

ULSTER TOWN BOARD MEETING
JANUARY 15, 2009 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

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman David Brink motioned to accept the minutes of December 4, 2008 and December 18, 2008.

2nd by Councilman Secreto

All Ayes

COMMUNICATIONS

Councilman Joel B. Brink reported that he had received a letter from a resident within the Bright Acres Water District complimenting the water department for fixing a water leak on Elisa Landi Drive on a cold night.

Supervisor Woerner announced that there will be a Press Conference at Tech City with Senator Schumer and himself on January 16, 2009 pertaining to the economic stimulus package and Tech City job development. He would like to discuss general environmental impact, pertaining to Tech City at a later date to help expedite job and business development.

Committee and Department Head reports were dispensed with.

ABSTRACT OF CLAIMS

Councilman Joel B. Brink motioned to approve the following

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	101-127	13,273.90
ULSTER WATER	101-105a	5,061.65
HALCYON PK. WATER	101-102	663.32
SPRING LAKE WATER	101-103	243.14
BRIGHT ACRES WATER	101	346.38
GLENERIE WATER	101	20.00
EAST KINGSTON WATER	101	60.86
WHITTIER SEWER	101-102	1,230.72
ULSTER SEWER	101-106	11,839.46
WASHINGTON AVE. SEWER	101	114.07
SPECIAL LIGHT	101-106	3,886.30

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ALL OTHERS		
GENERAL	101-182	512,952.11
HIGHWAY	101-163	159,795.25
WHITTIER SEWER	101-105	2,865.00
ULSTER SEWER	101-121	42,775.07
WASHINGTON AVE. SEWER	101-102	1,365.53
ULSTER WATER	101-113	18,299.24
HALCYON PK. WATER	101-104	1,751.90
SPRING LAKE WATER	101-102	1,457.00
BRIGHT ACRES WATER	101-106	3,150.17
CHERRY HILL WATER	101-102	1,021.00
GLENERIE WATER	101-102	585.00
EAST KINGSTON WATER	101-102	585.00
CAPITAL PROJECTS		
TRUST & AGENCY	101-107	10,897.02
EAST KNG. WATER LATERALS	101-105	2,050.00
	TOTAL	\$ 796,289.09

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

Town’s Comprehensive Energy Audit

Wendel Energy representatives gave a quick overview of their energy review. They see that an energy study is warranted and requested permission to perform the study. There needs to be improvements in window, HVC, lighting and temperature control along with installing insulation and reducing infiltration within the building structure. The current furnaces in the Town Hall are very efficient. After the Town Board’s approval, the study will identify grants the Town can qualify for. Once the grants are approved, the money can be used to offset implementation and study costs.

Councilman Secreto motioned to authorize Wendel Energy Services, LLC to perform an energy study for the Town of Ulster.

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

Town’s Senior Center

Supervisor Woerner reported that, at the February 23, 2009 meeting, Brinnier and Larios, PC. and Scott Dutton will present information pertaining to the building and construction of the Town’s Senior Center.

Frank Sottile Boulevard

Councilman Joel B. Brink moved to approve the following:

A RESOLUTION MAKING CERTAIN DETERMINATIONS WITH RESPECT TO THE CONSTRUCTION OF IMPROVEMENTS TO FRANK SOTTILE BOULEVARD IN THE TOWN OF ULSTER, ULSTER COUNTY, NEW YORK.

WHEREAS, the Town Board of the Town of Ulster, Ulster County, New York, has heretofore called and duly held a public hearing at 8:00 o'clock P.M., Prevailing Time, on November 20, 2008, at the Town Hall, in Ulster, New York, to consider the extension of Frank Sottile Boulevard to New York State Highway 209/199, including sidewalks, curbs, gutters, culverts and other necessary and incidental improvements and expenses in connection therewith; and

WHEREAS, notice of such public hearing was duly published and according to law, and proof of said publication and posting detailing the manner and the timing of the same have been duly presented to said Town Board; and

WHEREAS, said Town Board has duly considered the evidence given at said public hearing; and

WHEREAS, all conditions precedent to the undertaking of such capital project, including compliance with the provisions of the State Environmental Quality Review Act, have been performed;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ulster, Ulster County, New York, as follows;

Section 1. It is hereby determined that it is in the public interest to construct the aforesaid improvements within the cost estimated by the Town Engineer, to wit \$7,000,000. The Town Engineer is hereby directed to prepare definite plans and specifications, and an updated estimate of the expense of the aforesaid improvements and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work.

Section 2. The benefited properties to be assessed the costs of such improvements are as follows:

**DESCRIPTION OF THE TOWN OF ULSTER DEVELOPMENT
FACILITATION IMPROVEMENTS DISTRICT NO. 2,
TOWN OF ULSTER, ULSTER COUNTY, NEW YORK**

Beginning at a point on the Easterly side of N.Y.S. U.S. Route 9W, said point also being the northwesterly corner of PCK Development, L.L.C. and running:

- 1) thence from said point of beginning along the southerly line of lands of Melach Partners, L.L.C., Liber 3990 Page 268, south 85° 29' 51" east, 500.38 feet to a point;
- 2) thence along the easterly line of lands of Melach Partners, L.L.C. north 2° 31' 05" east, 270.77 feet to a point;
- 3) thence north 85° 36' 07" west, 195.30 feet to a point;

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4) thence along the easterly line of lands of Friendly Ice Cream Corp., Liber 1475 Page 714, north 3° 23' 54" east, 164.93 feet to a point on the southerly line of lands of TJM Associates, Liber 2135 Page 51;

5) thence along the southerly, easterly and northerly line of lands of TJM Associates, the following courses and distances: south 85° 36' 07" east, 66.00 feet to a point;

6) thence north 23° 30' 21" east, 72.73 feet to a point on the southerly side of lands of the Town of Ulster, Liber 2522 Page 231, Frank Sottile Boulevard;

7) thence along the southerly side of Frank Sottile Boulevard, the following course and distances: north 55° 01' 00" west, 26.92 feet to a point;

8) thence westerly on a curve to the left having a radius of 333.00 feet, 196.08 feet to a point;

9) thence north 88° 45' 13" west, 174.02 feet to a point on the easterly side of N.Y.S. U.S. Route 9W;

10) thence continuing along the easterly side of N.Y.S. U.S. Route 9W and crossing Frank Sottile Boulevard and along the westerly line of Parcel 2D, Lands of Hudson Valley New Co., LLC, the following courses and distances: north 6° 48' 53" east, 79.40 feet to a point;

11) thence north 9° 20' 59" east, 26.59 feet to a point;

12) thence north 83° 47' 16" east, 60.10 feet to a point;

13) thence north 8° 05' 36" east, 156.87 feet to a point;

14) thence north 6° 37' 36" east, 119.44 feet to a point;

15) thence north 68° 40' 58" west, 44.41 feet to a point;

16) thence northeasterly on a curve to the right, having a radius of 643.81 feet, 154.36 feet to a point;

17) thence north 35° 21' 44" east, 440.52 feet to a point;

18) thence northeasterly on a curve to the right, having a radius of 375.00 feet, 230.53 feet to a point on the southerly side of N.Y.S. Route No. 199;

19) thence along the southerly side of N.Y.S. Route No. 199 and the northerly line of Parcel 2A and 2E, Lands of Hudson Valley New Co., LLC, easterly on a curve to the left, having a radius of 4638.35 feet, 1667.98 feet to a point at the northwesterly corner of Kingston Landing Development, LLC;

20) thence along the westerly and southerly line of Kingston Landing Development, LLC, the following courses and distances: south 18° 31' 30" west, 514.73 feet to a point;

21) thence south 71° 15' 30" east, 750.75 feet to a point;

22) thence south 16° 52' 30" west, 218.79 feet to a point;

23) thence south 71° 15' 30" east, 660.00 feet to a point;

24) thence south 16° 52' 30" west, 175.82 feet to a point;

25) thence north 71° 16' 30" west, 1422.29 feet to a point;

26) thence south 18° 31' 30" west, 531.72 feet to a point;

27) thence south 71° 16' 30" east, 959.25 feet to a point;

28) thence south 6° 26' 12" west, 770.60 feet to a point;

29) thence north 85° 47' 02" west, 638.86 feet to a point on the easterly side of Frank Sottile Boulevard;

30) thence along the easterly side of Frank Sottile Boulevard, south 6° 04' 20" west, 187.49 feet to a point on the easterly line of lands of PCK Development Corp. LLC;

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- 31) thence along the easterly line of lands of PCK Development Corp. LLC and the westerly side of Frank Sottile Boulevard, south 6° 04' 20" west, 786.68 feet to a point;
- 32) thence crossing Frank Sottile Boulevard south 6° 04' 20" west, 221.70 feet to a point on the westerly line of lands of Kingston Landing Development LLC;
- 33) thence along the westerly line of lands of Kingston Landing Development LLC, south 6° 04' 20" west, 224.27 feet to a point on the northerly line of lands of Ulster County Resource Recovery Agency, Liber 2281 Page 297;
- 34) thence along the northerly line of lands of Ulster County Resource Recovery Agency north 88° 05' 54" west, 141.21 feet to a point;
- 35) thence north 85° 14' 41" west, 39.15 feet to a point;
- 36) thence crossing Frank Sottile Boulevard and continuing along the northerly line of lands of Ulster County Resource Recovery Agency north 85° 14' 41" west, 250.50 feet to a point;
- 37) thence north 83° 57' 01" west, 319.48 feet to a point at the northeasterly corner of lands of Richard A. DiDonna, Liber 1500 Page 989;
- 38) thence along the northerly line of lands of Richard A. DiDonna, north 83° 27' 51" west, 566.36 feet to a point on the easterly line of Mall-King Ulster Associates, Liber 1505 Page 515;
- 39) thence along the easterly and northerly line of lands of Mall-King Ulster Associates north 9° 18' 49" east, 482.85 feet to a point;
- 40) thence north 85° 19' 11" west, 263.77 feet to a point on the northerly line of lands of Louis A. DiDonna, Liber 1365 Page 1150;
- 41) thence along the northerly line of Louis A. DiDonna, north 45° 20' 36" west, 230.65 feet to a point on the easterly line of lands of Louis A. and Richard A. DiDonna, Liber 1365 Page 1150;
- 42) thence along the easterly and northerly line of lands of Louis A. and Richard A. DiDonna, the following courses and distances: north 13° 35' 49" east, 58.46 feet to a point;
- 43) thence north 84° 38' 11" west, 79.11 feet to a point at the southeasterly corner of lands of Alorjim Realty, Liber 2833 Page 136;
- 44) thence along the easterly line of lands of Alorjim Realty, north 3° 11' 29" east, 245.77 feet to a point on the southerly line of lands of Richard A. DiDonna;
- 45) thence along the southerly line of lands of Richard A. DiDonna the following courses and distances: south 89° 56' 31" east, 43.54 feet to a point;
- 46) thence north 0° 11' 29" west, 139.80 feet to a point;
- 47) thence north 27° 43' 20" east, 52.72 feet to a point;
- 48) thence northwesterly on a curve to the left, having a radius of 119.00 feet, 28.77 feet to a point;
- 49) thence along the southerly line of Parcel II, Lands of PCK Development Corp. LLC, north 85° 58' 17" west, 200.27 feet to a point;
- 50) thence northwesterly on a curve to the right, having a radius of 34.00 feet, 15.70 feet to a point on the easterly side of N.Y.S. U.S. Route 9W;
- 51) thence along the easterly side of N.Y.S. U.S. Route 9W north 3° 25' 44" east, 108.00 feet to a point on the southerly line of other lands of Richard A. DiDonna, Liber 3206 Page 164.
- 52) thence along the southerly and easterly line of lands of Richard A. DiDonna, the following courses and distances: south 85° 29' 51" east, 248.02 feet to a point;

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- 53) thence north 8° 13' 13" east, 138.04 feet to a point;
- 54) thence north 74° 30' 44" west, 25.75 feet to a point;
- 55) thence north 4° 01' 23" west, 33.74 feet to a point;
- 56) thence north 68° 10' 42" west, 13.01 feet to a point;
- 57) thence north 2° 08' 45" east, 120.41 feet to a point on the southerly line of lands of Jake LLC, Liber 2604 Page 1;
- 58) thence along the southerly, easterly and northerly line of lands of Jake LLC, the following courses and distances: south 85° 29' 51" east, 4.05 feet to a point;
- 59) thence north 1° 53' 24" east, 217.58 feet to a point;
- 60) thence north 55° 29' 51" west, 40.00 feet to a point;
- 61) thence north 85° 29' 51" west, 152.27 feet to a point;
- 62) thence south 64° 30' 09" west, 40.00 feet to a point;
- 63) thence north 85° 29' 51" west, 14.00 feet to a point on the easterly side of N.Y.S. U.S. Route 9W;
- 64) thence along the easterly side of N.Y.S. U.S. Route 9W, north 1° 03' 15" east, 40.94 feet to a point;
- 65) thence north 7° 15' 20" east, 66.58 feet to the place of beginning.

All bearings are referred to Grid North (East Zone) Plane Coordinate System.

Section 3. This resolution is adopted subject to permissive referendum.

2nd by Councilman David Brink
A Roll Call vote was taken – All Ayes

Lisa Alt reported, as the Town's Cable Commissioner, that the public access is off the air and will return once they are able to find a new venue. The Friends of Public Access will host an Awards Night as a fundraiser. She will forward a copy of the treasurer's report to the Town Clerk's Office for public review. The commission is also reviewing becoming an independent agency, not associated with the local municipalities.

Councilman Secreto motioned to adjourn the meeting at 7:32 PM
2nd by Councilman David Brink
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk