

ULSTER TOWN BOARD MEETING
MAY 15, 2008 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WOERNER, CHAIRMAN

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN DAVID BRINK
TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR NICKY B. WOERNER

PUBLIC COMMENT

James Maloney expressed concern about the proposed “Stop” sign on the corner of Hillside Terrace and Beth Drive as it may lead to other problems due to the grade of the land. He suggested placing a “Stop Ahead” sign before the “Stop” sign.

Mr. John Boyd read a letter, for the record, opposing the zoning change from a residential to commercial property on Morton Blvd. He requested a 30 day notification to adjacent property owners law for zoning changes (see exhibit #1)..

Supervisor Woerner stated that it is a matter of law to schedule and hold a public hearing when a zoning change is requested.

Gloria Miggins expressed concern that, if a zoning change is given for a parking lot, it will not remain a parking lot.

William Street stated that he would be amenable to a zoning change from a residential property to a commercial, if the property has a covenant that will prevent a building from being built there, a buffer zone to the residential side, and no connection to Stoll Court.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman David Brink motioned to approve the minutes of April 3, 2008 and April 17, 2008.
2nd by Councilman Joel Brink
All Ayes

COMMUNICATIONS – none

COMMITTEE REPORTS

Councilman Secreto reported, from the Buildings and Grounds Committee, that the Robert E. Post Park Pavilion is near completion. The Boy Scout who is working on his Eagle Project building the cooking/grilling pavilion is seeking donations. He asked people who are interested in donating to send the money to the Town Supervisor’s Office.

Councilman Secreto reported, from the Parks and Recreation Committee, that summer camp signs are scheduled to be put up and information is on the town website. He stated that softball has started at Orlando Street Ball Park.

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Councilman Secreto motioned to place “No Parking” signs on the Orlando Street side of the Orlando Street Ball Park
2nd Councilman Joel B. Brink
All Ayes

He further reported that the Rain Garden installation has begun at the Town Hall. Also Town of Ulster Football League is having sign ups.

Councilman Secreto reported, from the Highway Committee, that the paving plans are out and that there is no leaf pick up until the fall. Supervisor Woerner added that leaves can be dropped off at the Town Transfer Station for free with a permit. Councilman Joel B. Brink reported that he had received a request to install a “Stop” sign on Blacks Road. Highway Superintendent Frank Petramale has also received the request and will review it pending a return phone call.

Councilman Joel B. Brink reported, at the recent Finance Committee meeting, the bills were audited for the abstract and everything was fine.

Councilman David Brink reported, from the Personnel Committee, that the court will be reviewing applications for a part time court clerk position.

Councilman Joel B. Brink moved to give a stipend of \$1,500 to James Corrigan for his position of Deputy Highway Superintendent to be paid quarterly.
2nd by Councilman Secreto
All Ayes

Councilman Joel B. Brink moved to have Thomas Devens moved from a grade 7 step 1 in the amount of \$13.06 per hour to grade 7, step 2 in the amount of \$15.46 per hour, effective June 1, 2008.
2nd by Councilman David Brink
All Ayes

Supervisor Woerner reported that the Town Building Inspector was unable to attend the meeting due to a prior engagement. He reported that the amount of building permits issued has been down but there are many inspections being performed.

Supervisor Woerner further reported that he had a meeting with the Town Auditor to discuss the GASB inventory requirements for the town to track fixed assets.

Supervisor Woerner reported from the Board of Ethics, that they have received a complaint and will be acting on it. The item is confidential since it is pending an investigation.

DEPARTMENT HEAD REPORTS

Town Assessor – James Maloney, the Town Assessor, reported that the town’s 2008 assessment role was filed on March 1, 2008. He reported that there is a cold war exemption that was passed by Albany last year. This was pulled back due to some legal problems. He requested to put in a

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resolution to the town board enacting it. The impact to the town would be minimal. He is working to close the 2008 role. He is also requesting a resolution raising the age exemption. The reason why this is coming now, is due to a notice he wants to send out with the most current news. Supervisor Woerner suggested that the exemption be made to the maximum limit of the statute and requested a cost calculation sheet. Mr. Maloney report that he is working on the Flood Hazard Mitigation Plan and this is moving through the county. All the town paperwork and submissions are up to date. He is working on a public outreach to all the emergency agencies and to the comprehensive planning committee for input into the flood mitigation plan. On the Flood Stewardship project, a plane was flown and videotaped all of the Esopus River. The Town of Ulster portion of the creek looks in good shape. A flood buy-out meeting will be held at the Town Hall on May 22, 2008 from 5:30 to 6:30 PM. He reported that he filed his financial disclosure form in the Town Clerk's Office. On the County level, as a County legislator, he reported that the County has established a Veteran's Cemetery and approved \$58,000 in funding for the Lower Hudson Valley River Watch. Town Clerk's Office – The monthly report was read. A Passport Night is scheduled for May 29, 2008 6 PM – 8 PM.

Councilman David Brink motioned to authorize the Town Clerk to attend the NYS Tax Collector's Conference in Glen Falls, NY from June 8 – June 11, 2008 for a cost not to exceed \$600.00

2nd by Councilman Kitchen

All Ayes

Highway Department – Highway Superintendent Frank Petramale reported that the Ruby Rod and Gun Club performed a street clean up in Ruby. He thanked them for their work. The 2008 paving plan has been scheduled and will be placed on the website. There has been an increase in CHIPS money to cover the cost increase in gas. He was contacted by Assembly Cahill's Office to inform him that funding is available to the Town to get another \$14,500 from another CHIPS type program. He has been reviewing a drainage project for Brabrant Road as well as performing work on the Richmond Parkway. He is waiting for an easement to be established. The roads need work and he does not want to install them until the pipe is laid. He instructed his employee is not to leave the trucks running to conserve fuel. He contacted Tech City about changing their lights. They are switching to LED so they will last longer. Some lights will be bagged. He spoke to Dennis Larios about drainage problems in Glenerie. He requested a date be set for a mandatory storm water public hearing.

Councilman Joel B. Brink reported that a map will be available with the correct information on who owns what light and what light is bagged. Highway Superintendent Petramale would like to get a map of who owns what roads on the Town Website.

Supervisor Woerner motioned to set a public hearing for the MS-4 Storm water report for Thursday, June 19, 2008 at 7:30 PM

2nd by Councilman Secreto

All Ayes

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Water Department – Paul Vogt, Town Water Superintendent, reported that he was unsuccessful in obtaining a joint grant with the City of Kingston for municipal service for a Scatter System that would send information about all the water towers to the City and town to make flow adjustments. We will try again next year. The Ulster Water tank was cleaned by a diving team. Everything appears to be in order. There has been some activity in people applying for grants connecting to the East Kingston Water District.

Waste Water - Waste Water Superintendent, Corey Halwick, reported that, all things considered, the sewer systems are working satisfactorily. His crew is working on scrubbing down the tanks and other maintenance issues.

Police Department – Police Chief Paul Watzka read the monthly report. There were several local child safety outreach programs offered.

Councilman Secreto thanked the police for cracking the case of the robbery at the Little League Concession Stand. Chief Watzka reported that two 16 year old children were apprehended, after some quick detective work. Supervisor Woerner was surprised it was not anyone from the Birches Residence.

ABSTRACT OF CLAIMS

Councilman David Brink motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	501-531	11,823.58
ULSTER WATER	501-506a	5,361.38
HALCYON PK. WATER	501-502	711.78
SPRING LAKE WATER	501-502	283.54
BRIGHT ACRES WATER	501	319.02
GLENERIE WATER	501	18.00
EAST KINGSTON WATER	501	60.77
WHITTIER SEWER	501-502	1,755.76
ULSTER SEWER	501-506	15,905.00
WASHINGTON AVE. SEWER	501	72.04
SPECIAL LIGHT	501-506	3,495.57
ALL OTHERS		
GENERAL	501-5113	87,957.44
HIGHWAY	501-532	48,446.32
WHITTIER SEWER	501-504	2,891.17
ULSTER SEWER	501-522	27,759.84
WASHINGTON AVE. SEWER	501-502	2,227.23
ULSTER WATER	501-517	150,670.93
HALCYON PK. WATER	501	1,220.00
SPRING LAKE WATER	501	1,220.00
BRIGHT ACRES WATER	501-503	1,775.82
CHERRY HILL WATER	501	1,220.00
GLENERIE WATER	501	1,220.00

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EAST KINGSTON WATER	501	1,220.00
INSURANCE (ALL FUNDS)	501-519	108,629.06
CAPITAL PROJECTS		
TRUST & AGENCY	501-511	25,418.50
DRAINAGE PROJECTS	501	1,944.50
EAST KINGSTON WATER	501	200.00
TOTAL		\$ 503,827.25

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

Regarding the Stop Sign on the corner of Hillside and Beth Drive.

Supervisor Woerner stated that a request was made to install a “Stop” sign on the corner of Hillside Terrace and Beth Drive, but as Mr. Maloney reported that there is a grade issue there. There was a discussion among the Town Board about the safety and it was determined with proper posting of a “stop ahead” sign, this should address the grading and prepare people to stop.

Councilman Secreto motioned to install a “Stop” sign on the corner of Hillside Terrace and Beth Drive

2nd by Councilman David Brink
All Ayes

Personnel Appointment for the position of Full Time Supervisor of the Town of Ulster Transfer Station

Councilman Joel B. Brink motioned to hire William Loeffler as a full-time Transfer Station Supervisor retroactive from December 6, 2007 with the same pay that he had received as intermediate Transfer Station Supervisor.

2nd Councilman Secreto
A Roll Call vote was taken - All Ayes

Personnel Appointment for the position of Full Time Attendant of the Town of Ulster Transfer Station.

Councilman Joel B. Brink motioned to hire Steven Williams as the full-time Transfer Station attendant retroactive to December 31, 2007 with the same pay that he had received as intermediate Transfer Station attendant.

2nd Councilman Secreto
A Roll Call vote was taken – Four Ayes – Supervisor Woerner abstained due to his family relationship to Mr. Williams.

Declaring intent for lead agency status for the Shoprite Plaza

Councilman Secreto motioned to declare the Town Board’s intent for lead agency status for the Shoprite Plaza

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2nd by Councilman Joel B. Brink
All Ayes

Issuance of site plan approval for the Kingston-Ulster Airport.

Councilman Secreto motioned to approve a negative declaration for SEQRA for the Kingston-Ulster Airport

2nd by Councilman David Brink
A Roll Call Vote was taken - All Ayes

Councilman Joel B. Brink moved for the following resolution:

Site Plan Approval & Special Permit - Kingston-Ulster Airport
Section 48.14, Block 1, Lots 2 & 39

WHEREAS, the Planning Board and its consultant planner and engineer's have reviewed an application by Kingston-Ulster Airport, Inc. for Site Plan approval and Special Use Permit to construct a 5-bay bulk hanger at the Kingston-Ulster Airport; and

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

Narrative description of proposed action prepared by Passero Associates, dated March 2008;
SEQRA Short EAF prepared by Passero Associates, dated March 2008;
Site Plan Application prepared by Passero Associates, dated March 2008;
General Plan for Bulk Hangar prepared by Passero Associates, dated March 2008;
Grading Plan prepared by prepared by Passero Associates, dated March 2008;
Electrical Wiring Diagram prepared by Passero Associates, dated March 2008;
Detail Sheet prepared by Passero Associates, dated March 2008; and
Floor & Elevations sheet prepared by Passero Associates, dated March 2008;

WHEREAS, after careful review of the proposed plan and consultation with its consulting planner and engineers, the Planning Board referred the proposed action to the Town Board so that it could declare Lead Agency and hold a public hearing on the special use permit: and

WHEREAS, the Town Board held the public hearing on April 17, 2008, took public comments and closed the public hearing; and

WHEREAS, the Town Board instructed its consulting engineers and planners to address technical comments regarding the proposed project to ensure potential environmental impacts were effectively mitigated; and

WHEREAS, the Town Board considered of the application materials submitted by the applicant in support of the proposed action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Town Board referred the proposed action to the Ulster County Planning Board for their review and comments that were received on April 28, 2008; and

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WHEREAS, the Town Board upon review of the entire record (including SEQRA Full EAF parts 1, 2, & 3) found that proposed construction of a 5-bay hangar at the Kingston-Ulster Airport will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

NOW THEREFORE BE IT RESOLVED that the Town Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Town Board hereby grants approval of the Site Plan & Special Use Permit application for the construction of a new 5-bay hangar at the Kingston-Ulster Airport.

2nd by Councilman David Brink
All Ayes

Setting a public hearing on the requested zoning change for the Mid-Hudson Valley Federal Credit Union.

Councilman Secreto motioned to set a public hearing for the Mid-Hudson Valley Federal Credit Union for June 19, 2008 at 7:45 PM
2nd by Councilman Joel B. Brink
All Ayes

Mr. Brooks requested that the Town Board hire more police officers. He inquired about the County resurfacing Boices Lane.
Legislator James Maloney will report back to him on the matter.

Town Clerk Cosenza inquired about the cost of the grilling pavilion and whether the recent grant from Senator Bonacic has been ear marked for any spending.
Councilman Secreto stated the cost of the pavilion is \$5,000. Supervisor Woerner stated that the money has not been ear marked, but the final cost to the town for the large pavilion has not been finalized yet (insurance money is pending).

Robert Barton inquired about an Article 78 action pertaining to the Chambers Housing Project, Phase 2. He also inquired about the Town's discovery of tires and construction debris found buried at the Town Transfer Station.
Supervisor Woerner reported that the Article 78 lawsuit has been pushed back to June 5, 2008. He had no comment on the other matter, as it is pending an investigation.

John Iconnetti expressed concern about the traffic speeding down Main Street, East Kingston, as there are a lot of children who walk and ride their bikes on that road. A discussion followed about lateral grant connections and status of the East Kingston Water Tank being installed as there will be no water going to the fire hydrants until the tank is installed.

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Mr. Nelson White inquired where tube and fluorescent light bulbs should to be disposed.
Supervisor Woerner will get back with information on it.

Supervisor Woerner motioned to enter into executive session to discuss a pending real estate transaction in regard to Richmond Parkway at 8:29 PM

Executive session ended at 9:05 PM

Councilman Kitchen motioned to adjourn the meeting at 9:05 PM
2nd by Councilman Secreto
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk

May 15, 2008

My name is John Boyd; my address is 1085 Stoll Court; my residential property is adjacent to the residential property that the town is considering rezoning to commercial.

I am unalterably opposed to such rezoning. It has been proposed in the past, and was rejected when every single property owner on Stoll Court, both spouses where applicable, signed a petition against destroying the residential nature of our street. There is no difference now, and there is still no compelling reason to destroy our streets integrity.

The law is clear: this street is zoned residential. There is no compelling reason to change this – there is no compelling public interest that even requires the town to consider this rezoning. To make the residents of this street, and all of the residents of the Town of Ulster, need to spend their time and energy to defeat this useless, unnecessary, and illegal destruction of a lawful residential area is offensive and unwarranted.

Recently, the Town has shown courage and responsiveness in denying previous rezoning on our street, and has bravely stopped the building of a spa, where the zoning was at least commercial. Why then do we have this incursion hanging over our heads. Unfortunately, there is no law in our town, and probably our state that requires official notification of rezoning and site planning to adjacent neighbors, such as me. As a result, I need to read the fine print legals in the Freeman, with magnifying glass and flashlight (I am 75) and look daily for town board and other agendas to find out what my Thursday evening will bring. This agenda was not posted to the internet until yesterday – little time to prepare for an item that should not even be on the agenda.

Can't the Town Board deny such frivolous requests without wasting our citizen's time by making us prepare for and sit through

John Boyd
Exhibit #1

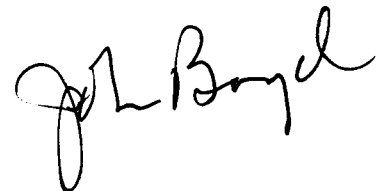
meetings about things that are already a matter of law. We expect that of you!

Now, some of my fellow neighbors are thinking that we might be better off accepting this than having something slipped though when we are not watching. A town employee even said "You should be thankful you are not getting a strip mall!" And on one hand we should – the secrecy with which these things are done is scary. I beg you to right this wrong and pass a town ordinance or law that requires 30 days notification of such changes to adjacent property owners.

However, let's get one thing straight: THERE IS NO POSSIBILITY OF A STRIP MALL WITHOUT REZONING; WITH REZONING THERE IS EVERY POSSIBLILITY OF A STRIP MALL.

Without rezoning there is simply insufficient depth to put in a strip mall; if the property is rezoned, there is no guarantee that a parking lot will be built or, if built, kept as a parking lot. With the economic crisis and the banking crisis, there are no guarantees that the Credit Union will not see their greatly enhanced value as a result of rezoning giving them pause to sell the land before building a parking lot, or at a later date, when economics change, to sell it. It will be zoned commercial, and there is very little that could be done to stop a different use.

This project needs to be stopped now, and it needs to be stopped by our elected officials; my neighbors should not be forced to go through this trauma again. It has been decided by law and it has been decided by community action and it is time for the Town Board to act decisively on our behalf and stop it now. Do not set a Public Hearing on this very bad idea.

A handwritten signature in black ink, appearing to read "John Boyd". The signature is written in a cursive style with a large, looped initial "J".