

ULSTER TOWN BOARD SPECIAL MEETING
AUGUST 4, 2004 AT 8:00 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

Council Member Wise motioned to enter into executive session to discuss a personnel matter in regards to the Assessor's Office at 8:05 PM

2nd by Councilman Artist

All Ayes

Councilman Brink motioned to exit executive session at 8:15 PM

2nd by Council Member Wise

All Ayes

Councilman Artist motioned to approve the following resolution:

Whereas, the Town of Ulster appointed James Maloney as its Town Assessor in 1997 and reappointed him in 2001; and

Whereas, Mr. Maloney has served the Town with great professionalism, expertise, and skill; and

Whereas, the value of assessed real properties in the Town exceeds one billion dollars; and

Whereas, the Town is currently involved in pending certiorari petitions challenging the assessments; and

Whereas, Judge Vincent Bradley has ordered Mr. Maloney either to resign from the office of Town Assessor or County Legislator; and

Whereas, the removal of Mr. Maloney as Assessor has the potential to cause the Town great disruption; and

Whereas, Mr. Maloney has substantial merit to his appeal; and

Whereas, the Town has an interest in the outcome of the litigation; now, therefore, be it

Resolved, that the Town of Ulster directs its Attorney to the Town to intervene in the action of *Parete v. Maloney*, Index No. 04-129 to protect the Town's interests and to seek a stay of the decision pending review of the New York State Supreme Court Appellate Division for the Third

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Department.

2nd by Supervisor Wadnola
A Roll Call Vote was taken – All Ayes

Supervisor Wadnola motioned to appoint Thomas Marcelle Esq. as attorney to the town for the purpose of representing the Town of Ulster in the pending action of *Parete v. Maloney*, Index No. 04-129 to protect the Town's interests and to seek a stay of the decision pending review of the New York State Supreme Court Appellate Division for the Third Department. Mr. Marcelle will represent the town at no cost for this single litigation.

2nd by Council Member Wise
A Roll Call Vote was taken – All Ayes

Councilman Van Kleeck motioned to adjourn the meeting at 8:25 PM

2nd by Councilman Artist
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk