

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

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

**OPEN DISCUSSION OF AGENDA**

Mr. Robert Barton inquired about the appointment of the Public Welfare Officer. Supervisor Quigley reported that this was a designation for people who are already working for the town to have the authorization to talk to the county to perform their jobs.

Mr. George Lucente inquired if Phase 2 of the Chambers Housing Project will receive the same tax benefit as Phase 1.

Supervisor Quigley confirmed that Phase 2 will receive the same PILOT benefit as Phase 1.

Mr. Edward Fox and Supervisor Quigley had a long discussion about the Chambers Housing Phase 2 project. At the last Town Board meeting, the Town Board motioned to hire a special council that specializes in finance law to review the existing PILOT agreements. This may lead to litigation and change. Mr. Edward Fox asked the Town Board to check to see if the Chambers Housing Project's Maintenance Building is within the proper zoning setbacks. He feels that their building may be closer to the property line than it should be. Mr. Fox will forward that concern to the Building Department. The first building on the right hand side has a temporary certificate of occupancy and houses about four people at this time. None of the other buildings in phase 2 have a CO. A discussion of fire safety pertaining to the project followed in regard to a fire truck maneuvering through the property.

Mr. James McCausland expressed concern over corners being cut at the Chambers Housing Project and it not being compliant with building codes.

Supervisor Quigley stated that the purpose of the resolution is for removing any ambiguity in regard to the project deadlines.

**ABSTRACT OF CLAIMS**

Councilwoman Hendrick motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	301-332	<b>15,829.70</b>
ULSTER WATER	301-304a	<b>856.70</b>
HALCYON PK. WATER	301	<b>547.40</b>
SPRING LAKE WATER	301-303	<b>330.24</b>
BRIGHT ACRES WATER	301	<b>523.58</b>

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

GLENERIE WATER		
EAST KINGSTON WATER	301	60.00
WHITTIER SEWER	301-302	1,573.16
ULSTER SEWER	301-304	14,030.70
WASHINGTON AVE. SEWER	301-302	137.11
SPECIAL LIGHT	301-306	3,905.57
ALL OTHERS		
GENERAL	301-3121	69,619.94
HIGHWAY	301-342	351,942.83
WHITTIER SEWER	301-311	2,682.48
ULSTER SEWER	301-323	20,020.15
ULSTER WATER	301-316	5,316.35
HALCYON PK. WATER	301-302	69.95
SPRING LAKE WATER	301	50.00
BRIGHT ACRES WATER	301	25.00
CHERRY HILL WATER	301	25.00
GLENERIE WATER	301	25.00
EAST KINGSTON WATER	301	25.00
INSURANCE (ALL FUNDS)	301-319	130,557.86
MEDICARE REIMB.		14,352.00
CAPITAL PROJECTS		
TRUST & AGENCY	301-323	10,265.00
SENIOR CENTER CAP. PROJ.	301-302	24,849.00
	<b>TOTAL</b>	<b>\$ 667,619.72</b>

2<sup>nd</sup> by Councilman Morrow  
A Roll Call Vote was taken - All Ayes

Councilwoman Hendrick motioned to approve the following:

**BUDGET MODS:**

**General Fund:**

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball)refereeing fees, Paul Remick	250.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball) refereeing fee,David Jackson	25.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball) refereeing fees, Gary Beesmer	75.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp.Reserve-Biddy Basketball) refereeing fees, Richard Acosta	90.00

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball) refereeing fees, Jay Binney 60.00

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Volleyball League) first aid kit from Anaconda Sports 35.00

Modify Appropriation A3121.400 (Drug Forfeiture) to be funded through A5110 (Approp. Reserve-Drug Forfeiture) payment to Rest Assured Alarms for a stand alone card reader, elec.strike, power supply & prox cards for security door in the Police Dept. 1,079.50

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) payment to Central Hudson for electric at Orlando St. 54.00

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball) refereeing fees, Richard Costa for Feb. & March 75.00

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball) Mid City Lanes for bowling banquet less deposit 747.50

**General Fund:**

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Biddy Basketball) Deuire's Trophies for trophies and awards for banquet 747.80

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Junior Football) payment to Ulster Publishing for ads-Lions Expo 274.50

Modify Revenue A2701 (Refunds-Prior Year's Expenditures) and Appropriation A1355.418 (Legal/Professional Services) check from Kingston School District reimb. For PCK appraisal & auditing expenses 23,087.23

Modify Revenue A2189 (DWI-Task Force) and Appropriation A3120.10 (DWI-Wages) reimb. From County of Ulster for Feb. DWI wages 161.95

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

A Roll Call Vote was taken - All Ayes

**Local Law of 2010: A Local Law providing for the adoption of a new Article II of Chapter 190 of the Town Code- public hearing to be scheduled**

Councilman Kitchen moved to set a public hearing for Thursday, April 15, 2010 at 8 PM on the proposed local law that would adopt a new article II of Chapter 190, terminology

2<sup>nd</sup> Councilwoman Hendrick

All Ayes

**Local Law of 2010: A Local Law providing for the adoption of a new Article VII of Chapter 190 of the Town Code – public hearing to be scheduled**

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

Councilman Kitchen moved to set a public hearing for Thursday, April 15, 2010 at 8:30 PM on the proposed local law that would adopt a new article VII of Chapter 190, Supplementary Off-Street Parking and Loading Requirements

2<sup>nd</sup> Councilwoman Hendrick

All Ayes

**Award Salt and Chemical Bids for Town of Ulster Water Department and Whittier Sewer Department**

Councilman Morrow motioned to award the Salt and Chemical bids to the following:

Company	Product	Delivery Price
US Salt	Bulk TX-10	\$ 119.60 per ton (22 ton min.)
Jones Chemicals	Liquid Chlorine	\$ 70.00 Cylinder (150# Cylinder)

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

All Ayes

**Appointment of a Public Welfare Officer**

Councilman Morrow motioned to approve the following:

RESOLUTION AUTHORIZING THE APPOINTMENT OF A TOWN PUBLIC WELFARE OFFICER AND ASSISTANT TOWN PUBLIC WELFARE OFFICER PURSUANT TO NEW YORK SOCIAL SERVICES LAW §67

WHEREAS, New York State Social Services Law §67 states as follows: “The town board of each town responsible for the expense of providing safety net assistance for persons residing or found in such town shall appoint a social services official or authorize a supervisor of the town to act as such official. It may in its discretion appoint an assistant town social services official and other employees to assist the town social services official in carrying out his or her duties.”

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

1. That James E. Quigley 3<sup>rd</sup> is hereby appointed as Town Public Welfare Officer to serve at the pleasure of the Town Board.
2. That Ann Mitchell is hereby appointed as Assistant Town Public Welfare Officer to serve at the pleasure of the Town Board.
3. That the Ulster Town Clerk shall submit a certified copy of the resolution to the Ulster County Department of Social Services.

2<sup>nd</sup> Councilwoman Hendrick

All Ayes

**Proposed Board of Elections Consolidation**

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

Supervisor Quigley reported that the Board of Elections intends to consolidate the two East Kingston voting districts #12 and #3 to vote at East Kingston Fire House on Main Street. Further, they want to move the voting venue of District #8 from Chambers Senior Center to Chambers School with District #5 and #10.

Councilman Brink moved that the Town Board endorse the recommendations of the Board of Elections and authorize the Town Supervisor to write a letter of support.  
2<sup>nd</sup> by Councilman Morrow  
A Roll Call Vote was taken - All Ayes

**Discussion and approval of change order #3, Sausto Contracting Inc. dated March 16, 2010 to Contract No. Tu. 091, requesting that the date for substantial completion be extended to March 31, 2010 and final completion extended to April 25, 2010**

Councilman Kitchen moved to approve the Change Order #3  
2<sup>nd</sup> by Councilman Morrow  
Councilwoman Hendrick motioned to amend the Change Order #3 to include that the builder be made aware that there is no additional compensation for the extension of the project  
2<sup>nd</sup> by Councilman Kitchen  
All Ayes

Councilman Morrow moved to approve the following:

**RESOLUTION GRANTING A ONE YEAR EXTENSION FOR THE COMPLETION OF APPROVED IMPROVEMENTS AND THE GRANTING OF A CERTIFICATE OF OCCUPANCY TO BIRCHEZ ASSOCIATES FOR CHAMBERS II**

WHEREAS, the Town of Ulster Town Board on December 4, 2006 granted Special Permit Approval and Site Development Plan Approval to Birchez Associates for Chambers II, consisting of the addition of 67 units of low to moderate income senior citizen housing (52 one-bedroom units and 15 two-bedroom units) to the existing low to moderate income senior citizen residential development known as Chambers I, subject to a variety of conditions contained in a resolution of the same date; and

WHEREAS, the Town of Ulster Town Board specifically stated in its resolution dated December 4, 2006 that said Special Permit Approval and Site Development Plan Approval shall be null and void without further written notice, if revised Site Plans are not signed as *final* within six (6) months of December 4, 2006, or a Building Permit is not obtained and work initiated pursuant thereto within one (1) year from December 4, 2006, or if the approved improvements are not completed and a Certificate of Occupancy is not obtained within three (3) years from December 4, 2006, or if the construction or use shall cease for more than one (1) year for any reason, or if the approved improvements are not maintained and all conditions and standards complied with; and

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

WHEREAS, no Certificate of Occupancy has been issued to Birchez Associates for Chambers II; and

WHEREAS, ambiguity exists regarding a resolution passed by the Town of Ulster Town Board on December 7, 2007, in which the Town Board voted to “authorize the Phase 2, Birches at Chambers’s Senior Housing Project be granted an additional year from the date of its expiration;” and

WHEREAS, it is in the best interest of the Town of Ulster to clear up any ambiguity or vagueness regarding the resolution passed by the Town of Ulster Town Board on December 7, 2007 concerning any extension granted for Special Permit Approval and Site Development Plan Approval to Birchez Associates for Chambers II

NOW THEREFORE, BE IT RESOLVED that the Town of Ulster Town Board hereby grants a one year extension, *nunc pro tunc*, to December 4, 2010, for the approved improvements to be completed and a Certificate of Occupancy to be issued.

BE IT FURTHER RESOLVED, that all other conditions of the original approval, as listed on the Special Permit Approval and Site Development Plan Approval resolution dated December 4, 2006, shall remain in effect.

BE IT FURTHER RESOLVED that this resolution is adopted *nunc pro tunc* by the Town Board as if the same were adopted on December 4, 2009.

2<sup>nd</sup> by Councilwoman Hendrick  
A Roll Call Vote was taken – All Ayes

**Little League Donation**

Councilman Kitchen motioned for the Town to donate \$300.00 to the Town of Ulster Little League to cover opening day costs  
2<sup>nd</sup> by Councilman Hendrick  
All Ayes

Councilman Kitchen requested that the Board members make a donation to the Town of Ulster Little League.

**Set HUD Hearing**

Councilman Brink motioned to set a public HUD Hearing for Thursday, April 1, 2010 at 8 PM, to solicit ideas for a Community Development Block Grant project that would address community development needs and priorities.  
2<sup>nd</sup> by Councilwoman Hendrick  
All Ayes

ULSTER TOWN BOARD MEETING  
MARCH 18, 2010 AT 7:00 PM

**Surplus 2005 Chevy Impala**

Councilman Kitchen moved to scrap a 2005 Chevy Impala (2G1WF55KX59282427), that has been stripped of all its good parts, for an amount not less than \$100.00

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

All Ayes

Mrs. Pat Metzger stated that moving the voting venue from Chambers Housing to Chambers School is a bad idea due to the limited amount of parking and space allotted to the voting process. She will write a letter to accompany the town's letter.

Councilman Brink moved to enter into executive session at 7:55 PM to discuss pending litigation pertaining to Ulloa vs. Town of Ulster and about retired employees applying for Retiree Health benefits

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

All Ayes

Councilman Morrow motioned to exit executive session at 8:39 PM

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

All Ayes

Supervisor Quigley called the meeting back to order at 8:42 PM. No actions were taken by the Town Board.

Councilman Kitchen motioned for the town to host an Arbor Day Event for April 30, 2010

2<sup>nd</sup> by Councilwoman Hendrick

All Ayes

Councilman Brink motioned to adjourn the meeting at 8:45 PM

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

All Ayes

Respectfully Submitted by  
Jason Cosenza, RMC FHCO  
Ulster Town Clerk