

ULSTER TOWN BOARD MEETING

June 17, 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 3rd

Councilman Kitchen requested that the installation of stop signs at the intersection of Lawrenceville Street and Lucille Street be added to the agenda.

Public Comment

Mr. Robert Barton inquired about the costs of leaving the county self-insurance program and the cost of the seasonal help for the town recreation and parks programs.

Supervisor Quigley reported that the town has received preliminary quotes that it will save money to leave the county self insurance program. He wants to explore this option and the Town Board must give notice to the County if it wants to explore this option to find out its buy out cost. Based on this, the town will see if it is economically feasible to do so. A discussion occurred about shared services in the town and establishing a resolution to memorialize what the town is currently practicing. Another discussion occurred about the landfill closure money and the corrective action to recognize the proper method necessary for the expenditure of funds.

Mr. Ron Rosen is in favor of stop signs being installed on Lawrenceville Street and requested that the Town Board consider the proposal.

Mrs. Arlene Dugen is in favor of stop signs being installed on Lawrenceville Street.

Mr. James McCausland requested that the Town note the board members who voted in favor of paving the road to the fire training center when passing the resolution for the landfill closure.

Mr. John Crispell volunteered to serve on the committee for the “no violence in the workplace program”.

ABSTRACT OF CLAIMS

Councilman Brink motioned to approve the following:

FUND	CLAIM #	AMOUNT
UTILITIES		
GENERAL	601-625	10,577.16
ULSTER WATER	601-605	1,368.64
HALCYON PK. WATER	601	87.96
SPRING LAKE WATER	601-602	123.51
BRIGHT ACRES WATER	601	274.05

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

WHITTIER SEWER	601-602	606.95
ULSTER SEWER	601-603	10,883.65
WASHINGTON AVE. SEWER	601-602	134.70
SPECIAL LIGHT	601-606	3,489.55
ALL OTHERS		
GENERAL	601-6115	73,292.96
HIGHWAY	601-637	37,430.32
ULSTER WATER	601-610	5,032.64
HALCYON PK. WATER	601-602	398.60
SPRING LAKE WATER	601	25.00
BRIGHT ACRES WATER	601-603	468.00
CHERRY HILL WATER	601	25.00
GLENERIE WATER	601	25.00
EAST KINGSTON WATER	601	25.00
WHITTIER SEWER	601-606	6,881.66
ULSTER SEWER	601-624	16,147.84
INSURANCE (ALL FUNDS)	601-620	128,506.47
MEDICARE REIMB.		14,365.20
CAPITAL PROJECTS		
TRUST & AGENCY	601-613	9,547.50
SENIOR CENTER CAP. PROJ.	601-603	25,723.72
GLENERIE WATER TANK	601-602	189.00
TOTAL		\$ 345,630.08

2nd by Councilman Brink

A Roll Call Vote was taken – All Ayes

Councilman Kitchen motioned to approve the following:

BUDGET MODS:

General Fund:

Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) electric - Orlando St.	54.00
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) electric - Orlando St.	298.86
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve-Softball League) shed cage, rapid mix, and marking lime from Herzog Supply	382.56
Modify Appropriation A7140.200 (Equipment) to be funded through A5110 (Approp. Reserve - Bidy Basketball) staplers, ink cartridges from Office Depot	57.97

Ulster Water District:

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

Modify Appropriation SW1-1940.400 (Land Purchase) to be funded through SW1-5990 (Approp. Fund Balance) payment to Steve Kalka consulting services for tank removals and soil samples - Mauro Property 240.03

Glenerie Water District:

Modify Appropriation SW6-9950.900 (Transfer-Capital Project) to be funded through SW6-5990 (Approp. Fund Bal.) bills to Daily Freeman for administrative and engineering bids-Glenerie Water Tank Capital Project 189.00

Ulster Sewer District:

Modify Appropriation SS2-8130.400 (Plant Improvement) to be funded through SS2-5990 (Approp. Fund Bal.) blacktop from Eastern Materials 561.54

Modify Appropriation SS2-8130.401 (Flowing Monitoring/ Infiltration) to be funded through SS2-5990 (Approp. Fund Bal.) infiltration study expenses paid to Brinnier & Larios 1,555.00

Transfer From: SS2-8130.422 Equip. Repair
Transfer To: SS2-8130.421 Veh. Maint. 2,000.00
Ulster Sewer: 2nd by Councilman Brink
All Ayes

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Councilman Morrow motioned to accept the minutes of May 6, 2010 and May 20, 2010
2nd by Councilman Kitchen
All Ayes

Authorize the Supervisor to give notice to Ulster County to withdraw the Town of Ulster from the Ulster County Self-Insurance Plan

Councilman Morrow motioned to approve the following:

RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER, TO WITHDRAW THE TOWN OF ULSTER FROM THE ULSTER COUNTY SELF-INSURANCE PLAN

WHEREAS, the Town of Ulster presently participates in the Ulster County Self-Insurance Plan with respect to workers' compensation insurance coverage; and

WHEREAS, the Town Board of the Town of Ulster has determined that it is in the best interest of the Town of Ulster to withdraw from the Ulster County Self-Insurance Plan; and

WHEREAS, any withdrawal of the Town of Ulster from the Ulster County Self-Insurance Plan at the conclusion of the fiscal year ending December 31, 2010 must be communicated in writing to the County of Ulster on or before July 1, 2010;

NOW, THEREFORE BE IT RESOLVED, that the Town of Ulster Town Board does hereby withdraw the Town of Ulster from participation in the Ulster County Self-Insurance Plan at the conclusion of the fiscal year ending December 31, 2010, on the condition that the Town of Ulster agrees to pay its proportionate share of the estimated liabilities of the Ulster County Self-Insurance Plan at the time of withdrawal; and be it further

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

RESOLVED that the Town Clerk shall within ten days file a certified copy of this resolution with the Clerk of the Ulster County Legislature and with the Office of the Ulster County Executive; and be it further

RESOLVED that the Town of Ulster Town Board reserves the right to rescind this resolution and to re-join the Ulster County Self-Insurance Plan prior to the end of the fiscal year ending December 31, 2010.

2nd by Councilman Brink
All Ayes

Resolution to Purchase Real Property at 1 Costanzi Drive by Town of Ulster for the benefit and use of Ulster Water District

Councilman Brink moved for the town to purchase real property at 1 Costanzi Drive by the Town of Ulster for the benefit and use of Ulster Water District

2nd by Councilwoman Hendrick
A Roll Call vote was taken - All Ayes

Resolution to confirm Town of Ulster's commitment to a Draft Generic Environmental Impact Statement for Tech City

Councilman Brink motioned to approve the following:

RESOLUTION AUTHORIZING THE TOWN BOARD TO CONTINUE PREPARING DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR TECH-CITY CAMPUS

WHEREAS, TechCity Properties, Inc. is the managing agent of AG Properties of Kingston, LLC, Ulster Business Complex, LLC, TechCity 42 & 43, LLC, and TechCity 52, LLC, the owners of "Tech-City", which consists of certain parcels in the Town of Ulster comprising the former IBM campus; and

WHEREAS, the redevelopment of the east campus consisting of 138 acres of Tech-City is already creating jobs and opportunities for the Town of Ulster and the surrounding area and is expected to continue this growth, to the mutual benefit of both the Town of Ulster and TechCity; and

WHEREAS, the Town of Ulster and AG Properties of Kingston LLC have mutually agreed that the best way to proceed with redevelopment of the Tech-City campus is to prepare a Draft Generic Environmental Impact Statement pursuant to the New York State Environmental Review Act; and

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

WHEREAS, the Town of Ulster and TechCity, through each party's professional consultants, have been preparing a Draft Generic Environmental Impact Statement since June 2009; and WHEREAS, it is anticipated that the Town of Ulster and TechCity will complete work on the Draft Generic Environmental Impact Statement by October 2010; and

WHEREAS, it is the intention of the Town of Ulster to follow the requirements of the State Environmental Quality Review Act in the preparation of the Draft Generic Environmental Impact Statement and throughout the SEQR process, including, but not limited to, the scheduling of a public hearing on the Draft Generic Environmental Impact Statement;

NOW THEREFORE, BE IT RESOLVED that the Town of Ulster Town Board hereby commits itself to completing a Draft Generic Environmental Impact Statement for the Tech-City campus; and be it further

RESOLVED, that the Town of Ulster Town Board hereby states its intention to work with AG Properties of Kingston LLC in good faith on the redevelopment of the Tech City campus to the mutual benefit of both the Town of Ulster and TechCity.

2nd by Councilman Kitchen
4 Ayes – Councilwoman Hendrick abstained

Shared Services Agreement between the Town of Ulster and other Towns within Ulster County

Councilman Morrow moved to approve the following:

Resolution by the Town Board – Contract of Shared Services

Resolution Authorizing the Chief Executive Officer to sign an agreement on behalf of the Town which authorizes the Highway Superintendent to directly contract with the Superintendents or persons holding similar public office in other municipalities who possess similar authorization for the borrowing or lending of materials and supplies and the exchanging, leasing, renting of machinery and equipment, including the operators thereof, for the purpose of aiding the Superintendent in the performance of his/her duties

WHEREAS all municipalities, including the Town of Ulster have the power and authority to contract for the purpose of renting, leasing, exchanging or borrowing of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, all municipalities, including the Town of Ulster have the power and authority to borrow or lend materials and supplies to other municipalities, and

WHEREAS, it is hereby determined that the Town and other municipalities have machinery and equipment which is not used at all times but lie idle during certain periods, and

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

WHEREAS, it is determined that the Town and other municipalities often have materials and supplies on hand which are not immediately needed, and

WHEREAS, it is hereby determined that by the renting, borrowing, exchanging or leasing of highway machinery and equipment and the borrowing or lending of materials and supplies, the Town and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or keeping a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is recognized and determined, from a practical working arrangement, that no program of borrowing, leasing or renting of highway machinery and equipment or borrowing or lending of materials can be successful if each individual arrangement or agreement has to receive prior approval by the Town Board and the governing board of each of the other municipalities which may be parties to such agreements, since such agreements must often be made on short notice and at times when governing boards are not in session, and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be quickly obtained with a minimum of paperwork and inconvenience and with a swift approval process, and

WHEREAS, it is the intent of this Town Board to give the Superintendent the authority to enter into renting, exchanging, borrowing and lending agreements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the Town Board prior to the making of each individual agreement, and

WHEREAS, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities which contract will grant the person holding the position comparable to that of Superintendent authority to make similar agreements, and

WHEREAS, it is hereby determined that it will be in the best interest of the Town to be a party to such an agreement,

NOW THEREFORE BE IT RESOLVED that the chief executive officer of the Town of Ulster is hereby authorized to sign on behalf of the Town, the following contract:

CONTRACT OF SHARED SERVICES

1. For the purposes of this contract, the following terms shall be defined as follows:

- a. "Designated Filing Agent" shall mean the central place where all similar contracts for highway shared services are filed as agreed upon by all participating municipalities.
- b. "Municipality" shall mean any city, county, town or village which has agreed to be bound by a contract of shared services identical in terms and effect with this contract and

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

- has filed a certified copy of a resolution to that effect with the designated filing agent as defined herein.
- c. "Contract" shall mean the text of this agreement which is identical in terms and effect with similar agreements, notwithstanding that each such contract is signed only by the chief executive officer of each participating municipality filing the same, and upon such filing each filing municipality accepts the terms of the contract to the same degree and effect as if each chief executive officer had signed each individual contract.
 - d. "Shared Service" shall mean any service provided by one municipality for another municipality that is consistent with the purposes and intent of this contract and shall include but shall not be limited to:
 - i. the renting, exchanging, or lending of highway machinery, tools and equipment, with or without operators;
 - ii. the borrowing or lending of supplies between municipalities on a temporary basis conditioned upon the replacement of such supplies or conditioned upon the obtaining of equal value through the provision of a service by the borrower or by the lending of equipment by the borrower, the value of which is equal to the borrowed supplies;
 - iii. the providing of a specific service for another municipality, conditioned on such other municipality providing a similar service of equal value in exchange.
 - e. "Superintendent" shall mean, in the case of a county, the county superintendent of highways, or the person having the power and authority to perform the duties generally performed by county superintendents of highways; in the case of a town, "superintendent" shall mean the town superintendent of highways; in the case of a village, "superintendent" shall mean the superintendent of public works.
2. The undersigned municipality has caused this agreement to be executed and to bind itself to the terms of this contract and it will consider this contract to be applicable to any municipality which has filed a similar contract in the office of the designated filing agent and which has sent a notice of such filing to the officer signing this agreement and the Superintendent of the Town of Ulster.
 3. The undersigned municipality by this agreement grants unto the Superintendent the authority to enter into any shared service agreement with any other municipality or other municipalities subject to the following terms and conditions:
 - a. The Town of Ulster agrees to rent or exchange or borrow from any municipality any and all materials, machinery and equipment, with or without operators, which it may need for the purposes of the Town. The determination as to whether such machinery, with or without operators, is needed by the Town shall be made by the Superintendent. The value of materials or supplies borrowed from another municipality under this agreement may be

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

- returned in the form of similar types and amounts of materials or supplies, or by the supply of equipment or the giving of services of equal value to be determined by mutual agreement of the respective Superintendents.
- b. The town of Ulster agrees to rent, exchange or lend to any municipality any and all materials, machinery and equipment, with or without operators, which such municipality may need for its purposes. The determination as to whether such machinery or material is available for renting, exchanging or lending shall be made by the Superintendent. In the event the Superintendent determines that it will be in the interests of the Town of Ulster to lend to any other municipality, the Superintendent is hereby authorized to lend to another municipality. The value of supplies or materials loaned to another municipality may be returned to the Town of Ulster by the borrowing municipality in the form of similar types and amounts of materials or supplies, or by the use of equipment or receipt of services of equal value, to be determined by mutual agreement of the respective Superintendents.
 - c. An operator of equipment rented or loaned to another municipality, when operating such equipment for the borrowing municipality, shall be subject to the direction and control of the Superintendent of the borrowing municipality in relation to the manner in which the work is to be completed. However, the method by which the machine is to be operated shall be determined by the operator.
 - d. When receiving the services of an operator with a machine or equipment, the receiving Superintendent shall make no request of any operator which would be inconsistent with any labor agreement that exists for the benefit of the operator in the municipality by which the operator is employed.
 - e. The lending municipality shall be liable for any negligent acts resulting from the operation of its machinery or equipment by its own operator. In the event damages are caused as a result of directions given to perform work, then the lending municipality shall be held harmless by the borrowing municipality.
 - f. Each municipality shall remain fully responsible for its own employees, including salary, benefits and workers compensation.
4. The renting, borrowing or leasing of any particular piece of machinery or equipment, or the exchanging or borrowing of materials or supplies, or the providing of a specific service shall be evidenced by the signing of a memorandum by the Superintendent. Such memorandum may be delivered to the other party via mail, personal delivery or by facsimile machine. In the event there is no written acceptance of the memorandum, the using of the machinery, the receipt of the materials or supplies or the acceptance of a service shall be evidence of the acceptance of the offer to rent, exchange or lend.
 5. In the event any shared agreement is made without a memorandum at the time of receipt of the shared service, the Superintendent receiving the shared service, shall, within five days

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

thereof, send to the provider a memorandum identifying the type, time and date of the acceptance of the shared service. In the event such shared service related to or included the receipt of any materials or supplies, such memorandum shall identify such materials or supplies and the time and place of delivery.

6. In the event a municipality wishes to rent machinery or equipment from another municipality or in the event a municipality wishes to determine the value of such renting for purposes of exchanging shared services of a comparable value, it is agreed that the value of the shared service shall be as set forth in the memorandum.
7. All machinery and the operator, for purposes of workers compensation, liability and any other relationship with third parties, except as provided in e of section 3 of this agreement, shall be considered the machinery of and the employee of the municipality owning the machinery and equipment.
8. In the event machinery or equipment being operated by an employee of the owning municipality is damaged or otherwise in need of repair while working for another municipality, the municipality owning the machinery or equipment shall be responsible to make or pay for such repairs. In the event machinery or equipment is operated by an employee of the borrowing, receiving or renting municipality, such municipality shall be responsible for such repairs.
9. Records shall be maintained by each municipality setting forth all machinery rentals, exchanges, borrowings or other shared services. Such records will be available for inspection by any municipality which has shared services with such municipality.
10. In the event any dispute arises relating to any shared service, and in the event such dispute cannot be resolved between the parties, such dispute shall be subject to mediation.
11. Any party to this contract may revoke such contract by sending a notice of such revocation to the designated filing agent and a copy thereof to each participating municipality filing as required by paragraph 1 of this contract, within the definition of "Municipality". Upon the revocation of such contract, any outstanding obligations shall be settled within thirty days of such revocation unless the parties with whom an obligation is due agree in writing to extend such date of settlement.
12. Any action taken by the Superintendent pursuant to the provisions of this contract shall be consistent with the duties of such official and expenditures incurred shall not exceed the amounts set forth in the Town budget for highway purposes.
13. A record of all transactions that have taken place as a result of the Town participating in the services afforded by this contract shall be kept by the Superintendent and a statement thereof, in a manner satisfactory to the Town Board, shall be submitted to the Town Board semi-annually on or before the first day of June and on or before the first day of December of each

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

year following the filing of the contract with the designated filing agent, unless the town Board requests the submission of records at different times and dates.

14. If any provision of this agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid and operative, or if it cannot be so modified, then severed and the remainder of the contract shall continue in full force and effect as if the contract had been signed or filed with the designated filing agent with the invalid proportion so modified or eliminated.

15. This contract shall be reviewed each year by the Town Board and shall expire five years from the date of its signing by the chief executive officer. The Town Board may extend or renew this contract at the termination thereof for another five year period.

2nd by Councilman Kitchen
All Ayes

Resolution authorizing the Town Clerk to go out to public bid on behalf of the Town of Ulster Highway Department to purchase one new utility body and one new platform body for two Ford chassis currently on order

Councilman Kitchen motioned to authorize the Town Clerk to go out to public bid on behalf of the Town of Ulster Highway Department to purchase one new utility body and one new stake body for two Ford chassis currently on order

2nd by Councilman Morrow
All Ayes

Motion to Approve the Hiring of Individuals for Seasonal Work for the Parks and Recreation Program

Councilman Morrow motioned to hire the following people for:

Counselor Name	Rate
Kris Swart (CD)	\$15.00
Christine Kilfoyle (CD)	\$15.00
Michelle Weiss (GL)	\$10.00
Shane King (GL)	\$10.00
Daniel Ballou (GL)	\$10.00
Carissa Huggins (GL)	\$10.00
John Lowe (GL)	\$10.00
Jara Savers (RC)	\$8.00
Jenna Secreto (RC)	\$8.00
Vince Alonso (RC)	\$8.00
Kelly Blume (RC)	\$8.00
Simphson Brown (RC)	\$8.00
Kristine Curl (RC)	\$8.00
Nicolas Cruz (RC)	\$8.00
Louise Dilulio (RC)	\$8.00

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

Brittany Hertle (RC)	\$8.00
Kevin Hill (RC)	\$8.00
Jennifer Kelly (RC)	\$8.00
Darren Kitchen (RC)	\$8.00
Katlyn McManamon (RC)	\$8.00
Matthew Medina (RC)	\$8.00
Heather Mertes (RC)	\$8.00
Michael Polacco (RC)	\$8.00
Brianne Wachtel (RC)	\$8.00
Taylor Leanard (RC)	\$8.00
Korey Jubie	\$7.25
Anita Fatum	\$7.25
Charlise Castro	\$7.25
Tiara Crespino	\$7.25
Samnatha Noldy	\$7.25
Andre Castro	\$7.25
Keldon Polacco	\$7.25
Jared Myers	\$7.25
Rachel Bonne-Annee	\$7.25
Olivia Hicks	\$7.25

2nd by Councilman Kitchen
All Ayes

Motion to accept the 2008 Financial Statement Audit

Councilman Kitchen motioned to accept the 2008 Financial Statement Audit

2nd by Councilman Brink

Motion was tabled until next meeting

Resolution to confirm 2009 Transfer from Landfill Closure Capital Reserve Fund Subject to Permissive Referendum

Councilman Kitchen moved to approve the following:

RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER PURSUANT TO § 6-c OF THE GENERAL MUNICIPAL LAW TO TRANSFER MONIES FROM THE LANDFILL CLOSURE RESERVE FUND TO THE BUILDING RESERVE FUND FOR THE PAYMENT OF EXPENSES RELATED TO THE ULSTER POLICE FIREARMS RANGE AND TRAINING FACILITY

WHEREAS on August 9, 1988, pursuant to § 6-f of the General Municipal Law as, amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the “LANDFILL CLOSURE RESERVE FUND” to finance the closing of the Town’s landfill; and

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund; and

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to § 6-f of the General Municipal Law on authorization of the board pursuant to §6-c of the General Municipal Law; and

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill; and

WHEREAS the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another capital account pursuant to the authority vested in General Municipal Law § 6-c; and

WHEREAS it is proposed to transfer monies from the Landfill Closure Reserve Fund to the Building Reserve Fund as follows: FIFTY-EIGHT THOUSAND SEVEN HUNDRED THIRTEEN and 97/100 (\$58,713.97) DOLLARS from said fund for contractor expenses related to the paving of the Ulster Police Firearms Range and Training Facility; now

BE IT RESOLVED that the Supervisor of the Town of Ulster be and he is authorized to transfer monies from the Landfill Closure Reserve Fund to the Building Reserve Fund in the sum of: FIFTY-EIGHT THOUSAND SEVEN HUNDRED THIRTEEN and 97/100 (\$58,713.97) DOLLARS from said fund for the purpose of paying contractor expenses related to the paving of the Ulster Police Firearms Range and Training Facility; and it is further

RESOLVED that this resolution is adopted *nunc pro tunc* by the Town Board as if the same were adopted on June 18, 2009; and it is further

RESOLVED that this resolution is subject to a permissive referendum.

RESOLUTION OF THE TOWN BOARD, TOWN OF ULSTER PURSUANT TO § 6-c OF THE GENERAL MUNICIPAL LAW TO TRANSFER MONIES FROM THE BUILDING RESERVE FUND TO CALLANAN INDUSTRIES, INC. FOR THE PAYMENT OF EXPENSES RELATED TO THE PAVING OF THE ULSTER POLICE FIREARMS RANGE AND TRAINING FACILITY

WHEREAS on August 9, 1988, pursuant to § 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "BUILDING RESERVE FUND" to finance the acquisition of buildings; and

WHEREAS on November 20, 2006, pursuant to § 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster amended the Capital Reserve Fund known as the "BUILDING RESERVE FUND" to include renovations and improvements; and

WHEREAS monies have been deposited in a bank account known as the Building Reserve Fund; and

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to § 6-f of the General Municipal Law on authorization of the board pursuant to §6-c of the General Municipal Law; and

WHEREAS said resolution was subject to permissive referendum as provided by § 81, sub 1, paragraph h; and,

WHEREAS it is proposed to transfer monies from the BUILDING RESERVE FUND to Callanan Industries, Inc. as follows: FIFTY-EIGHT THOUSAND SEVEN HUNDRED THIRTEEN and 97/100 (\$58,713.97) DOLLARS from said fund for contractor expenses related to the paving of the Ulster Police Firearms Range and Training Facility; now

THEREFORE, BE IT RESOLVED that the Supervisor of the Town of Ulster be and he is authorized to expend monies from the Building Reserve Fund in the sum of FIFTY-EIGHT THOUSAND SEVEN HUNDRED THIRTEEN and 97/100 (\$58,713.97) DOLLARS to Callanan Industries, Inc. for contractor expenses related to the paving of the Ulster Police Firearms Range and Training Facility; and it is further

RESOLVED that this resolution is adopted *nunc pro tunc* by the Town Board as if the same were adopted on June 18, 2009; and it is further

RESOLVED that this resolution is subject to a permissive referendum.

2nd by Councilman Morrow
All Ayes

Discussion on Hiring Town Auditors for Year Ending 12/31/09

Councilman Kitchen moved to hire Toski, Schaefer & Co., P.C. to perform the Town of Ulster 2009 audit in an amount of \$27,000.

2nd by Councilwoman Hendrick
All Ayes

Resolution to open checking accounts at JP Morgan Chase Bank

Councilman Morrow moved the following:

RESOLUTION AUTHORIZING THE TOWN OF ULSTER SUPERVISOR TO OPEN NEW CHECKING ACCOUNTS AT JP MORGAN CHASE BANK, N.A.

WHEREAS, the Town of Ulster Town Board determines it is in the best interest of the Town of Ulster to open eight (8) new checking accounts at JP Morgan Chase Bank. N.A., in order to obtain the highest possible interest rates on Town accounts,

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

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

1. That the Town Board of the Town of Ulster hereby declares JP Morgan Chase Bank, N.A. an official depository for town funds.
2. That the Town Board of the Town of Ulster authorizes the Supervisor to open the following checking accounts at JP Morgan Chase Bank, N.A. according to the terms and conditions of the authorizations granted in this resolution:
 - A. Recreation Equipment Reserve;
 - B. Highway Equipment Reserve;
 - C. Drainage Capital Projects;
 - D. Tax Account;
 - E. Payroll Account;
 - F. Trust & Agency Escrow Accounts;
 - G. Town Clerk;
 - H. Tax Collector.
3. That JP Morgan Chase Bank, N.A. is hereby authorized to pay and charge to any account of the Town of Ulster on their books, all such checks, drafts, or other orders when signed with mechanically affixed facsimile signatures of Town Supervisor James E. Quigley 3rd, Town Clerk Jason Cosenza, or Town Bookkeeper Ann Mitchell, regardless of by whom the facsimile signatures may have been affixed thereon, if the signature resembles the facsimile specimens furnished JP Morgan Chase Bank, N.A. Either of these three may act individually; this is not intended as solely a joint authorization.
4. That the Town Clerk is hereby authorized to file with JP Morgan Chase Bank, N.A. a duly certified copy of this resolution.

2nd by Councilwoman Hendrick
All Ayes

Councilman Kitchen moved to approve the following:

RESOLUTION TO AUTHORIZE TOWN SUPERVISOR TO SIGN AGREEMENT WITH KINGSTON CITY SCHOOL DISTRICT REGARDING LAND EXCHANGE

WHEREAS, the Town of Ulster is the owner of real property located on Morton Boulevard in the Town of Ulster, which is described in a deed recorded in the Ulster County Clerk's Office at Liber 1151 of Deeds at Page 627 (hereinafter referred to as "Parcel I"). Parcel I is partially improved by a paved parking lot formerly used by the Town of Ulster Library, and by one of the driveways to enter Chambers Elementary School. Parcel I is identified as Ulster County SBL: 48.50-5-33, and

WHEREAS, the Town of Ulster is the owner of real property located on Van Keuren Highway in the Town of Ulster, which is described in a deed recorded in the Ulster County Clerk's Office at

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

Liber 1374 of Deeds at Page 378 (hereinafter referred to as "Parcel II"). Parcel II is currently used as a portion of the Town of Ulster Little League field. Parcel II is identified as Ulster County SBL: 48.50-5-1, and

WHEREAS, Parcel I is encumbered by a restriction which states that the parcel shall be occupied and used by the Town for Town purposes, and if such use and occupancy ceases, the title to property shall revert to the District (hereinafter referred to as the "Reverter Clause"), and

WHEREAS, it is in the mutual interest of both the Town and the Kingston City School District to remove any confusion regarding the restrictions on title to Parcel I, as well as to subdivide or adjust the property line of Parcel I so that the driveway to Chambers Elementary School is located on Kingston City School District property, and

WHEREAS, it is in the mutual interest of both the Town and the District for Parcel II to be conveyed to the Kingston City School District, and therefore, be it

RESOLVED, that the Town Supervisor is authorized to execute the Agreement with the Kingston City School District as annexed to this Resolution; and be it further

RESOLVED, that upon the Town's receipt of a fully executed Agreement from the Kingston City School District, that the Town will direct its professional consultants to apply for a subdivision or lot line adjustment, at the Town's own cost and expense, for Parcel I, with the goal of dividing the property into approximately two equal parcels. One parcel shall consist of the paved parking lot formerly used by the Town of Ulster Library, and one parcel shall consist of the driveway to Chambers Elementary School; and be it further

RESOLVED that the Town of Ulster Town Board, subject to the contingencies set forth in the Agreement and this Resolution and other contingencies relating to obtaining necessary approvals, hereby authorizes the undertaking of all of the obligations set forth in said Agreement, with the exception of the execution of a deed and transfer documents; and be it further

RESOLVED, that a further resolution of the Town of Ulster Town Board will be required before the Town Supervisor is authorized to sign any deeds or transfer documents pursuant to the attached Agreement with the Kingston City School District; and be it further

RESOLVED, that the Town of Ulster Town Board hereby designates itself as Lead Agency for any and all SEQRA declarations.

2nd by Councilman Hendrick
All Ayes

Discussion on restricting spending of insurance reimbursement for fire damage at the Transfer Station

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

Councilman Kitchen moved to establish a reserve fund for monies received from the insurance reimbursement for fire damage to the transfer station's pavilion to be used for capital improvements to the transfer station

2nd by Councilman Brink

Motion was tabled till the next meeting

Discussion on Workplace Violence Policy

Councilman Morrow moved to authorize the Town Supervisor to hire the appropriate parties necessary to perform the risk assessment requirement for a workplace violence policy, to develop a policy and to train the town workforce as required by NYS.

2nd by Councilman Kitchen

All Ayes

Installation of stop signs on Lawrenceville Street at the intersection of Lucille Street

Councilman Kitchen moved to install "Stop" signs on Lawrenceville Street, coming and going, at the intersection of Lucille Street to mirror the same set up as the intersection of Esopus

Avenue and Lucille Street

2nd by Councilman Brink

A long passionate discussion occurred about the need for stop signs in the area and the regulations for installing them. Councilman Morrow requested that the Town Board wait for the report from the Police Department to be finished for review before installing any stop signs.

A Roll Call vote was taken – 4 Ayes – 1 Nay by Councilman Morrow

Public Comment

Mr. Robert Barton expressed concern over the costs involved for the town to maintain a kayak park that county is deeded over to them.

Mr. James McCausland suggested a neighborhood watch in the area of Lawrenceville Street to reduce the offenders.

Mr. John Crispell inquired why a speed sign was not installed.

Supervisor Quigley stated that there is a speed sign posted but it is not adhered to.

Mrs. Arlene Dugen is in favor of the stop signs because of the increased traffic from the new development. She expressed concern about the quality of life for the area as this traffic has increased the amount of litter. The police cars are easy to spot, so the speed limit is only followed when there is a presence.

Mr. Robert Mitchell reported that there was a plan to connect Colonel Chandler Drive to Boices Lane with the possibility of a connection to the Lawrenceville Street area to relieve traffic. He suggested a speed camera be installed in that area to reduce speeding.

ULSTER TOWN BOARD MEETING

June 17, 2010 AT 7:00 PM

Councilman Kitchen gave a brief overview of the improvements made for this year's summer camp.

Councilman Brink motioned to adjourn the meeting at 8:13 PM

2nd by Councilman Kitchen

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk