

**ULSTER TOWN BOARD WORKSHOP
NOVEMBER 6, 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

Legislator Gary Bishoff announced that the County Charter proposition was on the ballot for Election Day and handed out pamphlets in favor of the proposal.

Supervisor Woerner opened the Public Hearing for the 2007 Budget at 7:05 PM

Councilman Artist motioned to close the Public Hearing at 7:06 PM

2nd Councilman Secreto
Motion and 2nd withdrawn

Summary of statements, questions and answers:

Mr. Robert Barton – Requested the heat be turned down to save money as the room was hot. What is the fund balance (A5990)?

Supervisor Woerner stated that is the remaining money from the prior budget that was not spent, including surplus revenues that were unanticipated.

Ann Mitchell, the Town Bookkeeper, stated the balance was around \$700K.

Mr. Robert Barton – A1220.100 Supervisor – Is the Supervisor position full-time or part-time? How much is the increase?

Supervisor Woerner stated that it was a part-time position though he puts in full-time hours. The raise is 5%.

Mr. Robert Barton - Feels that the 5% increase is too high and should be adjusted to the cost of living. Feels that a law should be established to make the Town Clerk & Supervisor full-time positions. He feels that benefits should match all the positions, so that a full-time position should get full-time benefits and part-time positions should get no benefits. Mr. Barton inquired why the assessor position got a 4K increase. He suggested that the town put a limit on sick and vacation days to save money.

Supervisor Woerner stated that a contract is in place until 2009. The Town Board agreed to an annual raise of 2.5% and to pay certain benefits. The board made an assumption of money for costs so the line would not go into the negative. Additional monies were put in for the purchase of sick and vacation time. The Assessor is a term of statue, a six year appointment, and the position is up for appointment next year. The term expires in September 2007. The contract covers the position of the assessor.

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Mr. Robert Barton – What are the Judgments & Claims (A1930-400)?

Supervisor Woerner – There are several claims that have to be paid back to the County for making the town whole tax wise. These were judgments against the town's assessments and they were lessened.

Mr. Robert Barton – What are metered water sales (SW1-2140)?

Paul Vogt, Water Superintendent – Metered water sales are revenue from Hillside Acres, Spring Lake, East Kingston and the Ulster Water District.

Supervisor Woerner – Stated that expenses are represented in those district lines to pay for the water from the City of Kingston and that the expense is not from the Ulster Water District.

Mr. Reno Budziak – Why is the planning board members and planning chairman line lower than the previous year (A8020.402)?

Supervisor Woerner – Stated that a study had been done that showed that the pay scale for our Town Planning Board Members is higher than others in the county. The chair is reduced by \$100 and the planning member is reduced by \$400.

Mr. John Heitzman – Feels that the Supervisor salary increase is justified when compared to other supervisors in the area.

Supervisor Woerner motioned to close the hearing at 7:24 PM

2nd by Councilman Joel B. Brink

All Ayes

Councilman Secreto motioned to approve the Town of Ulster 2007 Budget as submitted.

2nd by Councilman David Brink

A Roll Call Vote was taken – All Ayes

Supervisor Woerner thanked the Town Board, the Town Clerk, the bookkeeper, the assessor and all the Department Heads for their work in the budget process.

COMMUNICATIONS –

Councilman Artist announced that the Chambers Senior Housing project will be pulled from the agenda as the applicant will be submitting further environmental reports to the Town Board in regard to the traffic, community character and the visual assessment for review in the SEQR process.

Filling of Part- Time Position at the Town Transfer Station.

Councilman Joel B. Brink motioned to hire Frank Rittie as a part-time employee at the Town Transfer Station for Tuesday, Friday and Saturday at a rate of \$8.50 effective November 7, 2006

2nd by Councilman Secreto

A brief discussion took place among the Town Board members that this person would be an emergency on call person to fill any absences at the Transfer Station and that John Iconetti would also be on call.

A Roll Call Vote was taken – All Ayes

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Filling of Positions of the Economic Development Committee.

Supervisor Woerner motioned to appoint:
James Maloney and Lt. Joseph Sinagra for the two employee positions
Gerard "Ozzie" Beichert for the Town Planning Board position
Helen Lehthinen, August "Gus" Hof and Joseph Toscano as the three citizens for the EDC.
2nd by Councilman David Brink
A Roll Call Vote was taken – All Ayes

Supervisor Woerner read and motioned to approve the following:

A Resolution Establishing Membership in the Digital Towpath Cooperative:

WHEREAS, the Town of Ulster has established and maintained a municipal website using the Digital Towpath Municipal Website Template, and

WHEREAS, the Town of Ulster has realized an increase in service to the residents of our town through the operation of our website, and

WHEREAS, the continued operation and expansion of our website will continue to enhance our citizens' e-government interaction with our town, and

WHEREAS, the municipalities in New York State using the Digital Towpath Municipal Website Template are banding together to form the Digital Towpath Cooperative, and

WHEREAS, the inter-municipal joint service agreement establishing this cooperative has been presented to and reviewed by this board,

THEREFORE, we authorize the Supervisor to sign the inter-municipal Joint Service Agreement establishing the Digital Towpath Cooperative and hereby designate Nancy France, Web master to represent our town in all proceedings of that body.

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

Supervisor Woerner read and motioned to approve the following:

Acceptance of the Final Environmental Impact Statement (FEIS) of the Sottile Boulevard Extension.

WHEREAS, the Town of Ulster has made extensive efforts to improve traffic flow in and around its primary retail center on Route 9W; and

WHEREAS, such efforts have included creation of Development Facilitation Improvement District No. 1 to finance extensive roadway improvements; and

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WHEREAS, the Town has continued to develop designs for additional improvements to facilitate traffic flow in consultation with the New York State Department of Transportation (NYSDOT); and

WHEREAS, the Town Board has authorized preparation of and approval of Draft and Final Environmental Impact Statements for the Extension of Frank Sottile Boulevard in accord with the procedures of the State Environmental Quality Review Act (SEQR) including necessary public hearings and distribution of notices; and

WHEREAS, the Town Board has determined that all requirements of SEQR have been met and that the proposed Extension of Frank Sottile Boulevard minimizes or avoids adverse environmental impacts to the maximum extent possible and that any such impacts are minimized or avoided by incorporating mitigative measures which were identified as practicable; and

WHEREAS, a Statement of Findings has been prepared which sets forth the basis for the Town Board's findings and determinations;

NOW, THEREFORE Be It Resolved by the Town Board of the Town of Ulster that:

1. The Statement of Findings for the Extension of Frank Sottile Boulevard dated November 6, 2006 is hereby approved in all respects.
2. A copy of this Statement of Findings shall be distributed to all involved and interested agencies, as required by SEQR.
3. The Supervisor is hereby authorized to contact the NYSDOT to initiate the next steps to implement the first stage of the Extension of Frank Sottile Boulevard as set forth in the Statement of Findings.

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

Setting a public hearing for the proposed Cryo Weld site plan.

Supervisor Woerner stated that a public hearing will not be set as it has not been determined if a public hearing is necessary.

Discussion regarding the issuance of a State Environmental Quality Review Act (SEQRA) Determination for the Washington Avenue Quick Chek.

Supervisor Woerner inquired about the status of the storm water retention pond and the new traffic plan.

The Quick Chek representative stated that a split rail fencing will be put around the border. The traffic plan takes into account the proposed roundabout and will remain a left in situation until the roundabout is installed.

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Supervisor Woerner motioned to direct the Town Planner to draft a Negative SEQRA resolution for the Washington Avenue Quick Chek for the November 20, 2006 meeting.

2nd by Councilman Artist

All Ayes

Supervisor Woerner motioned to direct the Town Planner to draft a resolution for final site plan approval for the Washington Avenue Quick Chek for December 8, 2006.

2nd by Councilman Secreto

It was noted that the site plan resolution would be conditioned upon the approval of Water & Waste Water Superintendent's requirements being met.

All Ayes

Discussion regarding the issuance of Site Plan Approval for the Proposed Rt. 9W Quick Chek.

Councilman Artist inquired if the parking met the site plan requirements.

The representative stated that it exceeded the requirements together and each individually.

Councilman Joel B. Brink asked if the pass through has been agreed to.

The representative stated that a potential easement has been reached and that will be adequate.

There was a discussion about the proposed boulevard going through the property. There is a carwash where a proposed future road may go and it was agreeable that the carwash will be removed for future construction of the roadway.

Supervisor Woerner motioned to direct the Town Planner to draft a resolution for final site plan approval for the 9W Quick Chek.

2nd by Councilman Secreto

It was noted that there may be conditions at the time

All Ayes

Setting bid date for Contracts TU-052 (Site Preparation for Dogwood Street Prefabricated Pump Station for the Ulster Water District) and Contract TV-053 (Furnishing Dogwood Street Prefabricated Pump Station for the Ulster Water District) to be November 29, 2006.

Supervisor Woerner read and motioned to approve the following:

Whereas, the Ulster Water District is purchasing water from the City of Kingston Water Department pursuant to an agreement dated July 20, 2004, and

Whereas, the installation of a pump station and meter system is required in order to reliably and properly deliver the water supply to the Ulster Water District distribution system, and

Whereas, the installation of the pump station and meter system is a Type 2 action with respect to the State Environmental Quality Review Act and an Environmental Assessment is not required, and

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Whereas, plans and specifications for this project have been prepared by Brinnier and Larios, P.C., engineers for the Ulster Water District, and

Whereas, the plans and specifications have been approved by the Ulster County Department of Health.

Therefore, be it resolved that Contract TU-052, "Site Preparation for Dogwood Street Prefabricated Pump Station for the Ulster Water District" and Contract TU-053, "Furnishing Dogwood Street Prefabricated Pump Station for the Ulster Water District" Site Preparation for Dogwood Street Extension Prefabricated Pump Station for the Ulster Water District" be advertised for bids in accordance with the general municipal law and that the bid data of November 29, 2006, be established.

By Order of the Town Board, Town of Ulster, this 6th day of November, 2006.

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

Mr. Christopher Kresser – Stated that it is unfair that the Chambers Housing agenda item was pulled when he had made a commitment to discuss the matter. He inquired if the Town Board received a letter from Mrs. Brett from Chambers School about the project. He stated that according to Ulster Code 194 the fire lane requirements are not being met.

Supervisor Woerner stated that he had received the letter from Mrs. Brett and that a memo from the Town Planning Board stated that the fire requirements were met. He will discuss the fire requirement concern with the Town Planning Board.

Mr. Fox – Inquired if it is necessary for the Birches project, Chamber Housing, to appear before the Zoning Board of Appeals for the density requirement.
Supervisor Woerner referred to the Planning Board memo that stated it was not necessary unless there was a sub-division of the land. It does not exceed the density requirements.

Mr. Fox offered some computation that showed that the current proposal of the project was oversized. He asked the Town Board to follow the law and to protect the character of the area.

Councilman Artist stated that the item was taken off the agenda (Chambers Housing) because he realized when he was chairing the last meeting that the Town Board needed more information.

Supervisor Woerner motioned to allow Councilman Joel B. Brink to attend a one day seminar for personnel matters and labor relations training on November 16, 2006 at FDR Library in Hyde Park at the cost of \$100.00

2nd by Councilman Artist
All Ayes

Supervisor Woerner motioned to enter into executive session at 8:18 PM to discuss pending litigation for a real estate transaction and a personnel matter.

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2nd by Councilman Artist
All Ayes

Executive session ended at 9:04 PM

Supervisor Woerner announced that the Town Board finds the enlargement of the existing easement over the property of Thomas and Denise Davis to include the use by the Ulster Water Department or its agents or contractors for the construction, installation and maintenance of a pump station and associated water pipes at the Ulster Sewer Treatment property is *de minimus* in nature as provided by New York Eminent Domain Procedure Law Section 206 D. This will eliminate the necessity of having a public hearing on this matter.

Supervisor Woerner motioned to authorize the commencement of legal action pursuant to Article 4 of the Eminent Domain Procedure Law to obtain the necessary easement for the Ulster Water Department and to retain the services of an appraiser for the purpose of determining the value of the enlargement of said easement and to offer such amount as so determined to Thomas and Denise Davis both as provided by Article 3 of the Eminent Domain Procedure Law. He recommended using Dwayne Postupack of Postupack Valuation of Kingston for said service.

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

Supervisor Woerner motioned to authorize Councilman Joel B. Brink, the Chairman of the Personnel Committee, to send a letter of termination to Mr. Harold Halwick, an employee of the Highway Department, dated November 8, 2006.

2nd by Councilman Artist
All Ayes

Councilman Joel B. Brink motioned to adjourn the meeting at 9:08 PM

2nd by Councilman David Brink
All Ayes

Respectfully submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk