

ULSTER TOWN BOARD
APRIL 17, 2006 AT 7:00 PM

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

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN CRAIG ARTIST
TOWN COUNCILMAN DAVID BRINK
TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR NICKY B. WOERNER

Supervisor Woerner re-opened the Public hearing for the proposed formation of a Conservation Advisory Committee (CAC).

There was no public comment.

Councilman Joel B. Brink motioned to adjourn the hearing at 7:04 PM
2nd by Councilman Secreto

Discussion-

Councilman Artist stated that Frank Almquist, Chairman of the Planning Board, requested that the town attorney redefine the rules of operation for the CAC, then hold another Public Hearing after the Town Board and Town Planning Board have sufficient time to review the changes.

All Ayes

The floor was opened up for public comment. The following people made statements in opposition of the PILOT program for the Hampton Inn: Mr. Robert Barton, Mr. Joseph Myers, Mr. Vincent Guido, Mr. George Lucente and Mr. Rick Kraft.

Mr. Joseph Myers presented the Town Board with a petition of 118 signatures against the proposed PILOT program.

Assessor, James Maloney stated that the Town has two PILOT program agreements: Northeast Center for Special Care and Chambers Senior Housing. The IDA has three PILOT programs for the Town: Kingston Block and Masonry (2003), Sunwise Technology (2001), and Dutchess Beer (2000). Only the hotel portion of the project is seeking the tax break. There is no break on the special district taxes. He handed out a worksheet to the Town Board for the purpose of comparing a vacant land parcel valued at \$1 M compared to a generic parcel of land valued at \$5M with a 10 year projection. The future tax rate was fixed as it was not predictable.

Legislator Michael Berardi explained that the IDA is there to help encourage economic development. It is an appointed board by the County Legislature and he is the only elected official on the board. It is administered by Ulster County Development Corporation. The Ulster County legislature passed a memorializing resolution supporting statewide reform for IDA programs. The county will host a meeting at Kingston City Hall at 6 PM on April 24, 2006. The

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county supports mandates in wages and environmental standards. They also support fallback penalties for companies that don't meet their objectives such as the number of people employed or economic projections offered. The resolution also recommends requiring community representation in the process. He answered questions the audience had concerning the application of the Hampton Inn. He stated that the motion for granting a PILOT to the Hampton Inn was tabled.

Attorney Wayne Graff, representing the Hampton Inn, stated that his client is seeking this tax break to have a competitive edge. It meets the criteria of IDA and there is a need for its service as there is a shortage of lodging in the area.

Barbara Wise – Asked the Town Board to negotiate something with the County for a share of the Hotel/Motel tax.

COMMITTEE REPORTS

Councilman David Brink, reported from Planning and Assessor Committee, that a new or revised sign ordinance is being working on. Councilman Artist has been working very hard to reduce the number of outstanding building permits.

Councilman Secreto announced from the Highway Committee that Superintendent Tinnie will be away May 4, 5 and 6 at Cornell University for the Annual State Highway Superintendents Association Conference. Deputy Superintendent Bill Williams will be in charge. He also reported that new gates were installed at the Robert E. Post Park along with new fences. Councilman Joel B Brink reported that the Highway Department will be switching over to the summer hours of 6 AM to 2 PM effective June 5, 2006.

Councilman Secreto reported from the Water and Waste Water Committee that all is running well. Councilman Joel B. Brink reported that there was a Water Tank repainting meeting and work would be starting soon.

Councilman Joel B. Brink reported from the Personnel Committee that there is an opening in the Waste Water Department with the recent transfer of a person from the waste water to the water department. He has received some applications for the position and copies of these were forwarded to the Waste Water Superintendent for review. Interviews will be starting soon.

Councilman David Brink reported from the Building and Grounds Committee that he got an estimate of \$5600 on lightning “arrestors” being installed at the Robert E. Post Park. He stated that Assemblyman Kevin Cahill will give the town consideration with his member item line. Councilman Artist stated that new lighting is being installed in front and around the police station. He is looking into having a canvas cover being installed over the walkway downstairs in the Town Hall basement. The committee is looking at repairing the front entrance way to the Town Hall as it is getting run down.

Councilman Secreto reported from the Finance Committee, that the abstract was reviewed and he thanked all the people who participated.

Councilman Artist reported from the Insurance and Safety Committee, that the town is waiting to hear from Saugerties about the Municipal Service Contract for Animal Shelter agreement. He reminded department heads to submit a head count for AED training.

Councilman Secreto reported from the Parks and Recreation Committee, that on Friday, April 14, 2006 the Town held an Easter egg hunt. It was well attended. He reported that he is working on a basketball league program. Letters have gone out to the schools and he waiting to get a number so further plans can be made. Councilman Artist reported that the mini parks in the Town have been fading away and need to be kept up. Much of the equipment is 30 to 40 years old. He received a petition for the Halcyon Park to be repaired. He spoke to Councilman Secreto and they will check with Assemblyman Cahill to see if there is any grant money available. Supervisor Woerner suggested that the committee also check with Congressman Hinchey and Senator Schumer.

DEPARTMENT HEAD REPORTS

Town Assessor – James Maloney recommended that the Town Board join with the City of Kingston through the State of New York to perform an 2008 reassessment to avoid tumbling equalization rates and to avoid any unnecessary tax shifts. The costs would be small because the roll is updated. There were no questions about the tax exemption hand-out

Building Department – The monthly building department report was read. Mr. Marty Petersen further reported that his department is sending out building permit renewal notices to people to close out their permits and inquired about how to handle certificates of compliance.

Councilman Artist motioned to instruct the Building Inspector to only collect on the permits in which there is a fee for closure and any other permits to just close them.

2nd by Councilman Secreto

All Ayes

Town Clerk – Mr. Jason Cosenza reported that the electronic records system is up and running and that his office has been busy importing data into it.

Sewer Department - Monthly report was read.

Highway Department – The monthly Highway report was read. Mr. Donald “Mac” Tinnie reported that half the town has been swept.

Water Department - Monthly report was read. Superintendent Vogt stated that the Water Tank repainting should be finished in 40 days.

Waste Water Department – Supervisor Woerner reported all is going well.

Police Department- The monthly Police report was read. Chief Watzka further reported that the new child card system worked great at the Lion’s Expo. He also reported that the computers in the police cars have a glitch that has to be worked out which should be fixed by the first week in May. Councilman Secreto requested that he be notified when the cars are ready so that he can make sure they have proper insurance coverage.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman Joel Brink motioned to approve the minutes of March 20, 2006.

2nd by Councilman David Brink

All Ayes

Councilman Joel B. Brink motioned to approve the following:

ABSTRACT OF CLAIMS

April-06 FUND	ABSTRACT CLAIM #	AMOUNT
UTILITIES		
GENERAL	401-421	8,308.76
ULSTER WATER	401-404	333.58
HALCYON PK. WATER	401	473.39
SPRING LAKE WATER	401-403	211.28
BRIGHT ACRES WATER	401	246.37
GLENERIE WATER		
WHITTIER SEWER	401-402	1,395.86
ULSTER SEWER	401-403	6,006.75
SPECIAL LIGHT	401-406	2,715.13
ALL OTHERS		
GENERAL	401-4147	105,133.97
HIGHWAY	401-433	31,999.99
WHITTIER SEWER	401-404	2,134.00
ULSTER SEWER	401-423	18,369.43
ULSTER WATER	401-424	62,804.17
HALCYON PK. WATER	401-404	3,615.50
SPRING LAKE WATER	401-403	6,239.00
BRIGHT ACRES WATER	401-406	4,669.96
CHERRY HILL WATER	401-404	11,715.81
GLENERIE WATER	401-403	4,112.50
EAST KINGSTON WATER	401-402	2,700.00
INSURANCE (ALL FUNDS)	401-417	87,490.22
CAPITAL PROJECTS		
TRUST & AGENCY	401-408	13,618.50
COMMUNITY DEVELOPMENT	401	152,564.77
EAST KINGSTON WATER	401-402	14,653.00
WASHINGTON AVE. SEWER	401-403	305,087.75
	TOTAL	\$ 694,034.92

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

Councilman Secreto motioned to approve the following:

RESOLUTION TO APPLY FOR A COURT ASSISTANCE GRANT

Whereas the Ulster Town Court is in need of various equipment and

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Whereas the Justice Court Assistance Program has made grant applications available to be submitted no later than May 1, 2006 and

Whereas Justices Kesick & Weiss have requested permission to apply for this grant and

Whereas the Town Board is in favor of all departments seeking applicable grants

NOW, THEREFORE, BE IT RESOLVED, that:

Justices Kesick & Weiss have been approved by this Town Board to make application for the Justice Court Assistance Program Grant.

2nd by Councilman David Brink
All Ayes

Discussion: A proposed Stop Sign on the corner of Parish Lane and Costanzi Drive

Councilman Secreto motioned to replace the “yield” sign with a “stop” sign on the corner of Parish and Costanzi Lane (with the intention that if it caused more problems, the stop sign will revert back to a “yield” sign).

2nd by Councilman Artist
All Ayes

The proposed PILOT agreement for the Hampton Inn by the Ulster County Industrial Development Agency.

The Town Board agreed to offer a resolution against the PILOT program, but the matter will be handled towards the end of the meeting when they could recess to write a resolution.

To fill a vacancy for the position of Part Time Clerk to the Town of Ulster Justice Court.

Councilman Joel B. Brink motioned to hire Sue Reif for the position as a part-time court clerk for 20 hours a week, at \$8.00 per an hour, on a 6 month trial period with an effective hiring date of April 19, 2006, and a review date of October 17, 2006, with the condition that the Court Clerk’s Office be open non-stop 9 AM to 5 PM, Monday to Friday, effective May 1, 2006.

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

To award bids Town Surplus Auction

Councilman David Brink motioned to award the Town Surplus Auction to the highest and most qualified bidders.

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

Adoption of Local Law # 1 of 2006

Councilman Artist motioned to approve the following:
A LOCAL LAW AMENDING AN EXISTING LOCAL LAW

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LOCAL LAW NO. 1 OF THE YEAR 2006

A Local Law amending Local Law No. 9 of 1991, as amended, entitled Zoning Local Law of the Town of Ulster, New York, pertaining to setback requirements for lots that have frontage on two streets.

Be it enacted by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

SECTION I. Section 190-4 of the Zoning Law of the Town of Ulster shall be amended so that it includes the following definition in the appropriate alphabetical place:

“THROUGH LOT - A lot which is not a corner lot and which has two street lines.”

SECTION II. Section 190-20 of the Zoning Law of the Town of Ulster shall be amended so that it reads as follows:

“§190-20. Corner lot and through lot setbacks.

- A. A front setback is required on a corner lot for each street line. The plat and/or plans shall show which of the remaining setbacks are to be side and rear respectively.
- B. On a through lot, front setbacks are required on both streets. Each front setback shall be measured from the street line as defined in this chapter.”

SECTION III. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidated the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

SECTION IV. EFFECT OF AMENDMENT

Except as herein modified, Local Law No. 9 of the year 1991, and any subsequent valid amendments thereto, is hereby ratified and confirmed.

SECTION V. EFFECTIVE DATE

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York Secretary of State.

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

Councilman Secreto motioned to hire the following for summer help:

Post Park

Brian Gavin as group leader, at \$10.00
Michael Watzka at \$8.00
Thomas Peterson, Jr. at \$8.00

Rider Park

Richard Metzger as group leader, at \$10.00
John Scheffel at \$8.50
Becky Vogt at \$8.50

subs for the parks

Kati Palmatier at \$8.00
John Perry at \$8.50
James Harris at \$8.00
Frank Rittie at \$8.00
James Brown at \$8.00
Ronald Costello at \$8.50
Lisa Rider at \$8.00

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

Supervisor Woerner motioned to recess for 5 minutes to compose a memorializing resolution for the PILOT program for the Hampton Inn at 9:05 PM

Supervisor Woerner resumed the meeting at 9:15 PM

Councilman Joel Brink motioned to approve the following:

Memorializing Resolution – Ulster Town Board not in favor of the PILOT Program for Hampton Inn

WHEREAS, an application has been made to the Ulster County Industrial Development Agency for a payment in lieu of tax agreement ("PILOT") for the proposed Hampton Inn; and

WHEREAS, the extension of a PILOT agreement to this proposed construction will impact the Town of Ulster taxpayers to a greater extent than taxpayers in the remainder of Ulster County; and

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WHEREAS, at a meeting of the Town Board of the Town of Ulster held on April 17, 2006, the Town residents appearing thereat expressed concerns about the loss of real property tax revenue which would result from the extension of the PILOT;

NOW, THEREFORE, BE IT RESOLVED, that the sense of the Town Board is that the extension of a PILOT agreement to the Hampton Inn is not in the best interest of the Town of Ulster.

2nd by Councilman Secreto
All Ayes

Ulster County Legislative Update:

Legislator Brian Cahill reported that there is a study on the upper Esopus creek bed and that the county is looking at what they can do for the lower Esopus. They hope to look at some of the trouble spots that are in the township.

Supervisor Woerner motioned to adjourn the meeting at 9:23 PM
2nd by Councilman Artist
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk