

ULSTER TOWN BOARD MEETING  
May 1, 2007 AT 7:00 PM

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

**SALUTE TO THE FLAG**

**A moment of silence was observed for NYS Trooper David Brinkerhoff**

**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

**Public Comment**

Robert Barton – What is the proposal regarding the Town fund balance policy?  
Supervisor Woerner stated that they are going to have a discussion regarding the state comptroller's recommendations with regard to fund balances. The document will be put on file with the Town Clerk and on the Town's website, where it can be viewed.

Robert Barton – What is the proposal regarding Town infrastructure replacement and repair?  
Supervisor Woerner stated that it is an initiative of his to discuss with the department heads what projects might need to be done throughout the town.

**Memorializing resolution prohibiting Native American casinos in the Town of Ulster**

Supervisor Woerner stated that he has not been contacted, but there are a lot of rumors going around about the former IBM Recreation Center and Tech City property being possible locations for a casino. He feels the Town should take a position. The survey by the Comprehensive Plan showed that 70% of the residents were not in favor of a casino. Before someone does come forth with a proposal, he feels that a public referendum should be held to find out how the residents feel.

Councilman Joel Brink wondered how much "teeth" a memorializing resolution has.

Supervisor Woerner said a memorializing resolution is a statement of the position of the present board in response to the concerns of the residents of the community. It has no power but it does show that we're not in favor of it.

Councilman David Brink thinks that we don't stand to gain much of anything by hosting a casino

Councilman Artist wonders how we can even talk about it without any documentation. There is no basis for discussion. He is in favor of a public hearing.

Councilman Secreto is not in favor, but he thinks it should be put to the voters.

Councilman Joel Brink is not in favor of a casino.

Supervisor Woerner will have a resolution drafted and schedule a public hearing for sometime in the beginning of June.

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### **Town of Ulster Summer Camp Program**

Councilman Secreto gave an update on the summer camp program for children ages 5-13yrs.old Camp will run from June 25<sup>th</sup> to August 17<sup>th</sup>, 9am-3pm. The cost is \$80 per child or \$100 per family for Town residents. Non-resident cost is \$300 per child or \$320 per family. The camp director will be Danielle Trippodo. Second in charge will be Chris Swart. There will be about 25 counselors. All counselors will be trained in First-Aid, CPR and AED. Sign-ups will be at the Town Hall on May 25<sup>th</sup> 6-8pm, June 1<sup>st</sup> & 8<sup>th</sup> 6-7pm. Forms and permission slips are available on the website.

### **Transition plan for combining of the Tax Collector and Clerk's office**

Councilman Artist reported that he has met with the Town Clerk and the Tax Collector and he is in the process of getting a plan together for 2008.

### **Local Law #2 of 2007 regarding attendance requirement for Town Planning and Zoning Board members**

Supervisor Woerner feels that because the planning and zoning board members are compensated, they should have a minimum attendance policy. Some members have a very poor percentage of attendance and it sometimes affects the boards voting ability.

Supervisor Woerner made a motion to set a public hearing, regarding Local Law #2, for May 14, 2007 at 7:30pm.

2<sup>nd</sup> by Councilman Secreto

All in favor.

### **Town Facilities Study Committee**

Supervisor Woerner would like to form a committee to study the lack of space and antiquity of the buildings. He recommends that this committee consist of at least one Town employee, one elected official and three citizens. He will allow until May 15<sup>th</sup> to receive letters of interest from the public.

### **Proposal Regarding Town Fund Balance Policy**

Supervisor Woerner stated that the State Comptroller's office has set guidelines to determine what the fund balances should be. The Supervisor recommends that the Town should set a minimum of 10% and maximum of 15% balance for each fund. Also we need to discuss what to do with excess fund balances.

### **Proposal Regarding Town Infrastructure Replacement and Repair**

Supervisor Woerner stated that there currently is no plan in place for departments to upgrade their facilities and equipment. He would like to set up a committee to start to address these concerns. This committee will consist of Highway Superintendent, Mac Tinnie, Wastewater Superintendent, Corey Halwick, Water Superintendent, Paul Vogt, Town Engineer, Dennis

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Larios and the Town Supervisor. He will set up an appointment with these gentlemen and update the board at the next meeting.

### **Town Comprehensive Plan Public Hearing**

Supervisor Woerner opened the public hearing at 7:45pm. This is hearing #2 for discussion of the Town Comprehensive Plan. Town Planner, Alan Sorensen and Comprehensive Plan Chairman, John Morrow were present to answer any questions.

Marlene Engelhardt read a statement of her suggestions into the record which is attached hereto.

Robert Barton – He likes the idea of a public comment period at the planning board meetings. Also, before we make any changes to this building, should we question if there is a location that would be more appropriate for the Town Hall?

Chris, from Eddyville, has questions about the recreation part of the Comprehensive Plan regarding the towpath, rail trail and ATV trails. She recommends that we establish some ATV trails so that people can ride legally.

Councilman Joel Brink complimented Mr. Sorensen on an excellent document. He has questions about the ramps off Route 199. He is concerned that the monies appropriated from the various agencies will expire before anything is done.

Supervisor Woerner stated that he has a meeting scheduled for tomorrow morning at 10am with Planner Dan Shuster, Attorney Zweben and himself to discuss the Frank Sottile Blvd. extension and the Washington Ave. corridor project. They have to decide if they will ask again for funds from the County Legislature and the State DOT or set up a Road Facilitation District to pay for this project. The state has continued to commit to the original money for the project. By the end of this month we should know where we stand and hopefully by the June meeting we will know if we need to set up a road district.

Robert Mitchell – Isn't Frank Sottile Blvd. now a county road?

Supervisor Woerner – that is true, but the Town still has the responsibility of putting the project together.

Robert Barton – He thinks that there is also a big traffic problem at the southern end of the business district near the 9W and Miron Lane intersection. Have there been any answers from the Comprehensive Committee on the questions from the first public hearing? He thinks the town needs to address where mining can be done.

John Morrow – This is a living and breathing document that needs to be kept up to date. He asks the Town Board to please keep an active Comprehensive Planning committee in place.

Supervisor Woerner made a motion to close the public hearing at 8:05pm.

2<sup>nd</sup> by Councilman Artist

All in favor

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Supervisor Woerner stated that the document was referred to Ulster County for comment on April 17<sup>th</sup>. They have a 30 day comment period. We should hear from them sometime in May. Supervisor Woerner made a motion that the Town Board of the Town of Ulster declare lead agency status on the Comprehensive Plan under SEQRA

2<sup>nd</sup> Councilman Artist

All in favor

### **MS4 Storm Water Report Public Hearing**

Supervisor Woerner opened the public hearing at 8:10pm

Frank Petramale gave an overview of the program. He stated that it is a federally mandated requirement, that follows the Clean Water Act, to locate all illicit discharges throughout the Town. It requires mapping of the storm drainage system, which is about 98% complete. We have to detect where all the illicit discharges are and come up with a plan on how to deal with it. It needs to be completed by January 2008.

James Maloney – the Town of Ulster is way ahead of other municipalities. The other towns in the county would like to use Frank's mapping process.

Councilman Artist asked whether, if it is federally mandated, it is funded?

Frank Petramale – “Of course not”

Supervisor Woerner thanked the assessor, James Maloney and his office manager, Nancy France, for all their help with the GPS on this project.

Tina Carpino – Will corporations be held accountable for their own drainage? Does Callanan's fall within the MS4 area?

Frank Petramale – No one is exempt from this. He invited anyone to come to the highway complex to look at the map. The entire town area is not included at this time, but any municipality can petition to have areas added or taken out.

Councilman Artist stated that other areas will be added after the 2010 census.

Supervisor Woerner made a motion to close the public hearing at 8:30pm

2<sup>nd</sup> by Councilman Artist

All in favor

Supervisor Woerner opened the floor to comments on any items related to the Town of Ulster.

John Morrow announced the Young Eagles Day at the Kingston Airport on May 12, 2007 starting at 9am. The program is open to people 8-17 yrs. of age. Participants are given a 20 -30 minute airplane ride.

James Maloney gave an update on the recent flooding. All affected properties have been inspected. As of now, there is no declaration of assistance. He asked that March 1<sup>st</sup> for the final assessment, be more flexible when there is any kind of disaster. He thanked all the fire departments, the police department and the highway department for their help.

Hope Brustein, the executive director of the UCSPCA, gave a talk about animal hoarding. She mentioned the property of Bruce VanBramer, in the Town of Ulster who, according to her, has over 80 animals. She urged the Town Board to enforce the zoning laws that are already in place to deal with this problem.

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Merle Bordenstein, Board of Directors of the UCSPCA, wondered where all the animal waste goes. Where are the animals that die buried? She urged the town to please close him down.

Attorney Zweben stated that the Ulster County Grand Jury determined that no state animal cruelty law was violated. The Town is in the process of enforcing the zoning law. The Town has issued a notice of apparent violation of zoning law which expired on Friday April 27<sup>th</sup>. The next step is the issuance of a violation of the zoning law. If Mr. VanBramer then fails to correct the violations, criminal charges can be brought. He would be issued an appearance ticket for failing to obey a directive of the building department.

Pat Metzger - Do you have any knowledge of the Thruway bridge on Sawkill possibly being closed for repairs?

Supervisor Woerner is under the impression that they will be replacing that bridge in the near future, but he has had no notification yet.

Pat Metzger also asked about the traffic lights on Ulster Avenue. She believes the town received a \$25,000 grant several years ago for the synchronization of those lights.

Councilman Joel Brink spoke to the DOT and was told that the four middle lights were synchronized, but the two end lights haven't been done yet because of the large volume of traffic at those intersections. The DOT is studying that to see how they can handle the problem.

Karen Markisenis, speaking as a Zoning Board Member, is happy the attendance at meetings is being addressed. She wondered what the procedure for notification would be.

Supervisor Woerner stated that all the details haven't been worked out yet.

Tina Carpino - Where are we at with the engineering firms with regard to the Callanan blasting?

Supervisor Woerner stated he anticipates the report by the end of May.

Richard Metzger asked what the status is of the handicapped fishing platform at Rider Park?

Mac Tinnie – Progress is slow. We're shooting for the end of June.

Councilman Joel Brink asked about the changes of dates for the Town Board meetings.

Supervisor Woerner stated that the June workshop meeting will be moved to Tuesday June 5<sup>th</sup> because the Democratic members of the board have a prior commitment.

Councilman Artist motioned to adjourn the meeting at 9:05PM

2<sup>nd</sup> by Supervisor Woerner

All Ayes

Respectfully Submitted by

Carol A. Bauer

Deputy Town Clerk