

ULSTER TOWN BOARD WORKSHOP
MARCH 4, 2010 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:06 PM

SALUTE TO THE FLAG

A moment of silence was observed for Mary S. Brocco, wife of Ulster Hose #5 Fire Commissioner James Brocco.

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILWOMAN CRIS HENDRICK
TOWN COUNCILMAN JOHN MORROW
SUPERVISOR JAMES QUIGLEY 3rd

Town Clerk Cosenza requested that two items be placed on the agenda:

A resolution to set a standard work day for appointed officials for the retirement system
To accept a bid on a prior surplus 1998 Ford Crown Vic

Public Comment:

Mr. Robert Barton inquired on what prompted the proposed local laws for a public hearing? Are these laws improvements and enhancements to current laws? What is the requirement for the change order for the senior building?

Supervisor Quigley stated the proposed local laws are the result of converting the town's master plan into law. The change order for the senior building was for modification to the building pertaining to its connection to a gymnasium. Since the gymnasium isn't going to be built, the connection area needed to be removed to conform to code.

Mr. Rob Sweeney expressed concern over the revised local laws pertaining to zoning in particular the recycling yards, which are junkyards, would be able to be open throughout the town in OM zones where currently they are zoned in industrial zones. He also requested more advanced notice for the public hearing date.

Mr. Todd Moxham inquired if the current proposed projects in the town would be subject to the proposed local laws if adopted.

Mr. Jason Kovacs, Town Attorney, stated that the current projects would go through the process that it was initially started with. If started with the old law, it would finish under the old law.

Mrs. Karen Markisenis requested that the legal notice include a summary of what is permitted in those zones so the public understands the local laws.

Supervisor Quigley requested that she contact Town Planner Alan Sorensen to discuss incorporating those items into the notice.

COMMITTEE REPORTS

Councilman Kitchen reported from the Recreation Committee that the Volleyball Program is nearly finished. The Bidy Basketball's season is over and a Trophy Bowling Ceremony is

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scheduled at Mid City Lanes on March 6, 2010 from 2 PM – 5 PM. He and Jeff Hayner, the Recreation Director, have been working on improving the Town Summer Camp and Robert E. Post Park. They have purchased an ice machine to use for the summer camp as well as the park. Additional recreation equipment is being installed. Further, a shed has been donated by Niles Quigley as an Eagle Scout Project to be installed at the park for storage. An Easter Egg hunt is scheduled for March 27, 2010 at 11 AM at Crosby School. The committee is currently accepting applications for camp counselors.

Councilman Morrow moved to adopt the following:

STANDARD WORK DAY RESOLUTION

WHEREAS, regulation 315.4 of the New York State & Local Retirement System requires the governing body of the town to establish a Standard Workday and Reporting system for all elected and appointed town officers that were elected or appointed after September 12, 2009, and

WHEREAS, persons affected are those that are enrolled in the New York State Retirement System as either Tier 2, 3, 4 or 5 members, and

WHEREAS, the persons affected are those that receive monetary compensation for their duties and do not use the town's Time Clock nor use Time Sheets to document their work hours; now therefore be it

RESOLVED, that seven (7) hours is established as the Standard Workday; and be it further

RESOLVED, that the recording of time worked consists of a three month Time/Work log starting on January 1, 2010. This Time/Work log shall be created and maintained by the affected worker; and be it further

RESOLVED, that once passed, this Resolution shall be posted on the Town's Website and the Official Sign Board for a period of at least 30 days; and be it further

RESOLVED, that the Ulster Town Clerk shall submit a certified copy of the resolution and affidavit of its posting to the Office of State Comptroller; and be it further

RESOLVED, that once the three month time period Time/Work log is completed, the affected person shall sign and submit their Time/Work log to the Ulster Town Clerk; and be it further

RESOLVED, that the Governing Body of the Town shall utilize the Time/Work logs to calculate the percentage of the Standard Workday worked over the 3 month time period and report the findings to the New York State & Local Retirement System so that the New York State & Local Retirement System may determine pension credits; and be it further

RESOLVED, that the Ulster Town Clerk shall retain the Time/Work logs submitted for a period of ten years.

Elected or Appointed Officers affected by regulation 2 NYCRR 315.4

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Name	Title	Date of Appointment
Jeffery Hayner	Director of Recreation	1/1/2010

2nd by Councilman Brink
All Ayes

Surplus Crown Vic 1999

Councilman Brink moved to accept Mr. Charles Falturen's offer of \$100.00 for a 1999 Ford Crown Vic (2FAFP73W1XX102231), that was auctioned off in an early auction and not bid on, in as is condition.

2nd by Councilman Kitchen
All Ayes

Resolution to Approve Parkland Conveyance and Stormwater Management Contribution Agreement re: Cedar Ridge Subdivision

Councilman Morrow moved to approve the following:

TOWN OF ULSTER TOWN BOARD RESOLUTION AUTHORIZING THE TOWN OF ULSTER SUPERVISOR TO SIGN A "PARKLAND CONVEYANCING AND STORMWATER MANAGEMENT CONTRIBUTION AGREEMENT" IN THE MATTER OF THE APPLICATION OF MICHAEL PROVENZANO FOR APPROVAL OF A SUBDIVISION KNOWN AS CEDAR RIDGE

WHEREAS, Michael Provenzano has made application to the Town of Ulster Planning Board pursuant to the Town of Ulster Subdivision Regulations, the Town of Ulster Zoning Law, and the associated provisions of sections 276 and 277 of the Town Law of the State of New York for subdivision approval of a twenty (20) lot subdivision consisting of twelve (12) residential lots situate with the Town of Ulster and eight (8) residential lots situate in the Town of Hurley; and

WHEREAS, the application aforesaid is for subdivision of an approximately 72.85 acre parcel of land which is located on the southerly side of Lucas Avenue and the northerly side of DeWitt Mills Road in the Town of Ulster, [SBL 56.009-1-2.1] and in the Town of Hurley [SBL 56.009-9-15]; and

WHEREAS, the application and applicant has received a SEQRA Negative Declaration of Environmental Significance from the Town of Ulster Planning Board as Lead Agency on November 16, 2006; and

WHEREAS, the application and applicant were further granted preliminary subdivision approval pursuant to Town of Ulster Subdivision Regulations and Section 276 of the Town Law of the State of New York by the Town of Ulster Planning Board on November 16, 2006; and

WHEREAS the Town of Ulster Planning Board, on September 16, 2009, granted a six (6) month extension of the preliminary subdivision approval which was granted as aforesaid to the Cedar Ridge Subdivision upon all of the recitals therein stated; and

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WHEREAS, preliminary subdivision approval shall be in effect until March 16, 2010; and

WHEREAS, a condition precedent for final subdivision approval, as stated in the Town of Ulster Planning Board's resolution of September 16, 2009, was the applicant's establishing of a contractual agreement for the payment of certain stormwater maintenance fees to the Town of Ulster; and

WHEREAS, Michael Provenzano has submitted a proposed "Parkland Conveyancing and Stormwater Management Contribution Agreement" which provides for the payment of certain stormwater maintenance fees to the Town of Ulster as well as the provisions for the making of a deeded conveyance of Subdivision Lot No. 2 to the Town of Ulster as public parkland open space; and

WHEREAS, the agreement provides that the applicant will establish and tender to the Town of Ulster the sum of twelve thousand (\$12,000.00) dollars, which shall be utilized for the continuing stormwater maintenance for the stormwater basins and related stormwater appurtenances situate at lot nos. 2, 12, and 13 as shown on the Cedar Ridge Subdivision Map.

NOW THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to enter into the "Parkland Conveyancing and Stormwater Management Contribution Agreement."

BE IT FURTHER RESOLVED, that upon payment of the sum of twelve thousand (\$12,000.00) dollars by the applicant, the Town Supervisor is hereby authorized to deposit said sum into a "Stormwater Maintenance" fund, to be utilized in the sole and absolute discretion of the Town of Ulster Town Board and the Town of Ulster Highway Department in order to perform continuing stormwater maintenance for the stormwater basins and related stormwater appurtenances for the Cedar Ridge Subdivision.

2nd by Councilman Brink
All Ayes

A Local Law providing for the adoption of a new Article II of Chapter 190 of the Town Code- public hearing to be scheduled and a local law providing for the adoption of a new Article VII of Chapter 190 of the Town Code – public hearing to be scheduled

The Town Board discussed the amount of time necessary for the public to review the proposed local laws. At the March 18, 2010 Town Board Meeting, public hearings will be set for April 15, 2010.

Supervisor Quigley motioned to table setting the public hearings for the two proposed local laws until the March 18, 2010 meeting.

2nd by Councilman Kitchen
All Ayes

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Discussion to allow the City of Kingston Engineer's Office to review, on behalf of the Town of Ulster, a SPEDES Permit Application to the NYSDEC by Kingston Landing Development LLC.

Councilman Kitchen motioned to authorize the City of Kingston Engineer's Office to review a SPEDES Permit Application to the NYSDEC by Kingston Landing Development LLC on behalf of the Town of Ulster
2nd by Councilman Brink
All Ayes

Discussion and approval of Change Order #2, Sausto Contracting Inc. dated February 22, 2010 to Contract No.Tu.091, in the amount of \$1,984.06 for the Town of Ulster Senior Center

Councilman Kitchen moved to approve Change Order #2, Sausto Contracting Inc. dated February 22, 2010 to Contract No.Tu.091, in the amount of \$1,984.06 for the Town of Ulster Senior Center
2nd by Councilman Morrow
All Ayes

Discussion - New Town Depository - JP Morgan Chase Bank

Councilman Kitchen motioned to approve the following:
RESOLUTION AUTHORIZING THE TOWN OF ULSTER SUPERVISOR TO OPEN A NEW CHECKING ACCOUNT FOR FUNDS STEMMING FROM THE CLOSING OF THE LANDFILL

BE IT RESOLVED by the Town Board of the Town of Ulster, Ulster County, as follows:

1. That the Town Board of the Town of Ulster authorizes the Supervisor to open a checking account at JP Morgan Chase Bank according to the terms and conditions of the authorizations granted in this resolution.
2. That the Town Board of the Town of Ulster authorizes the Supervisor to place any funds received by the Town of Ulster stemming from the closing of the Landfill into said checking account.
3. That the Town Board of the Town of Ulster hereby declares JP Morgan Chase Bank an official depository for town funds.

2nd by Councilman Morrow
All Ayes

Discussion on accounting policy for all recreation funds (ie: Basketball, Softball, Volleyball, Summer Camp, Football, etc)

Supervisor Quigley reported that there are numerous accounts set up for recreation programs like biddy basketball and he suggested modifying that policy to create one recreation reserve fund to

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receive all funds from any of the recreation programs that exist now or to be added in the future to be deposited into that account. Any of the monies needed to fund any of the operations of the recreation programs would be spent from this account. Any surplus of revenue would stay in these accounts for future periods and, in case of a fund shortage, would come out of the general fund.

Councilwoman Hendrick and Councilman Kitchen concurred with this idea.

Supervisor Quigley will put this proposal into the form of a resolution at the next meeting.

To authorize the Town Clerk to attend the NYS Town Clerks Association Conference April 25th -28th.

Councilman Kitchen moved to authorize the Town Clerk to attend the NYS Town Clerks Association Conference April 25th -28th in the amount not to exceed \$775.00.

2nd by Councilwoman Hendrick

All Ayes

Public Comment:

Mr. Robert Barton inquired if roll call votes are required for fiscal items.

Supervisor Quigley is unaware of such a requirement but he will take it into consideration in the future.

Mr. Richard Metzger thanked Supervisor Quigley and those responsible for fixing the traffic light at the corner of Boices Lane and Enterprise Drive.

Supervisor Quigley thanked Mayor Sottile for use of his traffic crew in repair of the traffic device.

Mr. Ron Miller requested that the lights at the Robert E. Post Park be turned off when the park is closed to the public during the winter.

Supervisor Quigley referred that matter to Councilman Kitchen to handle as head of the recreation program.

Mr. George Lucente inquired if the town will give notice to the commercial areas to clean up their sites of papers, trash and other debris or have the people from the jail clean it up. He also volunteered to mow down the medium of 9W and place wild flower seeds from Adams to Staples after he gets permission from the State DOT.

Town Assessor, James Maloney requested an executive session to update the Town Board about pending litigation.

Mr. Todd Moxham thanked the Town Board for listening to the residents' concerns.

Renno Budziak requested that the minutes or notes from the pre-preparation meeting with Millens Recycling Project be incorporated into the scoping document.

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Councilman Brink motioned to enter into executive session at 7:50 PM, with Town Attorney Jason Kovacs for the purpose of discussing litigation in regard to Finch vs. Town of Ulster, Town of Ulster vs. Ulloa and for a PILOT Agreement
2nd by Councilman Kitchen
All Ayes

Town Assessor James Maloney entered executive session at 7:51 PM and left at 8:05 PM
Town Justice Sue Kesick entered executive session at 8:05 PM and left at 8:19 PM
Deputy Chief Sinagra entered executive session at 8:19 PM and left at 8:24 PM

Executive session ended at 8:25 PM

Supervisor Quigley resumed the Town Board meeting at 8:26 PM

Supervisor Quigley motioned for the Town to obtain the law firm of Segel, Goldman, Mazzotta & Siegel, P.C. to review PILOT agreements
2nd by Councilman Morrow
All Ayes

Councilman Brink motioned to adjourn the meeting at 8:28 PM
2nd by Councilman Kitchen
All Ayes

Respectfully submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk