

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR WOERNER, CHAIRMAN at 7:05 PM

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

Mr. Robert Barton inquired about the Ulster Transfer Station and its efficiency. He feels that the Transfer Station should be self supporting.

Mr. Robert Crane feels that building a Senior Center at this time is not appropriate due to the economy, the drop in the town's revenues, the number of bond notes the Town has gone out for and the number people who would benefit from the project. He requested that the Town Board shelve the project for the foreseeable future.

Mr. Don Brott thanked the Town Board for naming the Senior Center after his father, Russell Brott.

Mr. James Quigley stated that the SEQRA report was not performed for the Town Senior Center.

Bonding for the Town of Ulster Senior Center

Supervisor Woerner motioned to approve the following:

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A SENIOR CENTER AT THE TOWN HALL COMPLEX SITE IN AND FOR THE TOWN OF ULSTER, ULSTER COUNTY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$500,000, AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF.

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. The construction of a senior center at the Town Hall complex site in and for the Town of Ulster, Ulster County, New York, including site improvements, original furnishings, equipment and apparatus, as well as incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$500,000.

Section 2. The plan for the financing of such maximum estimated cost is (i) by the issuance of \$200,000 serial bonds of said Town hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law; and (ii) by the use of grants of \$300,000.

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

- Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 11(b) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized 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 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.

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

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 Joel B. Brink

A Roll Call Vote was taken –

Councilman David Brink	- Aye
Councilman Joel B. Brink	- Aye
Councilman Eric Kitchen	- Nay
Councilman Rocco Secreto	- Aye
Supervisor Nicky B. Woerner	- Aye

Motion passed.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Eric Kitchen motioned to approve the minutes of July 23, 2009.

2nd by Councilman Joel B. Brink

All Ayes

Committee Reports

Councilman Secreto reported under the Buildings and Grounds Committee, that the ground work has started on the Senior Center. He thanked the Water, Sewer and Highway Department for their work. Supervisor Woerner reported that an official ground breaking will occur on Thursday, August 27, 2009. A discussion occurred about the Town Transfer Station being moved. Councilman Secreto stated that a separate road could be installed to the Highway Complex area for a Transfer Station. He will be contacting Waste Management to investigate the services they could offer. Supervisor Woerner is waiting to hear from the insurance company about the replacement costs to the Transfer Station's pavilion that was destroyed in a fire.

Councilman Secreto reported, from the Recreation Committee, that they had around 280 children attend camp. He thanked the camp councilors and the maintenance workers who worked at the camp. He reported that Pop Warner is on the Town Website. Flag Football signup has started. A discussion occurred about the lack of communication between the board members in replacing the Summer Camp Director and another incident, unrelated, about some drug paraphernalia being found at the park.

Councilman Secreto, reported from the Highway Committee, that the Highway Department is busy paving. Councilman Joel B. Brink reiterated a thank you from Mrs. Dawn Pretsch for the Highway Department from the July 23, 2009 meeting, as she had stayed through a very long meeting to make her comment at the end.

Councilman David Brink motioned to open a money market account with KeyBank for the General Fund, Highway Fund, Ulster Water Department, Ulster Sewer and Landfill Closure.

2nd by Councilman Secreto

All Ayes

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

Councilman Joel B. Brink motioned to close the Washington Avenue Capital Project Account as the project has been completed

2nd by Councilman David Brink
All Ayes

Councilman Kitchen motioned to set a public hearing for the East Kingston Fire Protection District's 2010 budget for September 17, 2009 at 7 PM.

2nd by Councilman Joel B. Brink
All Ayes

Councilman Secreto reported, from the Water and Waste Water Committee, that the DEC has given permission for the installation of the East Kingston Water Tower.

Councilman Secreto motioned for the town to execute its option to purchase more water from the City of Kingston (contract dated 7-20-2004), pursuant to Section 6(d) herein, the Department shall hold and reserve an additional 200,000 gallons per day for use by the Town from the date hereof until January 1, 2010. The rate for this additional consumption shall be \$2.00 per 1,000 gallons of water consumed. The consumption by Hillside Acres and Spring Lake shall be included, however, the rate to be charged for water consumed in both Hillside Acres and Spring Lake District shall be \$2.00 per 1,000 gallons of consumption.

2nd by Councilman Joel B. Brink

A Roll Call Vote was taken –

Councilman David Brink	- Aye
Councilman Joel B. Brink	- Aye
Councilman Eric Kitchen	- Aye
Councilman Rocco Secreto	- Aye
Supervisor Nicky B. Woerner	- Aye

Councilman David Brink reported from the Assessor, Planning and Zoning Committee that he has had a couple of meetings with the Town Planner and they have been reviewing various planning and zoning laws. He reported that the result of those meetings will be forthcoming.

ABSTRACT OF CLAIMS

Councilman Joel B. Brink motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	801-823	7,868.60
ULSTER WATER	801-808a	5,110.46
HALCYON PK. WATER	801	205.49
SPRING LAKE WATER	801-804	316.94
BRIGHT ACRES WATER	801	238.95
GLENERIE WATER	801	30.00
WHITTIER SEWER	801-803	1,075.28

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

ULSTER SEWER	801-804	17,857.10
WASHINGTON AVE. SEWER	801-802	96.02
SPECIAL LIGHT	801-806	3,573.22
ALL OTHERS		
GENERAL	801-8185	165,350.30
HIGHWAY	801-830	38,006.64
WHITTIER SEWER	801-807	4,829.98
ULSTER SEWER	801-832	28,622.75
WASHINGTON AVE. SEWER		
ULSTER WATER	801-819	121,832.93
HALCYON PK. WATER	801-803	205.05
SPRING LAKE WATER	801-802	50.00
BRIGHT ACRES WATER	801-805	1,280.90
CHERRY HILL WATER	801-802	50.00
GLENERIE WATER	801-802	50.00
EAST KINGSTON WATER	801-802	50.00
INSURANCE (ALL FUNDS)	801-819	120,151.84
CAPITAL PROJECTS		
TRUST & AGENCY	801-827	14,627.50
EAST KINGSTON WATER	801	105.00
SENIOR CENTER CAP. PROJ.	801	1,875.00
	TOTAL	\$ 533,459.95

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

Councilman Joel B. Brink moved to approve the following:

BUDGET MODIFICATIONS:

General Fund:

Modify Revenue A3390 (State Aid, Buckle Up New York) and Appropriation A3120.103 (Traffic Safety Program) reimb. from Gov. Traffic Safety Committee for May wages	\$2,654.07
Modify Revenue A3390 (State Aid, Buckle Up New York) and Appropriation A3120.103 (Traffic Safety Program) reimb. from Gov. Traffic Safety Committee for June wages	\$1,259.23
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) electric at Orlando St. Ballfield	\$ 289.00
Modify Revenue A2705 (Gifts & Donations) and Appropriation A3120.200 (Equipment) Community Grant from Sam's Club Foundation for a digital recording system	\$1,500.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football) reimb. Greg Maisch for binders	\$ 27.98

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

	Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football) dues payment to Mid Hudson Conference	\$1,417.00	
	Modify Appropriation A3121.400 (Drug Forfeiture) to be funded through A5110 (Approp. Reserve-Drug Forfeiture) reimb. Joseph Sinagra for FBI Conference in Kentucky	\$1,246.42	
	Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) electric at Orlando St. Ballfield	\$ 318.12	
Ulster Water:	Modify Appropriation SW1-1930.400 (Judgment & Claims) to be funded through SW1-5990 (Approp. Fund Bal.)reimb. General Fund for payment to Chambers Senior Housing Limited Partnership for 2008 Tax Refund	\$1,709.87	
Ulster Sewer:	Modify Appropriation SS2-1930.400 (Judgment & Claims) to be funded through SS2-5990 (Approp. Fund Bal.) reimb. General Fund for payment to Chambers Senior Housing Limited Partnership for 2008 Tax Refund	\$2,136.30	
General Fund:	Transfer From: A3120.101 Overtime Wages A3120.101 Overtime Wages	Transfer To: A3120.100 Police Wages A3120.100 Police Wages	\$3,203.80 \$3,611.48
Whittier Sewer:	SS1-8130.409 Rep.& Supplies	SS1-8110.453 Lab Expense	\$1,800.00
Ulster Sewer: 2 nd by Councilman Secreto	SS2-8110.401 Legal Consult.	SS2-1420.400 Legal Services	\$ 450.00

A Roll Call Vote was taken –
 Councilman David Brink - Aye
 Councilman Joel B. Brink - Aye
 Councilman Eric Kitchen - Nay
 Councilman Rocco Secreto - Aye
 Supervisor Nicky B. Woerner - Aye

Planning Board Referral – Sawkill Meadows Project.

Councilman David Brink motioned to grant a non-conditional site plan approval for Sawkill Meadows Project
 2nd by Councilman Joel B. Brink

A Roll Call Vote was taken –
 Councilman David Brink - Aye
 Councilman Joel B. Brink - Aye
 Councilman Eric Kitchen - Aye
 Councilman Rocco Secreto - Aye

ULSTER TOWN BOARD MEETING
AUGUST 20, 2009 AT 7:00 PM

Supervisor Nicky B. Woerner - Aye

Investigation of the misuse of the Town Entity Name

Chief Paul Watizka requested permission from the Town Board to investigate the misuse of the Town Entity Name.

Councilman Joel B. Brink motioned to authorize an investigation into the use of the names of the Town of Ulster and Town of Ulster Police Department by non-town entities according to Section 51-4 Town Law that grants such authority and power to the Town Board.

2nd by Councilman Secreto

A Roll Call Vote was taken –

Councilman David Brink	- Aye
Councilman Joel B. Brink	- Aye
Councilman Eric Kitchen	- Aye
Councilman Rocco Secreto	- Aye
Supervisor Nicky B. Woerner	- Aye

Councilman Kitchen motioned to authorize the Town Attorney Andrew Zweben to engage into talks to sell land to Mr. Thomas Davis along Dogwood Street and to come back to the Town Board with an offer.

2nd by Councilman Joel B. Brink

All Ayes

Kris Schwartz requested if his services as Park Director had been terminated and what the reasons were. He requested a meeting after the board meeting.

Mrs. Shirley Gaffney thanked the Town Board for approving the construction of the Senior Center

Councilman Secreto motioned to adjourn the meeting at 7:44 PM

2nd by Councilman Joel B. Brink

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk