

ULSTER TOWN BOARD MEETING
MAY 15, 2006 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WOERNER, CHAIRMAN

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 opened the Public Hearing for Leo Boice & Sons for a Mining Permit on Sawkill Road, S/B/L # 48.010-1-6.

Mr. Mendenback gave a presentation on the proposed mining. He stated that the company plans to take shale off the premises and it was limited to the area stated on the permit. He didn't believe that blasting was required but it may be necessary in the course of the excavation. He further responded to a comment from the audience that the mining was central to the property (100 some acres) and that they owned the property around it. So there should be little noticed with the mining. After mining, they will have to reclaim the land. The company will have to meet DEC requirements. Landscaping will be installed. What is planned is to bring the land down to a level grade and replant it. The property is not in any watershed.

Summary of Statements:

Mr. Robert Barton - Requested that blasting would be limited. He stated that the file was unavailable for review at the Building Department.

Hilary Smith reported that this permit has been reviewed by the NYS DEC and a Neg. declaration under SEQRA was issued, meaning they looked at all the major aspects of the project. The purpose of this hearing was to issue the permit and ensure they met all the requirements of the Town Code.

Supervisor Woerner motioned to adjourn the meeting at 7:18 PM
2nd by Councilman Joel Brink
All Ayes

Supervisor Woerner opened the Public Hearing on the proposed formation of a Conservation Advisory Committee at 7:19 PM.

Summary of Statements:

Mr. Sabino - Stated his concern about the redundancy of government and the effects that the proposed law would have on the people's property rights.

Mary Burke – Stated that she is a member of the Woodstock Environmental Commission

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that has made many accomplishments that have protected the environment and saved the town money. She encouraged the town to adopt an environmental commission. The law should be approached as an advisory committee for people to participate in the community. It will also serve as another outlet for people to address their concerns.

Frank Almquist – Stated that he is a member of the Planning Board and felt that the commission is unnecessary as most of the work is being done by the Town Comprehensive Plan Committee. He is not in favor of the law.

Donald Wise – Felt that there is a redundancy in service. On projects, plans are reviewed by the DEC along with the Ulster County Planning Board. There are many avenues for the public to make comment on projects such the zoning, planning and town board. If the Town Board has to make a concession, make it a sub committee to another board.

Lois Bутtenheim – Stated that the commission will serve as a double check to the environment. This will prevent development from hurting the environment.

Vincent Guido – Stated that the master plan committee will fade when the master plan is filed. This will not. This will be strictly an advisory committee. The town is behind the other towns, because the town does not have one. The committee will be voluntary where no member is paid. The committee will tackle other items that the other boards would not. It's not set up to tell people they can't do anything.

George Lucente – Is not in favor of the committee due to the lack of budgeting.

John Morrow – Stated that the Comprehensive Committee does what this proposed committee does and the committee will exist after the filing of the Master Plan because the committee wants the plan to be a living document adaptable to change. He recommended if a committee is warranted that it should be a sub-committee of the Comprehensive Committee.

Nelson White – Feels the environmental committee will be redundant..

Mary McNamara – Spoke in favor of the proposed commission.

Lady from Audience – Had concern about who establishes the expertise of the members. Felt that if citizens address their concerns to this committee, that their response would be recognized as an official viewpoint. If there are open meetings, then a person or concerned group could come to these meetings to express their concerns about the environment without a committee.

Supervisor Woerner motioned to adjourn the hearing at 8:00 PM
2nd by Councilman Artist
All Ayes

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CORRESPONDENCE

Supervisor Woerner reported he received a request from Ameribag to have their private road entrance named Ameribag Drive and motioned to fulfill the company's request.

2nd by Councilman Joel B. Brink

All Ayes

COMMITTEE REPORTS

Councilman David Brink reported, from the Buildings and Grounds Committee, that the Town Hall needs to be insulated and that the heating and cooling needs to be automated.

Councilman Artist motioned to enter into a 1 year service maintenance agreement for furnace and A/C maintenance from Lowes' Air Conditioning, Plumbing and Heating in the amount of \$1613.00

2nd by Councilman Secreto

A Roll Call Vote was taken – All Ayes

Councilman Secreto reported, from the Town Finance Committee, that the monthly abstract was reviewed Saturday, May 13, 2006.

Supervisor Woerner rescinded and abstained his vote on the April 17, 2006 abstract due to his employment relationship with Sawhorse and More, a company also known as Fowler and Keith, because a bill was submitted by them in the amount of \$32.16

Councilman Secreto reported, from the Highway Department, that Scenic Hudson did a clean up along the Hudson at Rider Park and he thanked them.

Councilman David Brink reported, from the Planning and Assessor, that the current sign law is inadequate and is working to revise it to be better, stronger and equitable.

Councilman Secreto motioned to hire Michael Watzka as a Group Leader at Post Park at a pay rate of \$8.50 an hour

2nd by Councilman Artist

A Roll call Vote was taken - All Ayes

Councilman Secreto received a petition requesting updating and repairing the John Brown Park in Halcyon Park. He also reported that he received a donation for basketball backboards for the park. He stated that the Parks and Recreation Committee plans to go around with the Highway Superintendent to review all the Town Parks and see what they could do to improve them.

DEPARTMENT HEAD REPORTS

Town Assessor – Reported that his department was planning to purchase a tremble unit to pinpoint and map out data sets for the GIS program. This would be bought off state bid. He has filed his ethic disclosure report to the Town Ethic's Committee.

Highway Department – Highway Superintendent Tinnie reported that the recent rains have slowed down their operation of drainage and paving, but they are moving along.

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Water Department – The monthly report was read. Mr. Paul Vogt, the Water Superintendent reported that 154 services were connected in Glenerie. He reported that nearly all the work for the Town of Ulster’s side of the East Kingston Water District is done. The residents will be required to place stakes in the ground for the entry points of their water connection. Supervisor Woerner reported that on May 3, 2006 the Town Board had a meeting with the City of Kingston to sign a contract for the City to connect the water to East Kingston.

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

Waste Water Department – Waste Water Superintendent Corey Halwick gave his monthly report. He is waiting for all the new gadgets (retro fit sludge thickener) to be installed.

Building Department – Marty Petersen gave his monthly report.

Police Department - Monthly report was read. Chief Paul Watzka further reported that the new K-9 dog is doing well at school and should be available soon for the town to use. He stated that Officers James Kilfoyle, Kyle Berardi and JP Gramolia are going to be honored at the UC Police Chiefs Assoc. Dinner for their heroic effort at the Hudson Valley Mall shooting.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman Secreto motioned to approve the minutes of April 3, 2006 and April 17, 2006 with amendment to change his April 17, 2006 motion to hire Richard Metzger as group leader for Rider Park at \$10.00 to \$9.00 an hour.

2nd by Councilman Joel Brink

All Ayes

ABSTRACT OF CLAIMS

Councilman David Brink motioned to approve the following:

May-06	ABSTRACT	
FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	501-529	7,573.70
ULSTER WATER	501-508a	9,649.79
HALCYON PK. WATER	501-502	461.94
SPRING LAKE WATER	501-503	200.35
BRIGHT ACRES WATER	501	200.40
GLENERIE WATER	501-502	28.08
WHITTIER SEWER	501-502	791.38
ULSTER SEWER	501-504	342.12
SPECIAL LIGHT	501-506	2,851.44
ALL OTHERS		
GENERAL	501-5143	132,009.65

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HIGHWAY	501-539	51,928.28
WHITTIER SEWER	501-509	1,438.40
ULSTER SEWER	501-523	24,020.30
ULSTER WATER	501-520	9,489.28
HALCYON PK. WATER	501-503	472.13
SPRING LAKE WATER	501-502	20,033.80
BRIGHT ACRES WATER	501-503	347.90
CHERRY HILL WATER	501	25.00
GLENERIE WATER	501-502	85.00
EAST KINGSTON WATER		
INSURANCE (ALL FUNDS)	501-517	86,707.41
CAPITAL PROJECTS		
TRUST & AGENCY	501-505	12,310.00
BRIGHT ACRES WATER		
GLENERIE WATER		
COMMUNITY DEVELOPMENT		
DRAINAGE PROJECTS		
EAST KINGSTON WATER	501-504	17,130.00
WASHINGTON AVE. SEWER	501-505	7,336.80
GLENERIE WATER LATERALS	501-509	18,100.00
ULSTER WATER		
	TOTAL	\$ 403,533.15

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

Councilman David Brink motioned to approve the following:
BUDGET MODIFICATIONS:

GENERAL FUND:

Modify Revenue A2705 (Gifts & Donations) and Approp. A2989.400 (DARE) Donation from CNYS D.A.R.E. Officers Association \$160.00

Modify Revenue A1290 (Other Gen.Dept.Income) and Appropriation A3120.101 (O.T.Wages) Special Task Force O.T. reimbursement by Hudson Valley Mall for \$1,368.84 and \$2,189.40 \$3,558.24

Modify Revenue A3089 (Other General Aid) and Approp. A3120.431 (Detective Division) Body Armor Grant for Police Department \$8,148.99

ULSTER WATER

Modify Revenue SW1-2680 (Insurance Recoveries) and Appropriation SW1-8340.421 (Veh.Maint.) Check from Selective Insurance for damage to 2004 Chevy Pickup Truck on 3/17/06

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Modify Revenue SW1-2680 (Insurance Recoveries) and Appropriation SW1-8340.421 (Veh.Maint.) Check from Selective Insurance for towing of 2004 Chevy Pickup Truck on 3/17/06

\$3,156.29
\$ 125.00

ULSTER SEWER

Modify Appropriation SS2-8130.200 (Plant Improvement) to be funded through SS2-5110 (Appropriated Reserve) engineering expenses for retrofit drives and installation of 3rd blower at sewer plant.

\$8,737.00

EAST KINGSTON WATER SMALL CITIES GRANT #1159PW12503

Amend Original Budget Appropriations:

HCD-8686.401 Administration	.00
HCD-8662.200 Construction	400,000.00

GENERAL FUND

Transfer From	Transfer To	
A1990.480 Contingency	A1220.104 Webmaster	\$2,500.00

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

The Town's participation in the Sawkill Watershed Alliance.

Supervisor Woerner set a deadline of may 31, 2006 for letters of interest for volunteers who would like to serve as liaisons for the Sawkill Watershed Alliance.

The Comprehensive Planning Committee Progress.

Supervisor Woerner reported that the Comprehensive Planning Committee plans to have a meeting with Alan Sorensen from Planit Main Street Inc. for a discussion of planning services. Councilman David Brink requested to be apprised of the meeting, so he could attend.

Filling of a vacancy in the Town Assessor's Office.

Councilman Joel Brink motioned to hire Gloria Wirhowski as a part-time employee (20 hours a week) to the Town Assessor's Office at an hourly rate of \$9.50 effective June 1, 2006

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

Filling of a vacancy on the Zoning Board of Appeals.

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Supervisor Woerner set a deadline of May 31, 2006 for letters of interest for volunteers who would like to serve as ZBA Member.

Filling of a vacancy on the Kingston Public Access Commission.

Supervisor Woerner set a deadline May 31, 2006 for letters of interest for volunteers who would like to serve as Kingston Public Access Commissioner.

To authorize the Town Supervisor to sign a labor contract with Local #17.

Councilman Artist motioned to authorize the Town Supervisor to sign a labor contract with Local #17

2nd by Councilman David Brink

A Roll Call Vote was taken – 4 Ayes – Councilman Secreto abstained due to his wife having a benefit in the union contract.

Councilman Joel Brink motioned:

To authorize the Town Supervisor to contract with Guardian Vision pursuant to an agreement with Local 17, the PBA and the SOA.

2nd by Councilman Artist

A Roll Call Vote was taken – All Ayes

Councilman Joel Brink motioned to approve the following:

Resolution: Increase to the cost of Construction of the Glenerie Water District.

<i>In the Matter of</i>	
a proposed increase (Pursuant to Section 209-h of the Town Law) in the maximum amount authorized to be expended in connection with the establishment of a water district in the Town of Ulster, Ulster County, New York, known as Glenerie Water District in said Town	PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Ulster, Ulster County, New York (the "Town"), has heretofore received a map, plan and report including an estimate of cost, prepared by a competent engineer, duly licensed by the State of New York, which have been filed in the office of the Town Clerk of said Town in relation to the establishment a new Water District in said Town, to be known as Glenerie Water District (the "District") of the Town of Ulster, Ulster County, New York at an original maximum estimated cost of \$2,874,546; and

WHEREAS, such maximum estimated cost was subsequently increased to \$3,043,746; and

WHEREAS, an Order was duly adopted by said Town Board on December 7, 2005, reciting a description of the boundaries of said proposed Water District, the improvement proposed therefor, the new \$3,088,009 maximum amount proposed to be

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expended for said improvement, the proposed method of financing to be employed, the fact that said map, plan and report, including estimate of cost and petition, were on file in the Town Clerk's office for public inspection, and specifying the 19th day of December, 2005, at 7:00 o'clock A.M., Prevailing Time at the Town Hall, in Lake Katrine, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of such publication and posting has been presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which time all persons desiring to be heard were duly heard; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the District is \$150.00; and

WHEREAS, the estimated cost of the District to the typical property therein is \$622 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, it is now desired to increase the maximum estimated cost for the establishment of said District; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

Section 1. Pursuant to Section 209-h of the Town Law, it is hereby determined that it is in the public interest to establish Glenerie Water District at an increased maximum estimated cost of \$3,088,009 and that the maximum amount to be expended in the establishment of said District in the Town of Ulster, Ulster County, New York, is hereby increased from \$3,043,746 to \$3,088,009, and said District is hereby established at said revised maximum estimated cost.

Section 2. The improvements proposed for said District consist of the improvements to serve Glenerie Water District in the Town of Ulster, Ulster County, New York, consisting of the construction of a water distribution system, including water mains, hydrants, valves, the acquisition of land or rights-in-land, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith. The maximum amount to be expended by said Water District pursuant to these proceedings for said improvement shall not exceed \$3,088,009, an increase of \$44,263 over that previously authorized for the establishment of said District. Said cost of said improvement shall be financed by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty years, payable in the first instance, from assessments levied upon and collected from all the taxable real property within said District in the manner provided by law, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 3. The Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Ulster County,

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New York, within ten days after the effective date of this order and to file a certified copy thereof also within said ten days in the office of the State Department of Audit and Control, in Albany, New York, both pursuant to subdivision 1 of Section 209-h of the Town Law.

Section 4. The adoption of this Order is subject to permissive referendum.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

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

Request for a Noise Meter from the Building Department

Supervisor Woerner reported that the building Inspector requested the town purchase a noise meter. He recommended purchasing the piece of equipment after the Building Inspector had proper training and became certified in the use of it.

Formation of a Conservation Advisory Committee

Supervisor Woerner motioned to enact the proposed Conservation Advisory Committee formation Law

There was no second – motioned failed.

Ulster County Legislative Update:

Legislator Michael Berardi reported that the county is doing budget cutting. The bill for an increase in mortgage tax was defeated. The County is considering paying the town to maintain specific roads that were between town roads to save money. He also reported that an executive order was given to have departments move into the new jail. The county is still working on improving the IDA.

Councilman David Brink motioned to adjourn the meeting at 9:25 PM

2nd by Councilman Secreto
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC
Ulster Town Clerk