

ULSTER TOWN BOARD MEETING  
OCTOBER 15, 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**

A discussion occurred between Mr. Robert Barton and the Town Board about the Ulster Kingston Empire Zone and their zone adjustments.

James McCausland inquired about the town budget modifications and information for the upcoming 2010 budget hearing.

Mr. Richard Metzger inquired if Trust and Agency items on the abstract, such as the traffic study for Tech City (or other developers), is paid for by the Town or developer.  
Supervisor Woerner stated that the developer pays the town through an escrow account for professional services rendered.

**Public Hearing for the East Kingston Fire Protection District Budget**

Supervisor Woerner opened the public hearing for the East Kingston Fire Protection District at 7:19 PM

Mr. Charles Phillips, the East Kingston Fire Department President, gave a brief overview of the 2010 budget with a total budget amount of \$198,372.26

James McCausland requested a copy of the 2010 East Kingston Fire Protection District Budget.

Councilman Joel B. Brink motioned to adjourn the public hearing at 7:23 PM  
2<sup>nd</sup> by Councilman David Brink  
All Ayes

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

Councilman David Brink motioned to approve the minutes of September 17, 2009.  
2<sup>nd</sup> by Councilman Joel B. Brink  
All Ayes

**COMMUNICATIONS**

Councilman Joel B. Brink reported that he was contacted by Mr. Thomas Davis who wants to purchase a portion of the Town' property along Dogwood Street.

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Supervisor Woerner motioned to authorize Councilman Joel B. Brink to negotiate with Mr. Davis via legal counsel for the potential sale of the property.

2<sup>nd</sup> by Councilman Secreto

All Ayes

Councilman Joel B. Brink motioned to place a stop sign on the corner of Mentnech Court and Groff Street.

2<sup>nd</sup> by Councilman Secreto

All Ayes

Councilman David Brink motioned to go out to bid for the 2010 police fleet maintenance contract

2<sup>nd</sup> by Councilman Joel B. Brink

All Ayes

Councilman Secreto moved to set a Halloween Curfew of 8:00 PM this year.

2<sup>nd</sup> by Councilman Joel B. Brink

All Ayes

Supervisor Woerner requested that the Town Council Members have their budget proposal in by October 23, 2009.

**ABSTRACT OF CLAIMS**

Councilman Joel B. Brink motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	1001-1019	<b>8,326.54</b>
ULSTER WATER	1001-1006a	<b>4,278.20</b>
HALCYON PK. WATER	1001	<b>259.99</b>
SPRING LAKE WATER	1001-1002	<b>154.38</b>
BRIGHT ACRES WATER	1001	<b>340.97</b>
GLENERIE WATER	1001	<b>30.00</b>
WHITTIER SEWER	1001-1002	<b>623.85</b>
ULSTER SEWER	1001-1002	<b>116.04</b>
WASHINGTON AVE. SEWER	1001-1002	<b>70.17</b>
SPECIAL LIGHT	1001-1006	<b>3,867.06</b>
ALL OTHERS		
GENERAL	1001-10132	<b>171,797.55</b>
HIGHWAY	1001-1034	<b>63,904.12</b>
WHITTIER SEWER	1001-1004	<b>3,140.65</b>
ULSTER SEWER	1001-1018	<b>31,457.37</b>
WASHINGTON AVE. SEWER	1001-1002	<b>2,080.58</b>
ULSTER WATER	1001-1020	<b>15,528.11</b>
HALCYON PK. WATER	1001	<b>135.00</b>
SPRING LAKE WATER	1001	<b>15,251.78</b>

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BRIGHT ACRES WATER	1001	250.00
CHERRY HILL WATER	1001-1002	5,397.39
GLENERIE WATER	1001-1002	3,972.36
EAST KINGSTON WATER	1001	2,014.62
INSURANCE (ALL FUNDS)	1001-1019	118,589.54
CAPITAL PROJECTS		
TRUST & AGENCY	1001-1007	27,985.00
EAST KINGSTON WATER	1001	540.00
EAST KNG. WATER LATERALS	1001-1003	9,475.00
SENIOR CENTER CAP. PROJ.	1001	3,450.00
	<b>TOTAL</b>	<b>\$ 493,036.27</b>

2<sup>nd</sup> 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 A2705 (Gifts & Donations) and Appropriation A3120.440 (Child Seat Grant) donation from Llyse Simon,R.D.	\$	10.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) scorekeeper forfeit fee, Denee McGrath	\$	18.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) umpire forfeit fee, Columbus Lyons	\$	28.00
Modify Revenue A2189 (DWI-Task Force) and Appropriation A3120.102 (DWI-Task Force) reimb. for Aug. DWI Wages	\$	501.15
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football League) reimb. referee fees-Greg Maisch	\$	240.00
Modify Revenue A4389 (Safety/Federal Aid) and Appropriation A3120.200 (Equipment) Grant for Bullet Proof Vests	\$	332.62
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football League) reimb. for purchase of footballs, kicking tee, SUNY Course	\$	86.38
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football League) payment to Enjoy the City North, discount books for fundraiser	\$	600.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football League) reimb. Referee fees - Greg Maisch	\$	240.00

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Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp.Reserve-Softball League) payment to Ulster Water District for water bill/Orlando St. \$ 21.00

Modify Revenue (A3989 State Aid,Child Car Seat Grant) and Appropriation A3120.440 (Child Seat Grant) reimb. Carseat expenses from Gov. Traffic Safety Committee \$ 3,047.05

General Fund:  
Modify Appropriation A8989.401 (Blacktop-Training Center) to be funded through A5110 (Approp.Reserve-Landfill Closure) payments to Callanan Industries and Northeast Solite for blacktop and stone dust respectively, \$58,713.97 and \$659.45 \$59,373.42

Washington Avenue Sewer District:

Modify Appropriation SS3-8110.438 (Engineer) to be funded through SS3-5990 (Approp.Fund Bal.) payment to Brinnier & Larios for Lambros Easement \$ 345.00

General Fund:

Transfer From:	Transfer To:	
A3120.101 Overtime Wages	A3120.100 Police Wages	\$10,088.00
A3120.101 Overtime Wages	A3120.100 Police Wages	\$ 7,514.80

2<sup>nd</sup> by Councilman Secreto  
All Ayes

**Town Biddy Basketball League**

Councilman Secreto reported that the Biddy Basketball League is in its 4<sup>th</sup> season, it has 155 children involved and it costs the town nothing to run.

**Kingston-Ulster Empire Zone - Concurring resolutions in support of two Regionally Significant Projects**

**Councilman Joel B. Brink moved to adopt the following two resolutions as submitted:  
TOWN OF ULSTER RESOLUTION OF SUPPORT AND CONCURRENCE WITH THE  
KINGSTON/ULSTER EMPIRE ZONE RECOMMENDATION FOR A REGIONALLY  
SIGNIFICANT PROJECT - ROYAL WINE CORPORATION**

WHEREAS, Royal Wine Corporation is proposing the construction of a facility in order to expand the company at 1519 Route 9W, Marlborough, Town of Marlborough, New York; and

WHEREAS, this expansion will add, at minimum, fifty jobs that support significant investment in on-site manufacturing; and

WHEREAS, the project is not within the Kingston/Ulster Empire Zone boundaries; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed expansion is eligible to apply for a Regionally Significant Project designation under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Kingston/Ulster Empire Zone has determined that the proposed expansion is eligible for designation as a Regionally Significant Project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the boundaries of the Regionally Significant Project area to be included in the Kingston/Ulster Empire Zone shall be set forth below,

NOW, THEREFORE BE IT RESOLVED, that the Town of Ulster Board, in its capacity as governing body of the Town, approves the allocation of zone lands for the proposed expansion of the Royal Wine Corporation manufacturing project as a Regionally Significant Project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property more particularly described as follows and be it further

RESOLVED, that the Town of Ulster Board requests that the New York State Commissioner of Economic Development approve this addition to the Kingston/Ulster Empire Zone as described above.

**TOWN OF ULSTER RESOLUTION OF SUPPORT AND CONCURRENCE WITH THE KINGSTON/ULSTER EMPIRE ZONE RECOMMENDATION FOR A REGIONALLY SIGNIFICANT PROJECT - PRISM SOLAR TECHNOLOGIES, INC.**

WHEREAS, Prism Solar Technologies, Inc. is proposing the purchase of a facility in order to expand the company at 180 South Street, in Highland, Town of Lloyd, New York; and

WHEREAS, this expansion will add, at minimum, fifty jobs that support significant investment in on-site manufacturing; and

WHEREAS, the project is not within the Kingston/Ulster Empire Zone boundaries; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed expansion is eligible to apply for a Regionally Significant Project designation as an Emerging Technology under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Kingston/Ulster Empire Zone has determined that the proposed expansion is eligible for designation as a Regionally Significant Project, Emerging Technology, under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the boundaries of the Regionally Significant Project area to be included in the Kingston/Ulster Empire Zone shall be set forth below,

NOW, THEREFORE BE IT RESOLVED, that Town of Ulster Board, in its capacity as governing body of the Town, approves the allocation of zone lands for the proposed expansion of the Prism Solar Technologies, Inc. manufacturing project as a Regionally Significant Project with Emerging Technology designation as determined by the Zone Administrative Board and the New York State

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Department of Economic Development Law, said zone lands to constitute the property more particularly described as follows; and be it further

RESOLVED, that the Town of Ulster Board requests that the New York State Commissioner of Economic Development approve this addition to the Kingston/Ulster Empire

2<sup>nd</sup> by Councilman David Brink  
All Ayes

**Kingston-Ulster Empire Zone Concurring resolution regarding the addition of Town property into the Zone**

Councilman Joel B. Brink moved to approve the following:

**TOWN OF ULSTER RESOLUTION OF SUPPORT AND CONCURRENCE WITH THE KINGSTON/ULSTER EMPIRE ZONE BOUNDARY REVISION APPLICATION**

WHEREAS, New York State created the Empire Zones program to encourage industrial and commercial development in selected municipalities across the State, and

WHEREAS, Ulster County, as an eligible municipality, received designation of the Kingston/Ulster Empire Zone made up of sub-zones including portions of the City of Kingston, Town of Ulster, Town of Saugerties, Town of Lloyd, Town of Ellenville, and Town of Wawarsing, and

WHEREAS, the City of Kingston and Town of Ulster, as administering entities of the Kingston/Ulster Empire Zone, intend to revise said Zone boundaries to encourage industrial and commercial development and to allow for modification to the existing sub-zones in the Town of Ulster, and

WHEREAS, the Town of Ulster is committed to the development of new business within the proposed sub-zones, and

WHEREAS, the Town of Ulster wishes to support and concur with the Kingston/Ulster Empire Zone revision application,

NOW, THEREFORE, be it resolved that the Town of Ulster Board, in its capacity as governing body of the Town, does hereby support and concur with the Kingston/Ulster Empire Zone revision application to expand the boundaries of the Empire Zone to include the properties more particularly described as follows:

Kingston/Ulster -Subzone 1  
Property added

Longitude	Latitude
-73.99823775100	41.97163833900
-73.99806927400	41.97405381500
-73.99535623100	41.97388396700
-73.99519967000	41.97162739100

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-73.99519968300	41.97162739100
-73.99823775100	41.97163833900
-73.99695009800	41.96743886600
-73.99693604000	41.96833489500
-73.99532675900	41.96831181800
-73.99534451500	41.96732680900
-73.99534451700	41.96732671300
-73.99695092500	41.96733376300
-73.99695009800	41.96743886600
-73.99536661200	41.96610090900
-73.99537967500	41.96537613700
-73.99672673200	41.96610687900
-73.99536661200	41.96610090900
-73.99523867600	41.97418201800
-73.99436444700	41.97391750600
-73.99409844900	41.97385056200
-73.99410294700	41.97328220200
-73.99331671400	41.97327873500
-73.99331712600	41.97322669100
-73.99331714300	41.97322460900
-73.99422546100	41.97301827300
-73.99430000800	41.97312689500
-73.99444623700	41.97333996300
-73.99471174500	41.97364519100
-73.99483315400	41.97382066300
-73.99494107300	41.97393776300
-73.99506133400	41.97402788700
-73.99515768400	41.97407408400
-73.99526577000	41.97412590800
-73.99523867600	41.97418201800
-74.02008308400	41.93522750000
-74.02008566800	41.93525150900
-74.02011203500	41.93549633800
-74.02018028800	41.93549141200
-74.02029447300	41.93548317200
-74.02031815400	41.93548146300
-74.02039108900	41.93578421900
-74.02050594100	41.93626100500
-74.02050642300	41.93626300300
-74.02054352400	41.93641701800
-74.01985901400	41.93622270900
-74.01964489800	41.93529027100
-74.01979643500	41.93525741100
-74.01986953800	41.93524577400
-74.01996400200	41.93523522800
-74.02008308400	41.93522750000
-73.99093211300	41.94266829100
-73.99096619300	41.94239585000
-73.99126343300	41.94235986100
-73.99129845800	41.94165245500

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-73.99175435100	41.94167525000
-73.99361354000	41.94250267000
-73.99363025200	41.94246056700
-73.99375360500	41.94248785900
-73.99490920100	41.94274352700
-73.99509768700	41.94278522700
-73.99509568000	41.94279058700
-73.99500867300	41.94302303900
-73.99500808800	41.94302460200
-73.99500717100	41.94302705300
-73.99473444800	41.94375565100
-73.99463831100	41.94409174800
-73.99102313900	41.94313369600
-73.99095245400	41.94277229200
-73.99093211300	41.94266829100
-73.99363266200	41.94245449900
-73.99442871700	41.94044892600
-73.99442620500	41.94044879600
-73.99442876900	41.94044233600
-73.99474181300	41.94045854400
-73.99490336100	41.94046689300
-73.99562118600	41.94050398700
-73.99617558600	41.93912898400
-73.99617819700	41.93912250500
-73.99628101900	41.93886741700
-73.99628358900	41.93886749900
-73.99666027300	41.93887967600
-73.99681218100	41.93888458600
-73.99694508500	41.93888888200
-73.99694875000	41.93888900000
-73.99619872000	41.94019513800
-73.99605685700	41.94043604600
-73.99594913800	41.94064752800
-73.99575555200	41.94102758200
-73.99514477100	41.94265943200
-73.99513767400	41.94267839500
-73.99513157600	41.94269468600
-73.99509768700	41.94278522700
-73.99490920100	41.94274352700
-73.99375360500	41.94248785900
-73.99363025200	41.94246056700
-73.99363266200	41.94245449900

And, to delete the properties more particularly described as follows:

Kingston/Ulster - Subzone 1

Property Deleted

Longitude	Latitude
-73.99253428800	41.94469592600
-73.99255043400	41.94477023900



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-73.99153620000	41.94486022400
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-73.99118329500	41.94325511200
-73.99116719500	41.94317188800
-73.99211742700	41.94342372500
-73.99211251600	41.94473223600
-73.99253428800	41.94469592600
-73.99514496800	41.94422603900
-73.99516499000	41.94423134500
-73.99520559200	41.94424210400
-73.99521213700	41.94424383900
-73.99424161500	41.94641915500
-73.99423620600	41.94641776200
-73.99435566000	41.94604480300
-73.99440378600	41.94589401000
-73.99457785100	41.94511134300
-73.99472488100	41.94434804400
-73.99480927300	41.94413708300
-73.99498031700	41.94418240900
-73.99502989200	41.94419554600
-73.99507391800	41.94420721200
-73.99511678300	41.94421857100
-73.99514478200	41.94422599000
-73.99514496800	41.94422603900
-73.99232119100	41.95700713000
-73.99253559500	41.95702150900
-73.99253034400	41.95715337100
-73.99252386300	41.95731611900
-73.99248089000	41.95839647400
-73.99238367000	41.95851301100
-73.99235244500	41.95855043700
-73.99233421800	41.95857228500
-73.99225373000	41.95866875600
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-73.99224848200	41.95866874100
-73.99226243800	41.95835816300
-73.99229381400	41.95765984200
-73.99231649000	41.95715513400
-73.99232119100	41.95700713000
-73.99248089000	41.95839647400
-73.99245449100	41.95907172900
-73.99235861700	41.95908326600
-73.99231699000	41.95908827400
-73.99231279600	41.95908990300
-73.99231490400	41.95902665900
-73.99224944000	41.95867390300
-73.99225373000	41.95866875600
-73.99233421800	41.95857228500
-73.99235244500	41.95855043700

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-73.99238367000	41.95851301100
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-73.99245323600	41.95909673900
-73.99243289500	41.95950200200
-73.99241901700	41.95977776000
-73.99240591300	41.96003722500
-73.99239485100	41.96025896500
-73.99237739200	41.96060280300
-73.99234461000	41.96136355400
-73.99231812400	41.96197819200
-73.99228928500	41.96264599100
-73.99227223000	41.96304283100
-73.99225071100	41.96354308800
-73.99216591600	41.96349770400
-73.99217953700	41.96308898300
-73.99217979300	41.96308128400
-73.99231159700	41.95912588700
-73.99231161300	41.95912543600
-73.99231279600	41.95908990300
-73.99231699000	41.95908827400
-73.99245449100	41.95907172900
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-73.99082609700	41.94947154600
-73.99091797300	41.95127995300
-73.99091799100	41.95128132600
-73.99093169700	41.95227873900
-73.99124999600	41.95230901400
-73.99103183000	41.95344723800
-73.99105147200	41.95360168700
-73.99108011800	41.95382695000
-73.99116011300	41.95422698100
-73.99123952900	41.95462411000
-73.99134218100	41.95513743300
-73.99136507200	41.95538898000
-73.99142400100	41.95603659500
-73.99125661900	41.95678476700
-73.99232571000	41.95686478600
-73.99254134500	41.95687708700
-73.99253559500	41.95702150900
-73.99232119100	41.95700713000
-73.99122425200	41.95692944500
-73.99097862000	41.95693413900
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-73.99120093300	41.95577900800
-73.99120618600	41.95544581200
-73.99114642600	41.95517058500
-73.99104463000	41.95454823700
-73.99091337300	41.95378602500

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-73.99082606700	41.95324936700
-73.99080309300	41.95265022500
-73.99078470800	41.95180794800
-73.99081226400	41.95106514600
-73.99078919000	41.95052004500
-73.99073788800	41.94970900100
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-73.99073335000	41.94899293500
-73.99080439500	41.94855223700
-73.99089066300	41.94810266500
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-73.99142546300	41.94560353100
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-73.99120183300	41.94457931500
-73.99095993700	41.94422429200
-73.99103096700	41.94394917600
-73.99101471900	41.94313153500
-73.99101790900	41.94313233400
-73.99102314300	41.94313372000
-73.99116727300	41.94317190500
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-73.99169809900	41.94562924300
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-73.99133987800	41.94709945200
-73.99123833500	41.94808691600
-73.99123120600	41.94811363100
-73.99119466400	41.94825057500
-73.99092899700	41.94924615600
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-73.99086765800	41.94947596000
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-73.99460342100	41.97162523300
-73.99461583900	41.97038708700
-73.99372755600	41.97038277200
-73.99374093700	41.96855778200
-73.99763406200	41.96862971000
-73.99756452100	41.97163591900
-73.99536661200	41.96610090900

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OCTOBER 15, 2009 AT 7:00 PM

-73.99534451700	41.96732671300
-73.99446619600	41.96732284900
-73.99450391800	41.96609474500
-73.99536661200	41.96610090900
-73.99200013700	41.97340891600
-73.99202127700	41.97286573800
-73.99331994100	41.97287153900
-73.99331714300	41.97322460900
-73.99292936300	41.97363170900
-73.99200013700	41.97340891600

2<sup>nd</sup> by Councilman Secreto  
All Ayes

**Setting a Public Hearing on proposed Local Law 7 of 2009 changing the boundaries of the Kingston-Ulster Empire Zone**

Councilman Secreto motioned to set a public hearing for November 5, 2009 at 8 PM for proposed local law to change the boundaries of the Kingston-Ulster Empire Zone

2<sup>nd</sup> by Councilman David Brink  
All Ayes

Councilman Secreto moved to enter into executive session to discuss contract negotiation with the Ulster Police Association and Labor Local #17 as well as the contract with Mr. Davis for the sale of the Dogwood Street property at 7:45 PM

2<sup>nd</sup> by Councilman David Brink  
All Ayes

Deputy Supervisor Craig Artist and town Attorney Zweben were invited into the executive session.

The executive session ended at 9:05 PM and the meeting was resumed at 9:07 PM

Councilman Secreto reported that three bids have been received for the microphone system to be upgraded for the court.

Mr. James McCausland thanked Councilman Secreto for his efforts on the biddy basketball league. He inquired about the amount of borrowed money for this year and expressed his concerns about the town's financial condition.

Mr. Bill Grossbohn read a letter about what he feels was poor treatment by a town employee and the problem he has with not being able to speak at a Town Planning Board meeting about a project unless it is a public hearing. He feels that a proposed project (Millen's Recycle Center) located near his property, Flatbush Road, will impact his property value and that they have submitted an EAF that is misleading and incorrect.

ULSTER TOWN BOARD MEETING  
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Mr. James Quigley discussed the bond issued for the PCK settlement with the Town Supervisor and inquired as to the difference in the payment amount and the bond note. He requested that the public hearing for the 2010 Town Budget be held before Election Day.

Mrs. Cathy Metzger discussed with the Town Board and Deputy Chief Sinagra a problem she had at the Miller Junior High School with a curriculum that was scheduled for the School Resource Officer to teach. Supervisor Woerner will review the matter as most of the interested parties were not present.

Councilman Secreto motioned to adjourn the meeting at 9:38 PM

2<sup>nd</sup> by Councilman Joel B. Brink

All Ayes

Respectfully Submitted by  
Jason Cosenza, RMC FHCO  
Ulster Town Clerk