

ULSTER TOWN BOARD WORKSHOP
JUNE 5, 2007 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 - absent
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR NICKY B. WOERNER

Supervisor Woerner announced that the Town IT computer service and Town's old highway garage in the Spring Lake Garage were not listed on the agenda but will be discussed.

Privilege of the floor: Hope Brustine, Executive Director Ulster County SPCA

Mrs. Hope Brustine, a representative of the UC SPCA, stated that there were bad conditions at Mr. Van Bramer's house with his animal situation. She expressed concern over the animals' well being and asked the town to intervene by presenting a case to the Supreme Court pertaining to animal hoarding while in Town of Ulster Court to obtain equitable remedies. She stated that there are three violations:

- 1) A licensing issue. There are more animals than licenses. She suggested getting a court order to enter the building and count the number of dogs to see if there is proper licensing.
- 2) There are class "A" regulations violations that consist of acts of cruelty with the way the animals are being kept.
- 3) There is a zoning violation as an animal care facility is prohibited in the current zoning district.

She feels that the handling of these matters is dragging and needs to be expedited for the good of the animals and the community.

Regarding Town of Ulster Summer Camp Program.

Councilman Secreto reported that the Summer Camp program is being planned out. The camp counselors will wear t-shirts and ID badges. They will also be trained in AED, CPR and first aid. The camp will have basketball, flag football and soccer. He will contact the City of Kingston to schedule scrimmages with other parks and try to have a pool day in the City of Kingston. He will have some instruction camps and demonstrations. He would like to purchase some ping pong tables, games, and movies so the camp can stay open on rainy days.

Regarding Application to NYS Office of Parks and Historic Preservation.

ULSTER TOWN BOARD WORKSHOP
JUNE 5, 2007 AT 7:00 PM

Councilman Secreto reported that he had a meeting with the Town Grant Writer, Mark Blauer, who will look into applying for grants for the Town Parks. This will be a very competitive process. He further reported that State Senator Bonacic has provided a grant to the Town in the amount of \$30,000.00 for Town Park improvements and equipment.

Regarding the Town of Ulster Transfer Station.

Supervisor Woerner reported that there has been an improvement in the efficiency of the Town Transfer Station since he has taken charge. He attributed this to having the attendants enforcing the permits, people paying for their waste and a price increase for tickets and permits. He estimates a savings of 10-15% by year end. He also pointed out that there has been an increase in the cost of tonnage.

Regarding the purchase of Tazers for the Town Police Department.

Supervisor Woerner reported that the Police Commission had a meeting to discuss the use of tazers by the Town Police Department as an alternative weapon to the use of deadly force. A tazer is a less than lethal device that stuns a person. This will not increase nor decrease the cost of the Town's liability insurance. The Police Commission recommended the town purchase this tool.

Supervisor Woerner stated that he would review which line item the money would best be appropriated from. The estimated cost would be \$4,500 for six tazers. There will be annual maintenance costs involved for upgrades, additional training cartridges and training. This is estimated to be between \$750-\$1000 per year.

Councilman Artist is in favor of this. He feels that from a liability stand point this will protect the town better, as a person who is stunned is brought to the hospital where a dart is removed and a physical is performed to document any injury sustained.

Technology Committee – IT Computer Consultant

Supervisor Woerner moved to hire Advanced Computers as the Town's IT Computer Consultants to service the town's personal computers and to purchase a block of 20 hours at a rate of \$75.00 per hour. He further moved to hire Hudson Valley Data to service the Town's AS-400 main frame and to purchase a block of 20 hours from them at a rate of \$80.00 per hour.

2nd by Councilman Artist

A Roll Call Vote was taken – 4 Ayes – Councilman Joel B. Brink was absent

Spring Lake Old Highway Garage – Lucas Avenue near the Spring Lake Fire Department - 40 by 60-foot building –

Town Attorney, Andrew Zweben reported that the old Highway Garage, a 40-by-60-foot building, located next to the Spring Lake Fire Department was deeded to the town in 1978 with the stipulation that it would revert to the fire department once the town stopped using it. The Town ceased utilizing it a long time ago and rented the building to the County with the Fire

ULSTER TOWN BOARD WORKSHOP
JUNE 5, 2007 AT 7:00 PM

Department's consent to use it as the County Highway Garage for \$20,000. Of the \$20,000, \$7,000 was given to the fire department annually, but there was no corresponding paperwork for this. The building needs a new roof that the Town estimated the cost to be \$60,000 due to the public bidding rules. The Spring Lake Fire Department wants the building and can put a roof on at a much lower price as they are not subject to public bidding rules and will be able to recoup the cost with the county through a lease. The Fire Department will assume all responsibilities in taking over the property. Town Attorney, Mr. Zweben recommended the Town let the Spring Lake Fire Department take it over and let them deal directly with Ulster County. There is no need for a public hearing due to the reverting clause.

Councilman David Brink moved to authorize the Town Supervisor to convey the Town's interest in the old highway garage to the Spring Lake Fire Department and to sign any necessary paperwork to do so.

2nd by Councilman Secreto

A Roll Call Vote was taken – 4 Ayes – Councilman Joel B. Brink was absent

Declaring lead agency status for the Town of Ulster Comprehensive Plan.

Town Planner, Alan J. Sorensen, AICP, reported that he has received the Ulster County Planning Board's critique of the Town's Master Plan. Their overall recommendation was for the community to adopt the plan. The one area they recommend to include is the issue of affordable housing. He suggested that the town include it in the zoning usage provisions. There was a comment about fair share, but he was unsure if the town could respond to that specifically. There were other non-binding suggestions made that he addressed; projected population of the town in 2020, expanded the narrative about environment, expanded the recreations exploration opportunities, to add farm land regulation and to review to see if they are friendly. Further he would include the concept of traditional neighborhood design. He recommended the Town Board adopt the plan with the amendments. He will have a complete final copy by Friday.

Councilman David Brink motioned to approve the following:

WHEREAS, the Town appointed a Comprehensive Plan Committee to create a new Comprehensive Plan for the Town of Ulster; and

WHEREAS, the Committee met monthly at Town Hall; held a series of public workshops; and mailed 1,000 Comprehensive Plan Surveys to property owners and residents in order to get public input into the development of the new Comprehensive Plan; and

WHEREAS, the Committee referred the draft Plan to the Town Board for consideration in March of 2007; and

WHEREAS, the Town Board, at its March 19, 2007 public meeting schedule a public hearing with the Committee on the creation of the Comprehensive Plan; and

ULSTER TOWN BOARD WORKSHOP
JUNE 5, 2007 AT 7:00 PM

WHEREAS, the Town Board placed Public Notices in its official newspaper and held a joint Town Board/Committee public hearing on the Comprehensive Plan on April 16, 2007 and

WHEREAS, following the close of the public hearing, the Town Board accepted the draft Plan as complete and referred the draft Plan to the County for GML 239 review; and

WHEREAS, the Town Board placed public notice in its official newspaper and held a second hearing on Comprehensive Plan which was held on May 1, 2007; and

WHEREAS, the Town Board declared its intent to become Lead Agency on May 1, 2007 for the purpose of complying with Part 617 of the State Environmental Quality Review Act; and

WHEREAS, following the public hearings and comments received from the County of Ulster pursuant to GML Section 239 l & m; the Town Board considered comments received and worked to complete the final draft of the Comprehensive Plan; and

WHEREAS, the Town has received no response to its notice of intent to declare itself lead agency; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town Board of the Town of Ulster hereby declares itself lead agency; and
2. The Town Board of the Town of Ulster determines that adoption of the 2007 comprehensive plan met the criteria for a Type I action, and further determines that a full environmental assessment for with an expanded Part 3 should be prepared.

2nd by Councilman Secreto

A Roll Call Vote was taken – 4 Ayes – Councilman Joel B. Brink was absent

Authorizing the sale of surplus Town property to the highest bidders.

Supervisor Woerner motioned to award to the highest bidder each item of surplus equipment bid on June 1, 2007 at 3:30 PM

2nd by Councilman Secreto

A Roll Call Vote was taken – 4 Ayes – Councilman Joel B. Brink was absent

Setting a public hearing for the Memorial Drive Plaza, June 18, 2007 at 7:30 PM - southeast corner of Memorial Drive and the East Chester Street Bypass (NYS Route 9W), parcel # 48.66-2-3.2

Councilman Secreto motioned to set a public hearing for Memorial Drive Plaza on June 18, 2007 at 7:30 PM

2nd by Councilman David Brink

4 Ayes – Councilman Joel B. Brink was absent

ULSTER TOWN BOARD WORKSHOP
JUNE 5, 2007 AT 7:00 PM

Setting a public hearing for the Hudson Valley Federal Credit Union, June 18, 2007 at 7:45 PM - 1633 & 1639 Ulster Avenue (NYS Route 9W), parcel # 39.82-2-13 & 14.1

Councilman Artist motioned to set a public hearing for the Hudson Valley Credit Union on June 18, 2007 at 7:45 PM
2nd by Councilman Secreto
4 Ayes – Councilman Joel B. Brink was absent

Declaring intention of lead agency status for the proposed San Eldorado Convenience Store - 1987 Ulster Avenue (Route 9W) - construct a 3600 square foot convenience store parcel #39.015-05-15.1 and # 39.015-05-18

Councilman David Brink moved for the Town to declare its intention as lead agency status for the proposed San Eldorado.
2nd by Councilman Secreto
4 Ayes – Councilman Joel B. Brink was absent

Loran Rowe – Requested the Ulster Town Board take action to rescue the animals at Mr. Van Bramer's house.

Gloria Stevenson – Inquired as to the relief the Town Justice would offer in regard to the Mr. Van Bramer case?

Supervisor Woerner stated that it would be hard to speculate. It is not in the power of the justice to have animals removed from the premises.

Mrs. Hope Brustine – Requested that the Town Board have simultaneous actions in the Supreme Court and the Town Justice Court against Mr. Van Bramer.

Town Attorney, Andrew Zweben recommended that the two be done separately so that the first process (Town Court) can start and finish before the next begins.

Barbara Rosethhal – She expressed concern about the number of animals that were in Mr. Van Bramer's house and about the house being inhabitable. She suggested the building inspector look into the situation.

There was a discussion among the audience and Supervisor Woerner about turning the matter over to the UC Health Department or to refer it to the District Attorney to investigate. This will have to be referred to those agencies by the public as it is not the Town Board's venue of government. It was recommended by the Town Attorney that if the people are unhappy with the prosecution of the case, then they should complain to the County Legislator.

Councilman Artist motioned to adjourn the meeting at 8:35 PM
2nd by Councilman Secreto
4 Ayes – Councilman Joel B. Brink was absent

Respectfully Submitted by
Jason Cosenza, RMC -Ulster Town Clerk