

ULSTER TOWN BOARD
APRIL 18, 2005 AT 7:00 PM

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

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

CORRESPONDENCE

A letter was read from Marie Post of Saugerties explaining a new animal welfare program called Cash for Critters. She is looking for people to collect and contribute empty ink jet and laser cartridges and cell phones. If anyone is interested, please call Marie Post.

Public Comments on agenda items:

Mr. Barton – Sawkill Meadow Apartments – during the recent flooding was any portion of the proposed development under water? Mr. Hill answered “high and dry”. He has a video if anyone would like to see it.

COMMITTEE REPORTS

Councilman Van Kleeck reported from the Building and Grounds Committee, that the building department has been working overtime during the recent flooding. They brought in a lot of extra help from surrounding areas. They deserve lots of credit for their hard work.

Councilman Brink reported from the Finance Committee, that they found a few small problems with the audit of the abstract claims but nothing that effects the outcome.

Councilman Brink, under the Personnel Committee, motioned to accept the resignation of Michael A. Altomari, from the Water Dept., effective April 15, 2005.

2nd by Councilman Van Kleeck

All Ayes

As of tomorrow, April 19, 2005, this position will be posted internally.

Councilman Brink reported that Vincent Maggiore, who has been working at the wastewater treatment plant for the past two years, has taken several courses to qualify for a job upgrade and passed the exam in March.

Councilman Brink motioned that Vincent Maggiore be elevated to the vacant position of wastewater treatment plant operator, at an hourly rate of \$13.50, effective April 19, 2005.

2nd by Councilman Van Kleeck

a roll call vote was taken – all ayes

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Councilman Brink motioned to hire Thomas Torelli to work at the wastewater treatment plant at a starting salary of \$9.25 per hour. His employment is subject to his passing drug , alcohol and respirator exams.

2nd by Councilman Van Kleeck
a roll call vote was taken – all ayes

Council Member Wise reported, under the Recreation committee, that Rider Park is now open. A crew is cleaning at Robert Post Park in anticipation of the May 1st opening. They are still looking for a couple more park attendants.

Town of Ulster Little League will kick off on this Saturday April 23, 2005.

Council Member Wise reported for the Police Commission that their meeting will be held Wednesday April 20, 2005 at 5pm. These are open meetings and everyone is welcome. They were hoping to meet the 3rd Wednesday of each month, but there is some conflict with the meeting rooms so they will have to adjust the schedule.

She also thanked the Police Dept. for all their extra help during the flooding.

Supervisor Wadnola reported, for the Historian Committee, that the cookbooks are selling well. The committee is preparing for the next historic house tour to be held on September 18, 2005. If you have any pictures of the flood, please e-mail them to Dorothy Carbo. The next meeting will be held on May 4th at 7pm at the Ten Broeck house on Rt. 32 next to the UCRRA.

DEPARTMENT HEAD REPORTS

Town Clerk -Councilman Brink read the Town Clerk's report. The Town Clerk is requesting that the cash drawer amount be increased to \$100 to save trips to the bank for change.

The salt & chemical bids were awarded. The Tax Relief Memorial resolution was sent out. The town has already had a response from Assembly Cahill. The Bed & Breakfast and Wall Sign zoning amendments have been forwarded to the Ulster County & Town Planning Boards for review.

Sewer Department – absent

Water Department – Everything is fairly routine. There was one water break on Leggs Mill Rd.

Highway Department – They have been busy street sweeping and also with flood assistance.

Town Assessor – They are busy preparing the tentative roll for May 1st. Mr. Maloney thanked the sewer dept. and highway dept. for lending him a vehicle.

Building Department – absent

Police Department – Lt. Taggard gave the monthly report.

Supervisor Wadnola wanted to publicly thank everyone for the great team effort put forth by Ulster Police, Ulster Hose Co. #5, Salvation Army, Red Cross, Social Services and the students from the Bruderhofs for the magnificent job they did helping our residents during the difficult time of the floods.

The state office has submitted our request to FEMA. These papers are being reviewed and it is hoped that they will be signed by the President in the next day or two. Damage estimates in the Ulster County are over \$100 million. Mr. Wadnola estimates Town of Ulster damages at \$30-40 million.

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Approval of minutes from previous meeting

Supervisor Wadnola motioned to approve the minutes of April 4, 2005.

2nd by Councilman Van Kleeck

All Ayes

Supervisor Wadnola motioned to approve the following:

ABSTRACT OF CLAIMS

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	401-422	\$ 9,530.76
ULSTER WATER	401-406a	\$ 5,614.89
HALCYON PK. WATER	401-402	\$ 495.58
SPRING LAKE WATER	401-403	\$ 219.41
BRIGHT ACRES WATER	401	\$ 225.51
GLENERIE WATER	401	\$ 18.55
WHITTIER SEWER	401	\$ 43.39
ULSTER SEWER	401	\$ 96.28
SPECIAL LIGHT	401-406	\$ 2,787.63
ALL OTHERS		
GENERAL	401-4118	\$ 62,220.44
HIGHWAY	401-453	\$ 39,489.76
WHITTIER SEWER	401-404	\$ 400.00
ULSTER SEWER	401-410	\$ 64,826.58
ULSTER WATER	401-414	\$ 26,152.54
HALCYON PK. WATER	401-403	\$ 2,793.93
SPRING LAKE WATER	401	\$ 25.00
BRIGHT ACRES WATER	401-405	\$ 2,266.38
CHERRY HILL WATER	401-403	\$ 7,116.84
GLENERIE WATER	401-402	\$ 1,848.29
INSURANCE (ALL FUNDS)	401-416	\$ 80,027.44
CAPITAL PROJECTS		
TRUST & AGENCY	401-402	\$ 14,791.00
GLENERIE WATER	401-403	\$ 16,751.50
EAST KINGSTON WATER	401	\$ 19,887.50
	TOTAL	\$ 357,629.20

2nd by Councilman Brink

A Roll Call Vote was taken

3 Ayes Council Member Wise abstained

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To Set Public Hearings

Councilman Van Kleeck made a motion to set Public Hearings for May 2, 2005 at 7pm to amend the zoning law for the following:

- Revise standards for wall signs
- to include Bed and Breakfast establishments

2nd Councilman Brink

All Ayes

Special Use Permit for Sawkill Meadow Apartments

Supervisor Wadnola read and motioned to approve the follow:

RESOLUTION OF SPECIAL USE PERMIT APPROVAL
TOWN OF ULSTER TOWN BOARD

WHEREAS, the Town Board has received an application for approval of a special use permit from Ed Hill, Jr., for the purpose of developing 46 apartment units on a site located at 2 Farm-to-Market Road (SBL: 48.014-2-32.42); and

WHEREAS, a Full Environmental Assessment form has also been submitted, and

WHEREAS, in accord with Chapter 190 of the Town Code, the Planning Board last reviewed said application on December 16, 2004 and recommended to the Town Board that the application be approved with certain conditions; and

WHEREAS, under Section 239.1 and m of the General Municipal Law, the County of Ulster Planning Board has recommended certain required modification and

WHEREAS, the storm water pollution prevention plan was referred to and approved by a licensed professional engineer; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation recommended that a Phase 1 archeology study be undertaken which resulted in a need for a Phase 2 archeological study; and

WHEREAS, a duly advertised public hearing was conducted on January 18, 2005, at which time all interested parties were given an opportunity to be heard, and

WHEREAS, the Town Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood; and

WHEREAS, it has been determined that said special permit use is an unlisted action under the provisions of SEQR; and

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WHEREAS, the Town Board initiated coordinated review as provided under §617.6(b)(3) of the SEQR Regulations and, no other agency indicating a preference to serve as lead agency, the Town Board has declared itself lead agency.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town Board finds that due to the nature of the project and the measures taken to minimize effects on the environment, the project will not have any significant affect on the environment, and the attached EAF and Negative Declaration under SEQR are hereby approved and an environmental impact statement will not be prepared.
2. The application for the special use permit approval is hereby approved in accord with Chapter 190 of the Town Code with the following conditions:
 - a) Approval of the sewage disposal system by the Ulster County Health Department.
 - b) Approval of water system improvements by the Town Water Superintendent.
 - c) No portion of the site which is the subject of the Phase 2 archeological study shall be disturbed until such study is completed and necessary mitigation measures taken.
3. Modifications required by the Ulster County Planning Board are hereby addressed as follows:
 - a) The following modifications are accepted and have been incorporated in the final site plan:
 - 1) Set back of building fronts from parking lots have been increased.
 - 2) The site plan includes provision of usable green space.
 - 3) Development of an integrated pedestrian system has been accomplished.
 - 4) Street widths are consistent with the scale of development.
 - 5) Landscaping has been provided as part of the streetscape kind at building foundations.
 - 6) Integrated recreation areas are provided.
 - 7) Sidewalks to Sawkill Road will be provided if agreed to by the Ulster County Department of Highways and Bridges.

b) The following modifications are deemed unfeasible, impractical or unnecessary and are over-ridden by a vote of a majority plus one of the Town Board:

- 1) Provision of a mix of dwelling units is not consistent with the objectives of the developer.
- 2) Provision of rear building access or alleys are not necessary.

2nd by Council Member Wise
All Ayes

Supervisor Wadnola read and motioned to approve the follow:

Authorizing Extension of Real Property Tax Collection for Persons Deployed By The Military Under The Patriot Plan

WHEREAS, New York State Real Property Tax Law Section 925-d authorizes municipal corporations, which includes towns, to defer real property tax collection or the imposition of penalties or interest for a late payment owed by persons who have been deployed by the military or by the spouse or domestic partner of a person deployed by the military, provided they meet certain eligibility requirements as part of a comprehensive “Patriot Plan” designed to offer benefits to New York’s servicemen and women, and

WHEREAS, New York State Real Property Tax Law Section 95-d authorizes municipal corporations to offer this extension if approved by resolution by the municipal corporation, and

WHEREAS, in order to fully offer the benefit of the Patriot Plan to persons deployed by the military, all Ulster County towns, cities, villages and school districts should be encouraged to authorize this extension as well, and

RESOLVED, that the Ulster Town Board hereby enacts the provisions of the Real Property Tax Law, Section 925-d and authorizes the 90-day extension, from the end of deployment of real property tax collection for persons deployed by the military as defined for this purpose as, “a person who has been ordered to active military duty, other than training, for the period beginning with a declaration of war by Congress and ending with a date prescribed by Presidential Proclamation or concurrent resolution by Congress or during any period of combat designated by Presidential Order for hazardous duty,” and

FURTHER RESOLVED, that this resolution shall take effect as to town taxes levied on parcels within the boundaries of a municipal corporation upon the enactment of its own authorizing resolution as contemplated by Real Property Tax Law, Section 925-d, and moves its adoption.

2nd by Council Member Wise
All Ayes

Supervisor Wadnola read and motioned to approve the following:

To establish a committee to update and develop a comprehensive plan for the Town of Ulster

Whereas, the Town Board of the Town of Ulster has determined a need to update and develop a comprehensive plan to establish goals, policies and specific actions for its future and

Whereas, the Town Board wishes to initiate the process to update and develop a new comprehensive plan to solicit input and suggestions from all areas of the Town and

Whereas, the Town Planner has developed a plan of action to update and develop a new comprehensive plan,

Now therefore, be it resolved that a Comprehensive Plan Review Committee be established consisting of eleven members to develop proposals to update and develop a comprehensive plan.

The following individuals have volunteered to serve on the Comprehensive Plan Committee.

Town Board Members:	Barbara Wise Robert Van Kleeck
ZBA Member:	Donald Wise
Planning Board Members:	Alan DeForest Frank Almquist
Citizens At Large:	Robert Mitchell David Brink Judy Hansen Gary Mulligan Mary Jane Coughlin John Morrow — Chairperson

The Comprehensive Plan Committee will present its report to the Town Board at the conclusion of its findings.

2nd by Councilman Brink
All Ayes

Supervisor Wadnola read and motioned to accept the following:

Bids for surplus equipment (dated 4/15/05 at 3:30pm)

17" ADC Monitor #1	\$ 2.00 Larry F. Yerkes Jr.
Twin Athlon server w/ 3HD #2	38.77 James Werner
P2 300mhz Computer #3	3.00 Larry F. Yerkes Jr.
Athlon Computer #4	10.00 Larry Winkler
8 port Hub Uplink #5	2.58 James Werner
Brother Intellifax 1270 #7	4.00 Larry F. Yerkes Jr.
P2 Intel computer #9	3.00 Larry F. Yerkes Jr.

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1991 Ford E-150	50.00 Larry F. Yerkes Jr.
1992 Dodge Dynasty	50.00 Larry F. Yerkes Jr.
1994 Ford Crown	280.00 Larry F. Yerkes Jr.
1991 Ford F-250 4x4	400.00 James Decker
1996 Ford F-150 4x4	780.00 Larry F. Yerkes Jr.

2nd Council Member Wise
All Ayes

Councilman Brink motioned to approve the following:

BUDGET MODIFICATIONS:

GENERAL FUND:

Modify Revenue A2705 (Gifts & Donations) and Appropriation A2989.400 (DARE Program) donation from Mid-Hudson Valley Federal Credit Union \$800.00

Modify Revenue A2705 (Gifts & Donations) and Appropriation A2989.400 (DARE Program) donation from NYS Union of Police Association \$325.00

Modify Revenue A2705 (Gifts & Donations) and Appropriation A2989.400 (DARE Program) donation from Joseph & Janet Polito \$200.00

Modify Revenue A2705 (Gifts & Donations) and Appropriation A3120.435 (Canine) donation American Legion Post #1748 \$100.00

VARIOUS FUNDS:

Modify Appropriation Acct.#1930.400 (Judgment and Claims) to be funded through 5990 (Approp. and Balance for 2002 & 2003 Chargebacks for Adesta, CSX, and Time Warner 2005 Tax Roll)

Highway	\$10,535.68
Ulster Water	\$ 487.18
Spring Lake Water	\$ 3.88
Bright Acres Water	\$ 6.78
Ulster Sewer	\$ 1,301.73
Whittier Sewer	\$ 13.41
East Kingston Lighting Dist.	\$ 1.62
Whittier Lighting Dist.	\$ 13.22

HIGHWAY FUND:

Modify Appropriation D5130.200 (Equipment) to be funded through D5990 (Approp. Fund Balance) toward payment of a Mack truck chassis to Mid-Hudson Mack \$50,793.00

ULSTER WATER:

<u>Transfer From</u>	<u>Transfer To</u>	
SW1-8320.409 Rep.& Suppl.	SW1-1989.400 Grant Writer	\$600.00

GENERAL FUND:

Modify Appropriation A3620.200 (Office Equipment) to be funded through A5990 (Approp. Fund Balance) for the purchase of cable, conduit, and patch cords from Hudson River Technologies \$2,407.00

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HIGHWAY FUND:

Modify Appropriation D5110.200 (Computer Equipment) to be funded through D5990 (Approp. Fund Balance) for the purchase of Dell computer, laptop computers, monitors, cabinet, patch pael cables, managed switch surge protection, install and configurations from Hudson River Technologies \$18,314.21

2nd Councilman VanKleeck
All Ayes

PUBLIC COMMENTS:

Julius Chick - expressed his displeasure in lot size revision.

Several residents from H&H Trailer Park, on Brigham Lane, spoke about the ongoing sewage problems at the park.

Brian Cahill – wanted to know why the traffic light at Neighborhood & Grant has been turned on? It seems to be causing problems.

Mr. O’Brien – please follow up with the Corps of Engineers about the study of Esopus Creek.

Karen Markisenis – why wasn’t the committee to develop a comprehensive plan advertised? She thinks it should be a more open government.

Brian Cahill – How was the committee formed? Where? When? He thinks a comprehensive plan is important at this time but, he doesn’t like how the board “hand picks” people for the committee. He thinks they need some experts on the committee and the board should let the public know about upcoming committees, to make it fair to everyone.

Julius Chick – should have asked general public who would like to participate and it should have been put in the paper.

Supervisor Wadnola – the meetings are open to the public. Please come.

Supervisor Wadnola motioned to adjourn the meeting at 8:25 PM

2nd by Councilman Brink
All Ayes

Respectfully Submitted by
Carol A. Bauer
Deputy Town Clerk