursuant to Real Property Tax Law 406(3) for the tax parcels identified in Schedule “A” attached hereto

Supervisor Wadnola read and motioned to approve the following resolution:

WHEREAS, the Town Board previously authorized the Town Supervisor to execute on behalf of the Town a certain agreement for the purchase of water based on the terms and conditions set forth in that certain Memorandum of Agreement between the Town and the City of Kingston Board of Water Commissioner; and

WHEREAS, the Town Board reviewed and approved that certain Agreement dated July 20, 2004, by and between the Town of Ulster and the City of Kingston Water Department, by its Board of Commissioners (the “Agreement”), concerning the purchase and sale of a water supply for the following areas within the Town: Hillside Acres. Spring Lake, Route 32/East Kingston and the Ulster Water District; and

WHEREAS, Section 6(e) of the Agreement and Real Property Law Section 406(3) provides for a real property exemption for the City of Kingston Water Department owned tax parcels identified in Schedule “A” attached to the Agreement and attached hereto and made part hereof; and

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WHEREAS, the Town Board previously agreed in principle to exempt the City of Kingston Water Department tax parcels identified in Schedule "A" from all real property taxes, but Real Property Tax Law Section 406(3) only authorizes the Town to grant an exemption for Town real property taxes; and

WHEREAS, the Town and City of Kingston Water Department, by its Board of Commissioners desire to amend the Agreement to clarify that the Town shall exempt the City of Kingston tax parcels from Town real property taxes pursuant to Real Property Tax Law Section 406(3) and the Town shall rebate to the City of Kingston Water Department any county and school district real property taxes paid by the City of Kingston Water Department on the tax parcels identified in Schedule "A" attached hereto for the duration of said Agreement;

WHEREAS, the Town desires to assist the City of Kingston Water Department by authorizing the Town Assessor to assist the City of Kingston Water Department in connection with an Application for Corrected Tax Roll (RP-554) for the year 2004 and or an assessment review with respect to the tax parcels identified in Schedule "A" attached hereto; and

NOW, THEREFORE, BE IT RESOLVED by at least a majority plus one of the Town Board that:

1. The Town hereby grants an exemption for Town taxes pursuant to Real Property Tax Law Section 406(3) for the tax parcels identified in Schedule "A" attached hereto.
2. The Town Board hereby ratifies and confirms the Agreement.
3. The Town Supervisor is hereby authorized to sign an Amendment to the Agreement consistent with the terms of this Resolution and such other documents as the Supervisor may deem proper and advisable in order to effectuate the terms of this Resolution.
4. The Town Assessor is hereby directed to assist the City of Kingston Water Department with an Application for Corrected Tax Roll (RP-554) for the year 2004 and/or conduct a real property tax assessment review for year 2005 in connection with the tax parcels identified in Schedule "A" attached hereto.

Schedule A

| SBL Printkey | Asmt Primary Owner | Asmt Land | Asmt Total |
|---------------------|---------------------------|------------------|-------------------|
| 48.6-1-17 | Kingston Water Dept. | 12,500 | 12,500 |
| 48.6-1-18 | Kingston Water Dept | 107,000 | 700,000 |
| 48.10-1-7 | Kingston Water Dept | 25,200 | 47,216 |
| 48.10-1-8 | Kingston Water Dept | 17,500 | 44,867 |
| 56.9-4-15 | Kingston Water Dept | 14,100 | 14,100 |
| 654-9999-225.500 | Kingston Water Dept | 0 | 91,394 |
| 654-9999-225.500 | Kingston Water Dept | 0 | 13,478 |

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EOJ: 176,300 923,555

2nd by Councilman Van Kleeck
A Roll Call Vote was taken – Four Ayes – Councilman Artist was absent

Supervisor Wadnola read and motioned the following:
Resolution to install a Stop Sign on Leggs Mill Road at the intersection of Neighborhood Road making the intersection a Four Way Stop intersection

WHEREAS, the Town Board of the Town of Ulster has received numerous requests for a four way stop sign intersection at the intersection of Neighborhood Road, Leggs Mills Road and Serema Court and

WHEREAS, the Town Board has investigated and determined that a safer intersection would occur if the intersection had a system of four way stop signs installed

NOW THEREFORE, be it resolved that the Superintendent of Highways of the Town of Ulster contact the County Superintendent of Roads and Bridges and request a stop sign be installed on Leggs Mill Road west bound at the intersection of Neighborhood Road.

2nd by Councilman Van Kleeck
Four Ayes – Councilman Artist was absent

Budget Modifications: Attached
Supervisor Wadnola read and motioned the following:

Budget Modifications Highway

| \$12,000. From | To | Amount |
|---------------------------------|-------------------------------|---------|
| D5130.413 Rental Transfer funds | D5130.428 Solvents & Cleaners | \$1000. |
| D5130.413 Rental Transfer funds | D5130.429 Oil & Lubricants | \$1500. |
| D5130.413 Rental Transfer funds | D5130.490 Tools | \$2000. |
| D5130.413 Rental Transfer funds | D5130.491 Parts | \$5000. |
| D5130.413 Rental Transfer funds | D5142.448 Cold Patch | \$2500. |

2nd by Councilman Van Kleeck
A Roll Call Vote was taken – Four Ayes – Councilman Artist was absent

Councilman Brink motioned to adjourn the meeting at 8:43 PM

2nd by Councilman Van Kleeck
Four Ayes – Councilman Artist was absent

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC - Ulster Town Clerk