

ULSTER TOWN BOARD WORKSHOP
APRIL 2, 2007 AT 7:00PM

Supervisor Woerner announced that the Town will be establishing a Volleyball reserve Fund and set a public hearing at 7 PM on May 1, 2007 for the MS-4 report that is not on the agenda. The Town Board will hold its meeting on Tuesday, May 1, 2007 instead of Monday, May 7, 2007.

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

SALUTE TO THE FLAG

A moment of silence was observed for Margaret Marino, the former Town Tax Collector & Pauline Crosby, wife of former Councilman Edward Crosby.

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

Town Clerk Cosenza read a statement for the record on the proposal of abolishing the Tax Collector position – Attached.

Barbara Wise – Inquired if the Town Board is going to act on the agenda items at the Town Workshop.

Supervisor Woerner stated that the meeting is convened, the items have been discussed at the previous meetings and it was announced they would be acted upon.

James Quigley –Expressed that the Republican Committee is unilaterally against the term of office for Town Supervisor being extended from two years to four years as a lot can change in four years and the people will lose their right to vote in unison about changing the direction of government.

Robert Barton – What is the resolution for labor law 816-B?

Supervisor Woerner – It is a resolution that states that if the Town does any building project over \$500,000 it will have to hire a contractor who participates in a job apprenticeship program. A representative will be here to explain it at a later meeting.

Discussion: Proposal to abolish the Tax Collector position and merge all duties to the Town Clerk's Office.

Supervisor Woerner stated that he set up a committee to speak to the Town Clerk and the Tax Collector about abolishing the position.

Councilman Secreto reported that the Committee feels that the two offices can be run by one person without any building modification and suggested abolishing the tax collector's position.

ULSTER TOWN BOARD WORKSHOP
APRIL 2, 2007 AT 7:00PM

A discussion occurred about building modification, by Town Clerk Cosenza and pooling labor into one office to save money. Town Clerk Cosenza is in favor of it as long as the proper resources and tools are given.

Councilman Artist is in favor of the proposal as submitted without any building modifications.

Councilman David Brink has been in favor of eliminating the Tax Collector's position for many years.

Supervisor Woerner feels that the Town Clerk had raised an interesting point earlier about eliminating health care benefits for part-time town officials. He feels the board should consider reviewing the benefits of former officials and the possibility of eliminating future benefits for elected officials as the costs are increasing.

Regarding Labor Law 816-B giving governmental entities the authority to require contractors and subcontractors have apprentice programs.

Supervisor Woerner explained that the Town Board has received copies of the proposed resolutions with a copy of the state law on the back. Mr. D'Orio will be coming forward to the next Town Board meeting to discuss this issue and answer questions. The resolution is being presented county-wide among the townships.

Councilman Joel B. Brink inquired if this is related to the recent construction of the Hampton Inn.

Supervisor Woerner stated that it is not, but there were people who worked there that were not local laborers and that helped to hype awareness.

Volley Ball Reserve Fund

Councilman Secreto moved to establish a Town of Ulster Volley Ball Reserve Fund.
2nd by Councilman Artist
A Roll Call Vote was taken – All Ayes

Resolutions: Authorizing the abolishment of the Tax Collector position and merge all duties with the Town Clerk's Office.

Councilman Secreto motioned to abolish the Tax Collector's position effective December 31, 2007 and merge all the duties with the Town Clerk's Office.
2nd by Councilman Artist
A Roll Call Vote – All Ayes

Authorizing the Supervisor to sign the Memorandum of Understanding with Quick Chek for Rt. 9W.

Councilman Joel B. Brink moved to authorize the Town Supervisor to sign the memorandum of

ULSTER TOWN BOARD WORKSHOP
APRIL 2, 2007 AT 7:00PM

understanding with the Quick Chek for Rt. 9W.
2nd by Councilman Secreto
All Ayes

Authorizing the Town Supervisor to execute all necessary easements with Quick Chek for Rt. 9W.

Councilman Joel B. Brink moved to authorize the Town Supervisor to sign and execute all the paperwork required for all necessary easements for the Quick Chek for Rt. 9W.
2nd by Councilman Secreto
All Ayes

Authorizing the Kingston School District to use the town voting machines for the upcoming May 15, 2007 School Board Election.

Councilman David Brink moved to allow the Kingston School District to use the town's voting machines for the May 15, 2007 election.
2nd by Councilman Joel B. Brink

Councilman Secreto moved to table the motion to negotiate a better rate for the town's use of the School's basketball courts for the biddy basketball league.
2nd by Councilman Joel B. Brink
All Ayes

Setting a Public Hearing on the New Town Comprehensive Plan.

Supervisor Woerner motioned to set a public hearing for the Comprehensive Plan Committee for April 16, 2007 at 7:45 PM
2nd by Councilman Secreto
All Ayes

Setting a Public Hearing on the MS-4 2007 Draft Storm Water Management Program Annual Report Plan.

Supervisor Woerner motioned to set a public hearing for the MS-4 2007 Draft Storm Water Management Program Annual Report for Tuesday, May 1, 2007 at 7:30 PM.
2nd by Councilman Secreto
All Ayes

Supervisor Woerner announced that the Town Board Meeting will be changed from, Monday, May 7, 2007 to Tuesday May, 1, 2007 and requested that the Town Clerk make notice to the public about this.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ULSTER DECLARING ITS INTENTION TO BE LEAD AGENCY IN THE MATTER OF THE SITE PLAN FOR MEMORIAL DRIVE PLAZA

**Supervisor Woerner motioned to approve the following:
THE DEVELOPMENT PROPOSED ON MEMORIAL DRIVE PLAZA IN THE TOWN
OF ULSTER**

WHEREAS, an application by Lloyd Park LLC for the development of lands owned by it on Memorial Drive in the Town of Ulster, and

WHEREAS, the Planning Board has referred the matter to the Town Board for the commencement of the review process required by the New York State Environmental Quality Review Act,

WHEREAS, the Town Board finds that the only other involved agency is the State of New York Department of Transportation since the site of the proposed development is bounded by State Route 9W (East Chester Street Bypass), and

WHEREAS, the Town Board finds that the Town has the greatest interest in the review and planning of the proposed development,

NOW THEREFORE, be it resolved as follows:

1. The Town Board of the Town of Ulster declares its intention to be lead agency in the matter of the approval of the site for the property owned by Lloyd Park LLC at the intersection of Memorial Drive and the East Chester Street Bypass in the Town of Ulster.
2. The New York State Department of Environmental Conservation, the Ulster County Planning Board and be transmitted to them this resolution and the Environmental Assessment Form as interested agencies pursuant to the New York State Environmental Law and the regulations promulgated thereunder, this 2nd day of April, 2007.

2nd by Councilman David Brink
All Ayes

**Local Law: # 1 of 2007: The establishment of four year terms for the Town Supervisor,
Superintendent of Highways and Town Clerk.**

Councilman Artist motioned to approve the following:

LOCAL LAW NO. 1 OF 2007

A Local Law changing the Terms of Office of the Town Supervisor, Town Clerk and Highway Superintendent of the Town of Ulster, New York, from two (2) years to four (4) years commencing January 1, 2008.

ULSTER TOWN BOARD WORKSHOP
APRIL 2, 2007 AT 7:00PM

Whereas, New York Municipal Home Rule Law, Sec. 10 (1) (ii)(a)(I) authorizes the adoption of a local law changing the terms of office of the Highway Superintendent, Town Clerk and Town Supervisor from two (2) years to four (4) years;

Be It Enacted by the Town Board of the Town of Ulster as follows:

Section 1. Commencing January 1, 2008 the term of office of the Town Supervisor shall be four (4) years. and Article 1 of Chapter 43 of the Code of the Town of Ulster shall be amended to read as follows:

"Membership; terms of office.

The Town Board consists of the Supervisor and four (4) Town Councilmen. The term of office of each Councilmen shall be four (4) years, and the Supervisor four (4) years."

Section 2. Commencing January 1, 2008 the term of office of the Town Clerk shall be four (4) years

Section 3. Commencing January 1, 2008 the term of office of the Highway Superintendent shall be four (4) years

Section 4. This law shall apply to the term of office of the Town Supervisor, Town Clerk and Town Highway Superintendent elected at the biennial election of 2007 and thereafter.

Section 5. Propositions of the approval of this Local Law shall be placed on the ballot at the next town biennial election to be held on November 6, 2007. Sections 1, 2 and 3 providing for extension of the terms of the Town Supervisor, Town Clerk and Town Highway Superintendent shall be separately submitted for approval by referenda.

Section 6. This Local Law shall take effect immediately upon its filing with the Secretary of State and upon its approval by the voters at the referenda to be held hereon.

2nd by Councilman Secreto

A Roll Call Vote was call – All Ayes

Mr. Brooks – Stated he is in favor of the four year term for elected officials.

Robert Barton – Does the Town have any regulation for people soliciting door to door?

Town Clerk Cosenza – Yes, the town has hawkers and peddler permits. A resident can report them to the police and the police will look into it.

Mr. Larry Decker – Requested from the Town permission for the Kiwanis Club to use the Town Hall and parking lot to end the Town of Ulster Flag Day Parade.

Supervisor Woerner stated that he will talk to the insurance company to see what is required and asked if they can submit a letter of request.

ULSTER TOWN BOARD WORKSHOP
APRIL 2, 2007 AT 7:00PM

Mrs. Tina Carpino – Inquired about what the status is of Calanan’s blasting in East Kingston? She noticed that the Town Attorney is listed on the abstract, working on this matter. Town Attorney Andrew Zweben stated that he had been busy coordinating the various specialists and drawing up contracts in getting readings and reviewing materials.

Mr. Donald Wise – Is not in favor of the apprenticeship program because it prevents small business from participating in working locally. He is not in favor of the four year terms for the elected officials as it does not provide accountability from the public.

Van Bramer – Dog Issues

A representative from the UC SPCA inquired about the complaint they had filed with the town about Mr. Van Bramer and his animal shelter in the township. They inquired if all his dogs are licensed, and if the animals are being treated humanly as per the Agriculture and Markets law. They further wanted to know if the shelter is properly zoned.

Town Attorney Andrew Zweben reported that he has copies of the dog licenses for Mr. Van Bramer and that they all seemed in order for the number of animals he has. He reported that the Ulster District Attorney’s Office had gone to a grand jury to investigate the treatment of his animals and they found no cause to prosecute or take any action, so he would find it hard to repeat the same legal process and expect a different result. The zoning issue will be forwarded to the Town Building Inspector for review.

Mr. Paul Van Bramer stated that he has had difficulty with the UC SPCA and felt they are abusing their powers.

Council Artist motioned to adjourn the meeting at 7:55 PM
2nd by Councilman Joel B. Brink
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk

Attached Statement -

April 2, 2007

Members of the Board:

I am for positive change. I am not against the offices of the Town Clerk assuming the duties of the tax collection, but the job needs to be done right and proper tools need to be provided. At the recent public hearing on abolishing the Town Tax Collector's position, there was no formal plan or proposal presented to the public. It was just opinion. At that time, I pointed out issues that needed to be examined and suggested an independent committee be formed. Councilman Artist and Councilman Secreto were appointed. My expectations from this committee would be a written report of their findings for public review on what the true cost savings are, a statement of justification in this action if any to abolish the position, and a business plan of how best to merge the offices.

What I find troubling about this proposal is that the fundamental cost savings comes from eliminating a full time health care benefit for a part time elected official who should not have taken, been given, offered or received this benefit. The Town Board has a policy in place where all the elected officials can choose to participate in a health care benefit package, as there are several policies to choose from, and what they choose, they will be held accountable for by the public. This is the time for accountability.

If the Town Board eliminates the health care benefits for part-time elected officials, this being the Town Councilmen and the Tax Collector, that would lead to a potential savings of \$70K a year. The current Town Board has stated that they do not accept health benefits, but that is not to say that the next councilmen would not participate. In the current proposal, the Tax Collector does participate. If the part time benefit is eliminated, the current proposed savings would be around \$10K. If the Town Board looks at managing the efficiency within the office, they will see that \$5K was spent for part time help and the current proposal suggests spending \$8K. That is a \$3K difference that was not included in the suggested proposal, cutting the savings to a total of \$7K. That is roughly \$.35 to the average taxpayer.

It would be inappropriate for the Town Board to act on this resolution tonight, when the public has not been given a chance to review any information and provide comment. There are questions that need to be answered and I feel the burden of proof is on this Town Board to present a case in abolishing the Town Tax Collector's position. I think the committee needs to review these facts, compose a business plan showing the cost savings, and if justified, make a determination on how best to merge the offices.

Jason Cosenza, RMC FHCO - Ulster Town Clerk