

ULSTER TOWN BOARD MEETING
JULY 17, 2006 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WOERNER, CHAIRMAN

SALUTE TO THE FLAG

ROLL CALL BY CLERK

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

COMMUNICATIONS – None

Supervisor Woerner announced that the public hearing scheduled for tonight was canceled since the two parties involved in the Washington Avenue Sewer district have come to an agreement for the easements of land for the district.

Mrs. Joanne Shoemaker – Expressed concern over the dumpster not being around long enough, as the trash and debris was mounting and complained about the communications between the residents and the town. She also inquired when the government will start the financial aide. Supervisor Woerner asked the Highway Superintendent to send a crew down to resolve the health issue with the trash.

James Maloney, the Town Assessor and Flood Coordinator, explained that earlier in the day the Town had a meeting with FEMA and SEMO, about the flooding situation, to start the application process and gather information.

Supervisor Woerner stated that the Town wants to hold a meeting but is waiting for information from those agencies.

Mr. Maloney agreed to do weekly updates about the progress of the flood relief.

Morgan Turner – Felt that the DEP could have done a better job in managing the water at the reservoir which could have prevented the flood.

Linda Godfrey – Felt that the DEP should contribute to the relief costs since they were responsible for them and they should be brought to task.

Supervisor Woerner stated that the Town is going to meet with its state and federal representatives to form a plan to see what can be done to mitigate the flooding problem.

Mr. Maloney reported that there was a meeting held during the day to discuss programs available to the town. One of the them was a land purchase program, that would be voluntary. FEMA would have to study the property, to see if there is a cost savings from the flooding. What would happen, is the town would need to see what its citizens would like to apply for in the program. The options are: a buyout, to raise a home or remove one. The cost of this would have to be accepted by the State of NY and the town would be lumped in with the other counties affected by this flood.

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Wendy Turner suggested that notices be put in the mailboxes after a flood giving information on where to go for help and further information, which would improve communication.

Andy Latorry felt there needed to be quicker relief as it was costly for him for the upfront expenses of repair and cleaning property.

Supervisor Woerner stated the Town will hold an informational meeting as soon as it can get the information together.

COMMITTEE REPORTS

Councilman Secreto reported from the Water and Waste Water Committee, that he spoke to Joe Donaldson from the Kingston Water Department about the East Kingston Water District. A blasting company will have their permit and the lines will start to be installed to connect the Kingston Water to East Kingston.

Councilman David Brink reported from the Buildings and Grounds, that the Water Department Office in the Town Hall had a water leak. He has contact a roofer to fix the problem.

Councilman Joel B. Brink reported that he saw a vehicle in the Town Parking lot for sale and asked the Town to adopt a policy forbidding that on any of the Town's property.

Councilman Secreto thanked the Highway Department, Waste Water Department, Water Department, the Red Cross and the Police Department for their quick efforts during the flood. He also thanked Mr. James Maloney, the Flood Coordinator and the Town Board for their participation in the flood effort.

Councilman Secreto reported from the Town Insurance Committee, that he had contacted the Valley Group to ensure that the new computer equipment in the cars was covered on the Town Insurance.

Councilman Joel B. Brink reported from the Personnel Committee, that a job was posted for the Waste Water Department for a laborer position. No one has responded internally, and no interviews have taken place. The town has taken external applications. The Committee is waiting to hear from the Waster Water Superintendent on what he would like to do.

Councilman David Brink announced that the Town Board is looking for people interested in serving on the Sawkill & Esopus Creek Coalition.

Councilman Secreto reported from the Parks and Recreation Department that several basketball backboards are on back order.

Councilman Secreto reported the from Water and Waste Water Committee that there was a sewer break in Whittier that was fixed.

Councilman Joel B. Brink reported that the Ulster Water Tank is finished being painted.

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Councilman Secreto further reported that there was a power surge at the waste water plant, but the new back up held up.

Supervisor Woerner reported under information services that the phone system backup has been installed and the service is working fine.

DEPARTMENT HEAD REPORTS

Town Assessor – Mr. James Maloney, the Town Assessor, reported that the town’s final assessment roll has been filed. During July, tax certiorari are filed. He reported that there is legislation pending at state level that may offer tax assessment relief similar to the “Flood Assessment Relief Act of 2005”. He further reported that the Town has to file an RPA for the flood damage by August 7, 2006 to FEMA. Then they hold a “kick off” meeting where the town has 60 days to file all their worksheets. He also spoke about the Tax Reassessment. The City of Kingston and several other towns are going to perform one in 2007, and he suggested the town perform one to avoid the shifting of taxes. There is no cost to doing this, as the State reimburses the town for the cost. Every property will be physically inspected by himself.

Town Clerk – Read the monthly clerk report.

Highway Department – Mac Tinnie reported that his crew is out paving and that he is checking for drainage problems.

Waste Water Department – Supervisor Halwick thanked Mr. Tinnie and the Highway Department for their assistance with the repair of a break in the Whitter Sewer District. He also reported that the Ulster Water Plant was well prepared for the flood as they had sand bags out and the equipment and motors were moved from the pump stations to avoid damage.

Mr. Andrew Zweben, the Town Attorney, reported that he had obtained the last of the easements for the Washington Avenue Sewer District.

Police – The monthly report was read.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Supervisor Woerner motioned to approve the minutes of June 5, 2006 and June 19, 2006.

2nd by Councilman Joel B. Brink

Four Ayes – Councilman Artist was absent

Councilman Joel B. Brink read and motioned to approve the following:

ABSTRACT OF CLAIMS

July-06 FUND	ABSTRACT CLAIM #	AMOUNT
UTILITIES		
GENERAL	701-731	10,646.79
ULSTER WATER	701-706a	4,721.73
HALCYON PK. WATER	701-702	345.88
SPRING LAKE WATER	701-703	165.67
BRIGHT ACRES WATER	701	228.76
GLENERIE WATER	701	14.04
WHITTIER SEWER	701	47.23
ULSTER SEWER	701-704	291.18

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SPECIAL LIGHT	701-706	2,469.13
ALL OTHERS		
GENERAL	701-7132 & 7134-7139	9,164.79
HIGHWAY	701-737	45,141.07
WHITTIER SEWER	701-703	397.97
ULSTER SEWER	701-720	54,691.44
ULSTER WATER	701-719	7,547.53
BRIGHT ACRES WATER	701-703	659.00
CHERRY HILL WATER	701	6,103.50
GLENERIE WATER	701	2,961.71
EAST KINGSTON WATER		
INSURANCE (ALL FUNDS)	701-718	114,593.72
MEDICARE REIMB.		
CAPITAL PROJECTS		
TRUST & AGENCY	701-705	2,995.50
DRAINAGE PROJECTS	701-702	1,676.00
EAST KINGSTON WATER		
WASHINGTON AVE. SEWER	701	5,000.00
GLENERIE WATER LATERALS	701-710	19,350.00
ULSTER WATER CAP. PROJ.	701-704	233,863.43
	TOTAL	\$ 615,103.70

General Bill #7133 Matthew Rudikoff Associates - planning services / May was pulled in the amount of \$9,164.79. It will appear under Trust & Agency next month.

2nd by Councilman David Brink

Supervisor Woerner disclosed that General Fund Bill #720 & 721 – Hudson Valley Appraisal Corporation is a subsidiary of Hudson Valley Appraisal Corporation Real Estate which is a company that holds his real estate license. Ulster Water Claim Order 705 Fowler and Kieth – now Sawhorse Lumber and More, he had a prior employment history with this company. A Roll Call Vote was taken – Four Ayes - Councilman Artist was absent

Councilman David Brink motioned to approve the following:

BUDGET MODIFICATIONS:

GENERAL FUND:

Modify Revenue A2770 (Misc.Revenue) and Appropriation A1930.400 (Judgment & Claims) restitution from Desiree Rivera for credit card fraud to GE Money Bank for \$200 and Mid-Hudson Valley Credit Union for \$100

\$300.00

GENERAL FUND:

Modify Revenue A2705 (Gifts & Donations) and Appropriation A3120.435 (Canine) donation from Dorothy Bonse

\$ 5.00

GENERAL FUND:

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Modify Revenue A1289 (Other Gen. Dept. Income) and Approp. A3120.101 (O.T. Wages)
Special Task Force O.T. reimbursement by Hudson Valley Mall \$2,410.10

HIGHWAY FUND:

Modify Revenue: Appropriations:

D5031 Interfund Transfer	\$10,931.90
D5110.100 Wages	3,540.00
D5130.413 Equipment Rental	4,557.00
D5110.400 Street Program	315.00
D5110.441 Stone - Shale	722.25
D5110.443 Pipe, Posts, Drains	1,797.65

ULSTER SEWER:

Modify Appropriation SS2-8130.400 (Plant Improvement) to be funded through SS2-5110 (Appropriated Reserve) engineering expenses for installation of 3rd blower and pre-engineered building to Brinnier & Larios \$1,050.00 and furnishing and installing air blower and pre-engineered building to Harkins Mechanical and Construction for \$47,951.25
\$49,001.25

DRAINAGE CAP. PROJECTS:

Transfer From	Transfer To	
HDR-5110.200 Construction	HDR-9950.900 Interfund Transfer-Cap.Proj.	\$10,931.90

SPECIAL DISTRICT: LIBRARY

Modify Appropriation SLL-1930.400 (Judgment & Claims) to be funded through SLL-5990 (Approp.Fund Balance) payment to Ulster Co. Treasurer for K-Mart chargeback \$ 598.34

SPECIAL DISTRICT:

Modify Appropriation SSF-1930.400 (Judgment & Claims) for Ulster Hose #5 to be funded through SSF-5990 (Approp.Fund Balance) payment to Ulster Co. Treasurer for K-Mart chargeback \$ 2,826.16

2nd by Councilman Joel B. Brink

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

Quick Check Gas Station and Food Stores on Rt. 9W and Washington Avenue.

It was proposed by the developer that the current buildings on the property be demolished and replaced with a their own style of quick food market type buildings with a car wash (not a commercial truck wash) with canopy over a refueling area. The building would have a colonial design to fit into the surrounding area. Further, there would be a “grass” depression in the green space to allow for treated water to run/drain off the parking lot. A monument sign will be used to advertise the site. There would be one tractor trailer a day to restock the store, six days a week. There would also be numerous smaller stock trucks used.

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There was a discussion about the turn ins and outs of the place. A person could not turn left from the site onto the Sawkill Road even though Councilman Joel B. Brink thought that a left out would be taken anyway. An island could be installed to prevent this.

Supervisor Woerner had reservations about the retention pond, "grass" depression, but felt there was time to resolve this issue. He suggested that the Town Board declare a lead agency that does not bind the town to any approvals of the project.

Supervisor Woerner motioned to approve the following:

Quick Chek Washington Avenue / Lead Agency Resolution / UL06012 / July 17, 2006
RESOLUTION TOWN OF ULSTER TOWN BOARD
DECLARATION OF INTENT TO BE LEAD AGENCY
QUICK CHEK SITE PLAN
JULY 17, 2006

WHEREAS, the Town Board of the Ulster has received a Site Development Plan Application (P-348) from Quick Chek Corporation pertaining to the redevelopment of a previously developed site; and

WHEREAS, the subject property is located on the easterly side of Washington Avenue Extension and the northerly side of Sawkill Road, in the Town of Ulster, Ulster County, New York, within an HC Highway Commercial Zoning District, as designated on the Tax Maps of the Town of Ulster, as Section 48.014, Block 3, Lots 35 & 37.2; and

WHEREAS, materials received in support of the proposed action include:

< Site Plan Application;

< Letter to the Planning Board from Howard D. Geneslaw, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, March 1, 2006;

< Project Description;

< Letter to the Planning Board from William Viola, Jr., PE, Bohler Engineering, PC, May 31, 2006;

< Table of Deviations from Zoning Local Law, June 26, 2006;

< Letter to the Planning Board from Howard D. Geneslaw, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, July 5, 2006;

< Part 1 Full Environmental Assessment Form, February 28, 2006, revised to July 5, 2006;

< Proposed Scope of Traffic Analysis, Atlantic Traffic & Design Engineers, June 13, 2006;

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< Cover Sheet, Sheet 1 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< General Notes Plan, Sheet 2 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Demolition Plan, Sheet 3 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Site Plan, Sheet 4 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Grading Plan, Sheet 5 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Utility Plan, Sheet 6 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Landscape Plan, Sheet 7 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Lighting Plan, Sheet 8 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Soil Erosion & Sediment Control Plan, Sheet 9 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Detail Sheet (A), Sheet 10 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Detail Sheet (B), Sheet 11 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Detail Sheet (C), Sheet 12 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Detail Sheet (D), Sheet 13 of 13, R.L. Streker, PE, Bohler Engineering, P.C., April 24, 2006, revised to July 5, 2006;

< Proposed Floor Plan, A1, Sheet 1 of 4, Gary Kliesch, RA, GK+A Architects, February 13, 2006, revised to July 5, 2006;

< Proposed Elevations, A2, Sheet 2 of 4, Gary Kliesch, RA, GK+A Architects, February 13, 2006, revised to July 5, 2006;

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< Proposed Elevations, A3, Sheet 3 of 4, Gary Kliesch, RA, GK+A Architects, February 13, 2006, revised to July 5, 2006; and

< Gas Canopy Elevations, Etc, A4, Sheet 4 of 4, Gary Kliesch, RA, GK+A Architects, February 13, 2006, revised to July 5, 2006; and

WHEREAS, the proposed action more specifically includes demolition of an existing convenience store building and gas station, including removal of existing underground storage tanks, and development of the following new improvements:

< An approximately 7,540 SF convenience-type store;

< A gas station providing eight fueling islands, two diesel pumps, and installation of related underground storage tanks;

< An approximately 1,250 SF separate car wash building; and

< Related utility and landscaping improvements; and

WHEREAS, the proposed action has been classified as an Unlisted action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617; and

WHEREAS, implementation of the proposed action requires several permits and approvals from local, County and State agencies; and

WHEREAS, the following potential involved agencies have been identified:

Involved Agencies

Town of Ulster Town Board;

Town of Ulster Planning Board;

Town of Ulster Zoning Board of Appeals;

Ulster County Planning Board;

Ulster County Health Department;

Ulster County Department of Public Works;

New York State Department of Transportation;

New York State Department of Environmental Conservation;

NOW THEREFORE BE IT RESOLVED, pursuant to the applicable standards of SEQR 6 NYCRR Part 617.6, the Town Board of the Town of Ulster concludes that it is the appropriate agency to serve as lead agency for a coordinated environmental review of the proposed Unlisted action; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ulster hereby declares its intent to be lead agency for the coordinated SEQR evaluation of this Unlisted action; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ulster hereby authorizes

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circulation of the attached Notice to other identified involved agencies indicating the Town Board's intention to serve as lead agency, including circulation of a copy of the submitted Part 1 EAF and Site Development Plans, pursuant to the requirements set forth in SEQR 6 NYCRR Part 617.

2nd by Councilman David Brink.

A Roll Call Vote was taken – 4 Ayes – Councilman Artist was absent

Authorizing the Town Assessor to enter into an agreement with New York State for the 2008 Town Property Revaluation.

Supervisor Woerner motioned and read the following resolution:

WHEREAS, the Town of Ulster last performed a revaluation of the assessments of the parcels of real property in its jurisdiction in 2003; and

WHEREAS, The State Equalization rate has dropped to a tentative rate of 70.53 in 2006, thus indicating that the assessments of the parcels of real property in the Town differ greatly from their market value; and

WHEREAS, it is in the interest of up-to-date and accurate assessments of property in its jurisdiction to assure Property Tax Law Section 305;

the Town of Ulster to have the parcels of real compliance with Real

NOW, THEREFORE, upon motion duly made and carried, it is hereby resolved as follows:

1. The Town Board of the Town of Ulster hereby authorizes James F. Maloney, I.A.O., Town Assessor, to perform a revaluation of the assessments of all of the parcels of real property located within the town boundaries for the year 2007, for the 2008 assessment roll.

2nd by Councilman Joel B. Brink

A Roll Call Vote was taken – 4 Ayes – Councilman Artist was absent

Approving change order # 1 for Ulster Sewer District to Harkins Mechanical and Construction in the amount of \$6,600.00 for contract allowances.

Councilman David Brink motioned to approve change order #1 as submitted.

2nd by Councilman Secreto

A Roll Call Vote was taken – 4 Ayes – Councilman Artist was absent

Authorizing Town Supervisor to sign an agreement for Audit Services with Sperry, Cuono, Hlgate & Churchill, for the 2005 Audit in the amount of \$ 26,795.

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Councilman Joel B. Brink motioned to authorize Supervisor Woerner to sign a service agreement with Sperry, Cuono, Holgate & Churchill, for the 2005 Audit in the amount of \$26,795.

2nd by Councilman David Brink

A Roll Call Vote was taken – 4 Ayes – Councilman Artist was absent

Supervisor Woerner motioned to authorize Lorina Mentessi to construct a pool within the set back of Town land located at 20 Parkside Drive.

2nd by Councilman Dave Brink

Four Ayes – Councilman Artist was absent

Supervisor Woerner motioned to enter into executive session to discuss a personnel issue in regards to the Town Justice Court at 8:55 PM

2nd by Councilman David Brink

Four Ayes – Councilman Artist was absent

Executive session adjourned at 9:26 PM

Councilman Secreto motioned to adjourn the meeting at 9:27 PM

2nd by Councilman David Brink

Four Ayes – Councilman Artist was absent

Respectfully Submitted by

Jason Cosenza, RMC

Ulster Town Clerk