

ULSTER TOWN BOARD MEETING
FEBRUARY 23, 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

Mr. Robert Barton and Supervisor Woerner discussed the cost of an Ulster Sewer District Infiltration/Inflow Study and improvement and/or impact fees.

Donald Wise and Supervisor Woerner discussed funding for the senior center and the fund balance related to bonding.

Town of Ulster Senior Center.

Mr. Denis Larios, the town engineer, reported that the Town has received \$300,000 to help pay for the building of a senior center and recited the history in which the Town Board had hired him as the engineer and Scott Dutton as the architect. He didn't want to estimate a cost as the town was going out for bid, but he wants to stay around the budget of \$670K. The building is designed to be energy efficient yet not built from expensive materials.

Mr. Dutton gave an overview of the design. It will be located near the current town hall with a similar color and design with a pitched roof. The meeting room has a 74 person capacity and 104 in a concentrated seating environment.

A discussion of roofing type occurred. A metal roof can be put on the specs as an alternative. Alternative construction such as modular construction, was discussed, but construction types are limited due to Town Hall being located nearby. Supervisor Woerner stated that he is in contact with Congressman Hinchey who may provide some funding, as well as other agencies that may help with bonding and matching grant money to keep the project costs to a minimum. There is also landfill closure money available for the project.

Ulster Sewer District Infiltration/Inflow Study.

Mr. Denis Larios presented the town with an overview of the Ulster Sewer District Infiltration/inflow study. The sewer district was built in 1974 and over time there has been more storm water and water infiltration entering the system through pumps, manholes and illegal connections. The district will be broken up into several zones with each of them monitored individually for flow. Over time the zones are compared. This will pinpoint areas with high flow that need to be addressed. This may involve resetting manhole covers, replacing pipes with trenchless technology and smoke to discover illegal hookups.

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Councilman Joel B. Brink motioned the Town Board to authorize the expenditure of up to \$47,310.00 for the firm of Burgh-Shoenenberger of Pavilion, NY to install and monitor continuous flow data at seven locations in the Ulster Sewer District for a period of 9 consecutive months, this being a specialized service associated with an engineering evaluation. Also, the Town Board to authorize the expenditure of up to \$32,000.00 for the firm of Brinnier and Larios, P.C. to provide mini-system mapping, water use study in each mini-system, detailed evaluation of all flow data by mini-system, and prepare a Infiltration and Inflow Analysis Report with recommendations, maps and exhibits.

2nd by Councilman Secreto

A Roll Call Vote was taken – All Ayes

Town of Ulster Police Benevolent Association Contract.

Supervisor Woerner reported that he has received the proposed contract for the PBA. He will review it and forward his findings to the Town Board members within the week.

Authorizing a one year extension of site plan approval for Ulster Greene ARC Palmer House.

Councilman David Brink moved to grant a one year extension for the site plan for the Ulster Greene ARC Palmer House from its current expiration date

2nd by Councilman Joel B. Brink

All Ayes

Authorizing a contract to rehabilitate two (2) wells of the Halcyon Park Water District.

Councilman Secreto moved to enter into a contract accepting the proposal of Subsurface Technologies, Inc of August 5, 2008 to rehabilitate two (2) wells of the Halcyon Park Water District at a cost of approximately \$25,487.70.

2nd by Councilman David Brink

A Roll Call Vote was taken – All Ayes

Setting a Public Hearing related to the proposed changes to the Town of Ulster Storm Water Regulations.

Councilman David Brink moved to set a public hearing for Thursday, March 19, 2009 at 7 PM relating to the proposed changes to the Town of Ulster Storm Water Regulations.

2nd by Councilman Secreto

All Ayes

Setting a Public Hearing for Updated Fee Schedule – A194 of the Town Code

Councilman Joel B. Brink moved to set a public hearing for Thursday, March 19, 2009 at 7:15 PM relating to the updating the Town Fee Schedule

2nd by Councilman Secreto

All Ayes

Appoint David Allen as the Town Storm Water Management Officer

Councilman Secreto moved to appoint David Allen as the Town's Storm Water Management Officer with no additional stipends or pay.

2nd by Councilman Joel B. Brink

All Ayes

Wrentham Street - Stop Sign Request

Supervisor Woerner forwarded this request to a traffic officer from the police department and to the Public and Safety Committee.

ABSTRACT OF CLAIMS

Councilman Joel B. Brink motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	201-224	18,169.89
ULSTER WATER	201-209a	6,666.24
HALCYON PK. WATER	201	913.78
SPRING LAKE WATER	201-204	407.83
BRIGHT ACRES WATER	201	432.61
GLENERIE WATER	201	20.00
WHITTIER SEWER	201-202	1,824.45
ULSTER SEWER	201-204	26,470.00
WASHINGTON AVE. SEWER	201	153.85
SPECIAL LIGHT	201-206	4,074.24
ALL OTHERS		
GENERAL	201-2204	159,295.16
HIGHWAY	201-258	72,593.30
WHITTIER SEWER	201-203	101.93
ULSTER SEWER	201-239	96,361.50
WASHINGTON AVE. SEWER	201	400.00
ULSTER WATER	201-229	127,219.20
HALCYON PK. WATER	201-204	5,667.90
SPRING LAKE WATER	201-203	14,434.07
BRIGHT ACRES WATER	201-204	1,570.60
CHERRY HILL WATER	201-202	4,795.14
GLENERIE WATER	201-202	3,678.64
EAST KINGSTON WATER	201-202	1,716.16
INSURANCE (ALL FUNDS)	201-237	237,372.63
CAPITAL PROJECTS		
TRUST & AGENCY	201-215	13,108.44
DRAINAGE PROJECTS	201	60,743.00

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EAST KINGSTON WATER	201-202	2,635.00
EAST KNG. WATER LATERALS	201-202	1,693.45
WASHINGTON AVE. SEWER	201	295.00
SENIOR CENTER CAP. PROJ.	201	3,600.00
	TOTAL	\$ 866,414.01

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

Councilman David Brink moved to close the books for 2008

2nd by Councilman Secreto

A discussion followed between Councilman Kitchen and Supervisor Woerner about budget spending

Supervisor Woerner overruled the motion as the 2008 budget modification are required to be approved.

Councilman Secreto motioned to approve the following 2008 Budget Modifications:

General Fund	Modify Appropriation A7140.200 (Equipment) to be funded through A58110 (Approp.Reserve-Junior Football) reimb.to Greg Maisch for postage		\$	17.01
	Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Aprop. Reserve-Junior Football) reimb. to Kim Ryan for post cards		\$	22.45
	Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) payment to Deuire's Trophies for trophies		\$	560.00
	Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball)payment to David Jackson for refereeing		\$	90.00
	Modify Revenue A2680 (Insurance Recoveries) and Approp. A3120.421 (Veh.Maint. Check from Traveler's Insurance for damage to 08' Dodge Charger, loss date 12/22/08 M. Taggard		\$	1,055.27
Special Districts: Lighting	Modify the following Appropriations from SSL-5990 Appropriated Fund Balance:			
	SSL-5182.400 Albany Avenue Lighting		\$	791.00
	SSL-5182.401 East Kingston Lighting		\$	201.00
	SSL-5182.402 Kraus Farm Lighting		\$	491.00
	TOTAL		\$	1,483.00
Capital Project: Drainage Project	Transfer From HDR-1990.400 Contingency	Transfer To HDR-05110.401 Legal/Admin	\$	2,500.00
General Fund:	Transfer From A1110.102 Security Officer A1110.400 Court Steno.	Transfer To A1110.101 Clerks Wage A1220.101 Sec. Salary	\$	315.00 1,710.00

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A1220.404 Payroll Serv.	A1220.103 Payroll Clerk	\$ 2,367.00
A1220.404 Payroll Serv.	A1220.400 Contract. Exp.	\$ 1,056.00
A1220.404 Payroll Serv.	A1220.403 Office Supplies	\$ 321.00
A1110.403 Office Supplies	A1220.410 Computer Tech.	\$ 944.00
A1110.403 Office Supplies	A1320.100 Bookkeeper Salary	\$ 211.00
A1320.200 Computer Equip	A1320.400 Computer & Suppl	\$ 113.00
A1320.200 Computer Equip	A1320.401 IBM - Contractual	\$ 204.00
A1355.418 Legal / Profess.	A1320.402 Auditor	\$ 12,750.00
A1320.403 Office Supplies	A1345.400 Meet. & Instr	\$ 140.00
A1355.200 Equipment	A1345.400 Meet. & Instr	\$ 127.00
A1355.400 Data Processing	A1345.400 Meet. & Instr	\$ 239.00
A1355.401 Cataloging	A1345.400 Meet. & Instr	\$ 281.00
A1670.417 Printing	A1345.400 Meet & Instr	\$ 355.00
A7110.200 Equipment	A1345.400 Meet & Instr.	\$ 1,099.00
A7510.400 Historian	A1345.400 Meet & Instr.	\$ 250.00
A8010.400 ZBA	A1345.400 Meet & Instr.	\$ 170.00
A8020.401 Plan. Bd.Chairman	A1345.400 Meet & Instr.	\$ 60.00
A8020.402 Plan. Bd.Members	A1345.400 Meet & Instr.	\$ 180.00
A8020.415 Legal Notices	A1345.400 Meet & Instr.	\$ 221.00
A8160.421 Veh. Maint	A1345.400 Meet & Instr.	\$ 1,230.00
A8810.400 Cemeteries	A1345.400 Meet & Instr.	\$ 250.00
A8989.400 Landfill Fees	A1345.400 Meet & Instr.	\$ 434.00
A1320.200 Computer Equip.	A1345.400 Meet & Instr.	\$ 268.00
A1341.100 Purchasing Clerk	A1355.410 Computer Tech	\$ 172.00
A1410.400 Computer Equip.	A1410.101 Dep. Clerks Wages	\$ 1,308.00
A1410.404 Law Books	A1410.101 Dep. Clerks Wages	\$ 702.00
A1410.404 Law Books	A1410.410 Computer Tech	\$ 278.00
A1450.400 Election Inspcts	A1420.400 Legal Services	\$ 10,775.00
A1440.400 Engineering	A1450.401 Custodians	\$ 700.00
A1440.400 Engineering	A1450.409 Rep. & Supplies	\$ 425.00
A1460.400 Records Mngmnt	A1450.409 Rep. & Supplies	\$ 372.00
A1620.408 Heat	A1620.200 Equipment	\$ 394.00
A1620.408 Heat	A1620.200 Equipment	\$ 1,705.00
A1410.454 Copy Machine Lease	A1620.420 Gas & Oil	\$ 348.00
A1930.400 Judgement & Claims	A1620.454 Maintenance	\$ 6,513.00
A1670.404 Postage	A1621.406 Telephone	\$ 288.00
A1670.404 Postage	A1621.406 Telephone	\$ 1,337.00
A1670.404 Postage	A1621.409 Rep & Supplies	\$ 1,429.00
A1355.401 Cataloging	A1621.409 Rep & Supplies	\$ 619.00
A1670.404 Meter Rental	A1670.415 Legal Notices	\$ 1,692.00
A1355.419 Veh. Lease	A1670.415 Legal Notices	\$ 12.00
A1110.402 Equip. & Computer	A1910.400 Unalloc. Insur.	\$ 3,150.00
A1355.418 Legal / Profess	A1910.400 Unalloc. Insur.	\$ 377.00
A1410.454 Copy Machine Lease	A1920.400 Dues	\$ 208.00
A1220.404 Payroll Servs.	A1920.400 Dues	\$ 7.00
A1950.400 Taxes & assessments	A1989.400 Grants Writer	\$ 1,500.00
A5182.400 Lighting	A1620.454 Maintenance	\$ 39.00
A3120.101 Police O.T.	A3120.104 P/T Police Wages	\$ 44,619.00
A3120.101 Police O.T.	A3120.105 Holiday Wages	\$ 4,554.00
A3120.100 Police Wages	A3120.105 Holiday Wages	\$ 30.00

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A3510.436 Harboursing	A3120.403 Office Supplies	\$ 58.00
A1355.404 GIS	A1355.101 Wages	\$ 2,101.00
A1355.404 GIS	A1355.100 Assessor Salary	\$ 699.00
A1355.418 Legal / Profess.	A1670.415 Legal Notices	\$ 359.00
A3620.410 Computer Tech.	A3620.419 Veh. Lease	\$ 2.00
A3620.410 Computer Tech.	A3620.420 Gas & Oil	\$ 93.00
A9015.800 P&F Retirement	A1670.415 Legal Notice	\$ 701.00
A7110.406 Telephone	A1670.415 Legal Notices	\$ 493.00
A7110.102 Parks / Grounds	A1670.415 Legal Notices	\$ 139.00
A8160.401 Dumping Costs	A8160.404 Printing Permits	\$ 2,193.00
A8160.401 Dumping Costs	A1355.100 Assessor Salary	\$ 788.00
A8160.401 Dumping Costs	A1345.400 Meet. & Instr.	\$ 239.00
A8160.420 Gas & Oil	A9030.800 Soc Sec	\$ 750.00
A8160.401 Dumping Costs	A9070.800 Medicare Reimb	\$ 8,344.00
A9050.800 Unemployment Ins.	A9030.800 soc Sec	\$ 2,018.00
A9055.800 Disability Insur	A3620.405 schooling & Conf.	\$ 100.00
A9060.800 Hosp. & Dental	A9030.800 Soc. Sec	\$ 23,832.00
A3120.101 Police O.T.	A3120.100 Police Wages	\$ 4,858.00
A3120.106 Training Wages	A3120.100 Police Wages	\$ 2,630.00
A3120.200 Equipment	A3120.100 Police Wages	\$ 14,876.00
A3120.202 Computer	A3120.100 Police Wages	\$ 5,506.00
A3120.203 Veh. Leases	A3120.100 Police Wages	\$ 401.00
A3120.410 Computer Tech	A3120.100 Police Wages	\$ 1,000.00
A3120.411 Radio-Teletype	A3120.100 Police Wages	\$ 6,820.00
A3120.430 Clothing-Cleaning	A3120.100 Police Wages	\$ 1,454.00
A3120.431 Detective Div	A3120.100 Police Wages	\$ 1,119.00
A3120.432 Ammunition,Guns	A3120.100 Police Wages	\$ 1,474.00
A9015.800 P&F Retirement	A3120.100 Police Wages	\$ 7,562.00
A3120.103 Traffic Sfty Prog	A3120.420 Gas & Oil	\$ 10,375.00
A9015.800 P&F Retirement	A3120.421 Veh. Maint.	\$ 12,976.00
A3620.403 Office Supplies	A3120.435 Canine	\$ 390.00
A3620.403 Office Supplies	A3120.436 Training	\$ 50.00
A3620.101 Asst.Bldg.Inspectr	A3120.437 Meal Allowances	\$ 886.00
A3310.433 2 Way Radio Serv.	A3310.100 Crossing Guards	\$ 79.00
A3510.436 Harboursing	A3310.100 Crossing Guards	\$ 49.00
A3510.436 Harboursing	A3310.434 St. Signs Signal	\$ 2,872.00
A1110.410 Computer Tech	A3620.200 Equipment	\$ 7,025.00
A3620.100 Bldg.Inspct.Sal	A3620.200 Equipment	\$ 2,694.00
A3620.102 Clerks Wages	A3620.200 Equipment	\$ 4,821.00
A3620.103 Fire Inspector	A3620.200 Equipment	\$ 994.00
A3620.403 Office Supplies	A3620.410 School & Conf.	\$ 98.00
A3620.403 Office Supplies	A3620.419 Veh. Lease	\$ 98.00
A3620.403 Office Supplies	A3620.420 Gas & Oil	\$ 109.00
A3620.403 Office Supplies	A3620.421 Veh.	\$ 191.00
A3620.403 Office Supplies	A5010.400 Hwy.Supt Salary	\$ 105.00
A3620.404 Off. Equip. Maint	A5010.403 Office Supplies	\$ 1,105.00
A8989.400 Landfill Fees	A5010.403 Office Supplies	\$ 912.00
A5182.400 Lighting	A5132.406 Telephone	\$ 1,506.00
A6410.401 Empire Zone	A6410.400 Publicity	\$ 550.00
A6772.400 Programs for Aging	A6410.400 Publicity	\$ 4,265.00

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A1220.404 Payroll Services	A6410.400 Publicity	\$ 114.00
A7110.102 Parks / Grounds	A6510.423 Supplies& Flags	\$ 564.00
A7110.406 Telephone	A7110.407 Electric	\$ 345.00
A7110.406 Telephone	A7110.421 Veh. Maint	\$ 18.00
A3620.403 Office Supplies	A7140.200 Equipment	\$ 123.00
A8010.415 Legal Notices	A7140.201 Rec.Equip.Grant	\$ 65.00
A8020.400 Planner	A7140.400 Program Supplies	\$ 5,788.00
A8010.103 Secretary/ZBA	A8010.101 Mun.Code Officer	\$ 2,000.00
A8020.100 Secretary Wages	A8010.101 Mun.Code Officer	\$ 1,926.00
A8020.400 Planner	A8010.102 Clerk Wages	\$ 3,006.00
A9010.800 ERS Retirement	A8160.100 Wages	\$ 13,266.00
A8020.400 Planner	A8160.100 Wages	\$ 4,067.00
A8160.401 Dumping Costs	A8160.200 Equipment	\$ 28,040.00
A8160.401 Dumping Costs	A8160.402 Tub Grinding	\$ 5,000.00
A8160.404 Permits	A8160.409 Tools & Supplies	\$ 278.00
A8160.404 Permits	A8160.430 Uniform Cleaning	\$ 18.00
A8160.404 Permits	A8160.492 Recycling-Tires	\$ 701.00
A8160.404 Permits	A8760.400 Disaster Work	\$ 40.00

General Fund: Modify the following Appropriation from A5990 (Approp.fund Balance):

A1355.403 Office Supplies	\$ 1,362.00
A1620.100 Custodian Salary	\$ 1,979.00
A1620.407 Electric	\$ 3,432.00
A1620.409 Repairs & Supplies	\$ 6,135.00
A1989.400 Grant Writer	\$ 475.00
A3120.100 Police Wages	\$103,027.00
A5010.403 Office Supplies	\$ 746.00
A5132.407 Electric	\$ 5,245.00
A5132.408 Heat	\$ 5,892.00
A5132.409 Repairs & Supplies	\$ 4,626.00
A5132.454 Maintenance	\$ 4,512.00
A6140.400 Home Relief	\$ 70,951.00
A7110.101 Park Attendants	\$ 8,092.00
A7110.201 Post Park Pavilion	\$ 86,034.00
A7110.420 Gas & Oil	\$ 2,404.00
A7110.426 Repairs Construction	\$ 43,763.00
A7110.427 Handicap Fishing Platform	\$ 4,784.00
A7140.101 Program Personnel	\$ 24,853.00
A1420.400 Legal Services	\$ 28,493.00
Total	\$406,805.00

Highway Fund: Transfer From	Transfer To	
D5110.445 Blasting	D5110.430 Uniforms	\$ 2,524.00
D5110.438 Engineering	D5110.413 Rentals	\$ 4,000.00
D5110.442 Road Oil	D5110.413 Rentals	\$ 4,000.00
D5110.445 Blasting	D5110.413 Rentals	\$ 200.00
D5110.443 Drainage	D5110.420 Gas & Oil	\$ 4,520.00
D5110.440 Blacktop	D5142.446 Salt	\$ 6,000.00
D5110.441 Stone	D5130.427 Tires	\$ 9,000.00

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	D5110.441 Stone	D5130.422 Equip. Maint	\$ 6,000.00
	D5110.443 Pipe, Post	D5130.491 Parts	\$ 6,000.00
	D5110.443 Pipe, Post	D5130.428 Solvents	\$ 500.00
	D5110.443 Pipe, Post	D5142.420 Gas & Oil	\$ 5,000.00
	D5130.429 Lubricants	D5130.490 Tools	\$ 100.00
	D5142.447 Sand	D5142.437 Meal Allowances	\$ 180.00
	D5142.449 Calcium	D5142.448 Cold Patch	\$ 1,500.00
	D9010.800 State Retirement	D5140.100 Beautification Wages	\$ 15,219.00
	D9010.804 State Retirement	D5140.100 Beautification Wages	\$ 20,219.00
	D9060.804 Hosp. & Dental	D9030.804 Soc Sec	\$ 1,500.00
	D9060.804 Hosp. & Dental	D9040.800 Workers' Comp.	\$ 352.00
	D9060.804 Hosp. & Dental	D9040.800 Workers' Comp.	\$ 352.00
	D9060.804 Hosp. & Dental	D9070.804 Medicare Reimb.	\$ 3,377.00
Ulster Water:	Transfer From	Transfer To	
	SW1-8320.400 Engin Serv.	SW1-8320.407 Electric	\$ 756.00
	SW1-8330.451 Chemicals	SW1-8340.420 Gas & Oil	\$ 1,132.00
	SW1-9060.800 Hosp. & Dntl.	SW1-9070.800 Medicare Reimb.	\$ 1,371.00
Halcyon Park Water	Transfer From	Transfer To	
	SW2-8320.409 Rep. & Suppl.	SW2-8320.407 Electric	\$ 700.00
	SW2-8330.451 Chemicals	SW2-8330.401 Lab Testing	\$ 107.00
	SW2-8330.458 Dec Permit	SW2-9030.800 Soc. Sec.	\$ 305.00
Spring Lake Water	Transfer From	Transfer To	
	SW3-8320.709 Rep. & Suppl.	SW3-8320.407 Electric	\$ 24.00
	SW3-8320.409 Rep. & Suppl.	SW3-8330.401 Lab Testing	\$ 45.00
Bright Acres Water	Transfer From	Transfer To	
	SW4-8320.407 Electric	SW4-8320.413 Equip Rental	\$ 948.00
	SW4-8320.409 Rep. & Suppl.	SW4-8320.413 Equip. Rental	\$ 152.00
	SW4-8320.409 Rep. & Suppl.	SW4-8330.401 Lab Testing	\$ 110.00
Glenerie Water:	Transfer From	Transfer To	
	SW6-8310.406 Telephone	SW6-8310.404 Postage	\$ 352.00
East Kingston Water	Transfer From	Transfer To	
	SW7-8310.403 Off. Suppls.	SW7-8310.404 Postage	\$ 70.00
	SW7-8320.409 Rep. & Suppl.	SW7-8320.407 Electric	\$ 61.00
Whittier Sewer:	Transfer From	Transfer To	
	SS1-1990.480 Contingency	SS1-8110.453 Lab Exp.	\$ 95.00
	SS1-1990.480 Contingency	SS1-8130.437 Meal Allowance	\$ 50.00
	SS1-1990.480 Contingency	SS1-8130.451 Chemicals	\$ 883.00
Ulster Sewer	Transfer From	Transfer To	
	SS2-1990.480 Contingency	SS2-1420.400 Legal Services	\$ 360.00
	SS2-9010.800 State Retire	SS2-8130.407 Electric	\$ 7,000.00
	SS2-9010.800 State Retire	SS2-8130.408 Heat	\$ 1,704.00

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	SS2-9010.800 State Retire	SS28130.451 Chemicals	\$ 1,451.00
Washington Ave. Sewer:	Transfer From SS3-9010.800 State Retire	Transfer To SS3-9710.700 Int	\$ 1.00

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

Councilman Joel B. Brink motioned to close the books of 2008
2nd by Councilman Secreto
A Roll Call Vote was taken – All Ayes

Councilman Secreto motioned to enter into executive session at 8:11 PM to address the following items: pending litigation: PCK v. Town of Ulster, pending litigation: Chambers Senior Housing v. Town of Ulster, and proposed litigation: Quigley v. Town of Ulster
2nd by Councilman Joel B. Brink
All Ayes

Deputy Supervisor Craig Artist, Town Attorney Zweben, Special Council Rod Futerfas and Special Council William Ryan Jr. were invited into the session.

Executive session ended at 9:10 PM

Hiring Part-Time Clerk to the Town Court

Councilman Kitchen motioned to hire Leanne Buchinger at \$9.25 an hour, as a part-time court clerk with an effective start day of Monday, March 2, 2009
2nd by Councilman Secreto
All Ayes

Chambers Senior Housing v. Town of Ulster

Councilman David Brink moved to approve the reduction of the assessed value of the Chambers Housing project , SBL 48.49-01-20.999, to \$156,000.00 for land and buildings from the original amount of \$1,779,000.00 effective tax year 2008, pursuant to real property tax law section 727, and shall go forward from 2009, 2010 and 2011. That the Deputy Supervisor shall execute the change in absence or recusal of the Town Supervisor. This motion changes the prior approved motion (see minutes of October 2, 2008) from 15 years to four years, 2008 to 2011.
2nd by Councilman Joel B. Brink
A Roll Call Vote was taken –
3 Ayes – 1 Nay by Councilman Kitchen – Supervisor Woerner Abstained

PCK v. Town of Ulster

Councilman Secreto moved to approve the reduction in assessed value for PCK, SBL #48.12-1-1.112, as per the following; 2003 \$77,250,000, 2004 \$74,800,000, and for 2005-2009 \$66 M. Also include with that motion is to allow the Town Attorney to offer a settlement to PCK

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Development and the Town Supervisor to execute any and all paperwork necessary to effectuate the settlement.

2nd by Councilman David Brink

A Roll Call Vote was taken – All Ayes

Councilman David Brink moved to approve the following:

Resolution authorizing the issuance of a bond not to exceed \$1,500,000 for tax refunds relating to article 10 tax certiorari and a payment to the environmental protection agency

Councilman David Brink moved to approve the following:

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,500,000 BONDS OF THE TOWN OF ULSTER, ULSTER COUNTY, NEW YORK, FOR TAX REFUNDS AND A PAYMENT TO THE ENVIRONMENTAL PROTECTION AGENCY.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Ulster, Ulster County, New York, as follows:

Section 1. For the object or purpose of paying (i) tax refunds as a result of certain judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law, and (ii) an Order on Consent with the Environmental Protection Agency relating to the Town's share of a remediation project, each due and payable in the 2009 fiscal year of the Town of Ulster, Ulster County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued not exceeding \$1,500,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid tax refunds, being a class of objects or purposes, is \$1,350,000, and the Order on Consent, being a specific object or purpose, is \$150,000, and the plan for the financing thereof is by the issuance of not exceeding \$1,500,000 bonds of said Town herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid tax refunds is twenty years, pursuant to subdivision 33(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby determined that the period of probable usefulness of the aforesaid Order on Consent is five years, pursuant to subdivision 33 of paragraph a of Section 11.00 of the Local Finance Law. The maximum maturity of the bonds for the tax refunds will exceed five years. The maximum maturity of the bonds for the Order on Consent will not exceed five years.

Section 4. The faith and credit of said Town of Ulster, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such

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FEBRUARY 23, 2009 AT 7:00 PM

year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if: Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or The provisions of law which should be complied with as of the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk substantially in the form provided in Section 81.00 of the Local Finance Law.

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

Supervisor Woerner expressed to the Town Board the idea of addressing future tax certiorari so that they can be streamlined and minimize the impact on the town taxes. He requested that the Town Board consider conducting a hearing on the matter. He would like to take all the current tax litigation to be overseen by central body and coordinated by the Town Attorney. He forwarded the responsibility to investigate the current circumstance and the process to the Building, Planning, Zoning and Assessment Committee.

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NY State Town Clerk's Conference

Supervisor Woerner motioned to authorize the Town Clerk to attend the NY State Town Clerk's Conference, from April 26-29, in an amount not to exceed, \$712.22

2nd by Councilman Joel B. Brink

All Ayes

Going out to bid for Salt and Chemicals for 2009

Supervisor Woerner motioned to authorize the Town Clerk to go out to bid for salt and chemicals for the Town of Ulster Water and Whittier Sewer District.

2nd by Councilman Secreto

All Ayes

Councilman Kitchen motioned to adjourn the meeting at 9:40 PM

2nd by Councilman Secreto

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk