

ULSTER TOWN BOARD MEETING  
OCTOBER 21, 2010 AT 7:00 PM

**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:02 PM**

**SALUTE TO THE FLAG LED BY THE BOY SCOUTS FROM TROOP 8**

**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>

Mr. Richard Scott, from the Bruderhof Community, offered a prayer and words of encouragement for the new chief.

Mr. Matthew Taggard was sworn in by Town Justice Susan Kesick in a formal ceremony as the new Town of Ulster Police Chief.

Supervisor Quigley recessed the meeting at 7:11 PM to allow the large crowd that had assembled to observe the ceremony to disburse.

Supervisor Quigley resumed the meeting at 7:21 PM

**Public Comments**

Mr. James McCausland reminded the Town Board that it needs to do more with less in regard to the budget.

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Councilman Kitchen motioned to accept the minutes of September 2, 2010 and September 16, 2010  
2<sup>nd</sup> by Councilwoman Hendrick  
All Ayes

**COMMUNICATIONS**

Councilman Kitchen announced that a ribbon cutting ceremony will be held at the Robert E. Post Park for the new handicap fishing platform on October 30, 2010 at 10 AM. He further reported that the Ulster Little League was billed for campaign materials from the former administration.

Councilman Kitchen motioned to authorize the Town Supervisor to contact the Town of Ulster Little League to gain understanding of their financial record keeping and report back to the Town Board.

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

**ABSTRACT OF CLAIMS**

Councilman Kitchen motioned to approve the following:

| FUND | CLAIM # | AMOUNT |
|------|---------|--------|
|------|---------|--------|

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UTILITIES

|                       |              |                      |
|-----------------------|--------------|----------------------|
| GENERAL               | 1001-1021    | <b>8,374.82</b>      |
| ULSTER WATER          | 1001-1007a   | <b>4,920.68</b>      |
| HALCYON PK. WATER     | 1001-1002    | <b>434.45</b>        |
| SPRING LAKE WATER     | 1001-1003    | <b>365.11</b>        |
| BRIGHT ACRES WATER    | 1001         | <b>349.12</b>        |
| GLENERIE WATER        | 1001         | <b>32.00</b>         |
| EAST KINGSTON WATER   |              |                      |
| WHITTIER SEWER        | 1001-1003    | <b>1,279.88</b>      |
| ULSTER SEWER          | 1001-1003    | <b>11,618.28</b>     |
| WASHINGTON AVE. SEWER | 1001-1002    | <b>72.92</b>         |
| SPECIAL LIGHT         | 1001-1006    | <b>4,010.93</b>      |
| ALL OTHERS            |              |                      |
| GENERAL               | 1001-10161   | <b>200,377.11</b>    |
| HIGHWAY               | 1001-1057    | <b>222,928.95</b>    |
| ULSTER WATER          | 1001-1015    | <b>10,684.43</b>     |
| HALCYON PK. WATER     | 1001         | <b>375.00</b>        |
| SPRING LAKE WATER     | 1001-1002    | <b>15,980.83</b>     |
| BRIGHT ACRES WATER    | 1001         | <b>1,116.64</b>      |
| CHERRY HILL WATER     | 1001-1002    | <b>6,382.60</b>      |
| GLENERIE WATER        | 1001-1002    | <b>6,382.60</b>      |
| EAST KINGSTON WATER   | 1001-1002    | <b>2,340.18</b>      |
| WHITTIER SEWER        | 1001-1004    | <b>1,618.83</b>      |
| ULSTER SEWER          | 1001-1026    | <b>24,966.45</b>     |
| INSURANCE (ALL FUNDS) | 1001-1021    | <b>128,288.39</b>    |
| CAPITAL PROJECTS      |              |                      |
| TRUST & AGENCY        | 1001-1008    | <b>8,535.00</b>      |
| BRIGHT ACRES WATER    | 1001         | <b>300.00</b>        |
|                       | <b>TOTAL</b> | <b>\$ 661,735.20</b> |

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

Councilman Kitchen moved to approve the following budget modifications:

**General Fund:**

Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) payment to Greg Maisch for reimb. for cash paid to referees 225.00

Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) shoulder pads from Anaconda Sports 52.00

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|                      |  |          |
|----------------------|--|----------|
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) helmets from Anaconda Sports  | 253.00   |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) helmets and jaw pads from Herb's Sport Shop                               | 442.00   |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fee/Chris Ray   | 110.00   |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fee/Bob Siniscalchi   | 110.00   |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fee/Bob Burnswick   | 110.00   |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) cookie dough from Perkins Distrib. Co.                                    | 1,792.00 |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) shirts,art work & screening,helmet stripes and decals from Deitz Printing | 359.50   |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) shoulder pads from Anaconda Sports  | 78.00    |
| <b>General Fund:</b> | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fee/Edward Pomerantz  | 50.00    |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fee/Glenn Pomerantz   | 50.00    |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fee/Bob Siniscalchi   | 50.00    |
|                      | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Football League) referee fees/Hudson Valley Knights  | 330.00   |

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|                          |  |           |
|--------------------------|--|-----------|
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Softball League) softballs and scorebooks from Anaconda Sports                                     | 231.00    |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Softball League) softballs from Anaconda Sports  | 56.00     |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Softball League) trophies from Deuire's Trophies   | 200.00    |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Softball League) water bill  | 10.00     |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Softball League) electric bill from Central Hudson   | 401.13    |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Biddy Basketball League) reimb. for lumber and screws for signs to Eric Kitchen                    | 38.35     |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Biddy Basketball League) receipt books from Staples  | 15.98     |
|                          | Modify Appropriation A7140.401 (Recreation Equip. Reserves) to be funded through A5110 (Approp. Reserve-Biddy Basketball League) basketballs, whistles, scorebooks, clip/boards, pens from Anaconda Sports | 449.40    |
|                          | Modify Revenue A2705 (Gifts & Donations) and Appropriation A2989.400 (DARE Program) grant from Wal-Mart  | 250.00    |
| <b>Ulster Water:</b>     |  |           |
|                          | Modify Revenue SW1-1950.400 (Taxes on Property)to be funded through SW1-5990 (Approp. Fund Balance) school taxes on Fording Place Road property  | 1,783.00  |
| Transfer From:           | Transfer To:   |           |
| <b>General Fund:</b>     |  |           |
| A9060.800 Hosp. & Dental | A9060.802 Retirees Hosp.&Dental  | 37,300.00 |
| <b>Highway Fund:</b>     |  |           |
| D9060.800 Hosp. & Dental | D9060.802 Retirees Hosp.&Dental  | 10,150.00 |
| D9060.804 Hosp. & Dental | D9060.802 Retirees Hosp.&Dental  | 10,150.00 |

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|                              | <b>Transfer From:</b>           | <b>Transfer To:</b>                |           |
|------------------------------|---------------------------------|------------------------------------|-----------|
| <b>General Fund</b>          | A9060.800 Hosp. & Dental        | A9060.802 Retirees Hosp. & Dental  | 66,500.00 |
|                              | A1355.200 Equipment             | A1355.403 Office Supplies          | 700.00    |
|                              | A1990.400 Contingency           | A1622.409 Repairs & Supplies       | 200.00    |
|                              | A1990.400 Contingency           | A1622.454 Maintenance              | 300.00    |
|                              | A1990.400 Contingency           | A1920.400 Dues                     | 42.00     |
|                              | A8160.200 Equipment             | A8160.420 Gas & Oil                | 500.00    |
| <b>Highway Fund</b>          | D9060.800 Hosp. & Dental        | D9060.802 Retirees Hosp. & Dental  | 8,700.00  |
|                              | D9060.804 Hosp. & Dental        | D9060.802 Retirees Hosp. & Dental  | 8,700.00  |
| <b>Ulster Water District</b> | SW1-9060.800 Hosp. & Dental     | SW1-9060.802 Retirees Hosp. & Dntl | 3,540.00  |
| <b>Whittier Sewer</b>        | SS1-8130.409 Repairs & Supplies | SS1-8130.200 Equipment             | 3,000.00  |
|                              | SS1-8130.409 Repairs & Supplies | SS1-8130.451 Chemicals             | 1,000.00  |
| <b>Ulster Sewer</b>          | SS2-9060.800 Hosp. & Dental     | SS2-9060.802 Retirees Hosp.& Dntl  | 5,295.00  |

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

**7:15 – Short Public Hearing**

Supervisor Quigley called the public hearing to order at 7:15 PM, for a mobile home application for 6 Cedarwood Lane from Mrs. Edith Short for a mobile home located outside a trailer park.

Town Attorney Jason Kovacs reported that Mrs. Short has provided a letter from an engineer, rendering a replacement solution, to address the septic system concern for the area. Also included was an invoice of the cost of materials and labor to install it.

**Public Comment**

Mr. Paul Vogt stated that the Health Department has to approve this and asked who is going to inspect the septic system after it is installed?

Town Attorney Jason Kovacs reported that the Board of Health does not render approvals for repairs. The Building Department will have to offer a CO for the mobile home. This allows the town a lot of authority in rendering conditions.

Councilman Kitchen motioned to close the public hearing at 7:32 PM

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

A discussion occurred among the Town Board about the trailer’s drain field and septic system.

Councilman Morrow motioned to approve an application for a mobile home application for 6 Cedarwood Lane from Mrs. Edith Short for a mobile home located outside a trailer park with the following conditions: the septic system be installed as the proposal was submitted, the installation of water saving fixtures, all the work being subject to Town of Ulster Building

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Department Inspection and that the applicant apply for a building permit within nine months of this approval.

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

**Authorize the Supervisor to enter into an agreement with a grant writer to seek grant money for the Kayak Park to be located at Orlando and Buckley Streets**

Councilman Kitchen motioned to authorize the Town Supervisor to enter into an agreement with a grant writer to seek grant money for the Kayak Park to be located at Orlando and Buckley Streets

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

**Discussion on Tentative 2011 Town Budget**

Supervisor Quigley reported that the proposed 2011 budget has been presented to the Town Board and to the public. A revised budget is being reviewed that will reduce the tax increase to around 12% in the general fund and 11 % in the highway fund. This will be available for public comment at the November 4, 2010 Public Hearing.

**Motion to set the date for the Public Hearing for the Budget**

Councilman Kitchen motioned to set a public hearing for November 4, 2010 at 7:15 PM for the proposed 2011 Town Budget

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

**Motion authorizing the Supervisor to sign the Memorandum of Agreement for SRO John Dickson between the Town of Ulster and Kingston Consolidated Schools**

Councilman Brink motioned to authorize the Supervisor to sign the Memorandum of Agreement for SRO John Dickson between the Town of Ulster and Kingston Consolidated Schools

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

**Motion to Set a Halloween Curfew for Children age 16 or less without a parent**

Councilman Brink motioned to set a Halloween Curfew for Children age 16 or less without a parent at 7:30 PM

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

**Motion authorizing the Supervisor to sign the Ulster County Planning Board Referral Exception Agreement**

Councilwoman Hendrick moved to authorize the Supervisor to sign the Ulster County Planning Board Referral Exception Agreement

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

**Vote on Local Law - Planning Board By-Laws**

Supervisor Quigley tabled the vote on the proposed local law for the planning board by-laws as there is a proposal for alternate members to be added to the committee as well an attendance requirement.

**Presentation by Brad Palmiter, Palmiter Benefits Group, LLC on proposal for New Health Care Plan for Town Employees**

Mr. Brad Palmiter gave an overview of his company's health plan. This plan would have a higher deductible resulting in a lower annual health care cost. The deductible would be covered by the town, saving the employees any deductible costs. The plan is comparable if not better to the current plans the Town has. A meeting will be scheduled to allow the employees to ask questions and review the literature. This plan will be the only plan offered to all non-union employees. All union employees will be encouraged to participate.

**Approval to hire Ann Mitchell as part-time Town Bookkeeper effective November 1, 2010**

Councilman Kitchen motioned to hire Ann Mitchell as a part time Town Bookkeeper effective November 1, 2010 at a rate of pay of \$25.00 an hour, with a maximum of 1000 hours per year.  
2<sup>nd</sup> by Councilman Brink  
All Ayes

**Resolution setting aside the \$.05 per gallon fee charged by the Highway Department into a Reserve Account for the upkeep of the fuel system**

Councilman Brink moved to approve the following:

**Resolution establishing a Capital Reserve Fund to finance a specific item of equipment**

WHEREAS, the Town of Ulster Highway Department has been charging a fee of \$0.05 per gallon on fuel it sells to other town highway departments and/or fire departments; and

WHEREAS, the Town of Ulster has recently purchased a new computerized fuel dispensing system for the total price of \$37,500.00 in an effort to better monitor fuel consumption; and

WHEREAS, it is in the best interest of the Town of Ulster to plan for the maintenance and eventual replacement of the computerized fuel dispensing system; and

WHEREAS, in an effort to plan for the eventual replacement of said system, the fee of \$0.05 per gallon should be deposited into a reserve account to pay for the maintenance, upkeep, and replacement of the fuel dispensing system; therefore, be it

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RESOLVED, that pursuant to section 6-c of the General Municipal Law, as amended, the Town of Ulster Town Board does hereby establish a Capital Reserve Fund to finance the cost of maintenance and acquisition of a computerized fuel dispensing system. It is the intent of this Town Board to accumulate all of the cost of a fuel dispensing system, the maximum cost of which is estimated to be \$100,000.00. The Town Supervisor is hereby directed to deposit moneys of this reserve fund – specifically, the \$0.05 per gallon administrative fee charged by the Town Highway Department – in a separate bank account to be known as the “Fuel Dispensing System Reserve Fund.” The Town Supervisor is hereby directed to deposit and secure the moneys of the Fuel Dispensing System Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Supervisor may invest the moneys in the Fuel Dispensing System Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Ulster. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Fuel Dispensing System Reserve Fund. The Town Supervisor shall account for the Fuel Dispensing System Reserve Fund in a manner which maintains the separate identity of the Fuel Dispensing System Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Fuel Dispensing System Reserve Fund. No expenditure shall be made except upon authorization of this board.

BE IT FURTHER RESOLVED, that the Town Highway Superintendent has been consulted and consents to the establishment of said reserve fund.

BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum.

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

**Resolution to close Checking and Money Market Accounts with Key Bank and Citizens Bank**

Councilman Morrow motioned to approve the following:

**RESOLUTION AUTHORIZING THE TOWN OF ULSTER SUPERVISOR TO CLOSE BANK ACCOUNTS AT CITIZENS BANK AND KEY BANK**

WHEREAS, the Town of Ulster Town Board has heretofore declared JP Morgan Chase Bank, N.A. an official depository for town funds; and

WHEREAS, the Town of Ulster Town Board has heretofore opened various checking accounts at JP Morgan Chase Bank, N.A. to handle the town’s financial and depository needs; and

WHEREAS, the following bank accounts at Citizens Bank and Key Bank contain zero balances, are no longer needed for the town’s banking needs, and are considered superfluous;

Citizens Bank checking accounts



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General Fund  
Highway Fund  
Ulster Water District  
Halcyon Park Water District  
Spring Lake Water District  
Bright Acres Water District  
Cherry Hill Water District  
Glenerie Water District  
East Kingston Water District  
Whittier Sewer District  
Ulster Sewer District  
Washington Avenue Sewer District  
Bright Acres Water Capital Project  
Drainage Capital Projects  
Glenerie Water Tank Capital Project  
Special Districts  
PCK Road Escrow Account  
Ulster Sewer Improvement Capital Project  
Special Districts  
Tax Accounts  
Trust & Agency Account  
Payroll Account  
Water & Sewer Collection Account  
Biddy Basketball Reserve  
Softball League Reserve  
Junior Football League Reserve  
Volleyball League Reserve  
Seizure Pending Account  
C.D. Clearing Account  
Key Bank Money Market Savings Accounts  
General Fund  
Highway Fund  
Ulster Water  
Ulster Sewer  
Landfill Closure

THEREFORE, 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 close the following bank accounts at Citizens Bank and Key Bank according to the terms and conditions of the authorizations granted in this resolution:

Citizens Bank checking accounts  
General Fund  
Highway Fund  
Ulster Water District

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Halcyon Park Water District  
Spring Lake Water District  
Bright Acres Water District  
Cherry Hill Water District  
Glenerie Water District  
East Kingston Water District  
Whittier Sewer District  
Ulster Sewer District  
Washington Avenue Sewer District  
Bright Acres Water Capital Project  
Drainage Capital Projects  
Glenerie Water Tank Capital Project  
Special Districts  
PCK Road Escrow Account  
Ulster Sewer Improvement Capital Project  
Special Districts  
Tax Accounts  
Trust & Agency Account  
Payroll Account  
Water & Sewer Collection Account  
Biddy Basketball Reserve  
Softball League Reserve  
Junior Football League Reserve  
Volleyball League Reserve  
Seizure Pending Account  
C.D. Clearing Account  
Key Bank Money Market Savings Accounts  
General Fund  
Highway Fund  
Ulster Water  
Ulster Sewer  
Landfill Closure

2. That the Town Clerk is hereby authorized to file with Citizens Bank and Key Bank a duly certified copy of this resolution.

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

**Approval for Extension of Site Plan for Sawkill Meadows Apartment Complex**

Councilwoman Hendrick motioned to approve a 60 day extension on a site plan for Sawkill Meadows Apartment Complex, to allow the Town Attorney enough time to review the matter  
2<sup>nd</sup> by Councilman Brink  
All Ayes

**Hannaford and JP Morgan Bank approval situation along Ulster Avenue**

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A representative from JP Morgan Bank is seeking a direction from the Town Board as their proposed site plan is contingent upon Hannaford, who they sublease from, agreeing to a cross easement on their property. Hannaford doesn't want to allow the cross easement as it affects the development of their property. A lengthy discussion followed. Mr. Jay Modhwadiya, owner of the Hampton Inn, located next to the property, who gave up a portion of his land as part of the connecting cross easement road, expressed his concern and the cost to his business. Supervisor Quigley stated that the town has no response to the inquiry and that he will seek input from the Town professionals and respond back at the November 18, 2010 meeting.

**Public Comment**

Mr. James McCausland feels that the situation on Ulster Avenue with Hannaford and the JP Morgan Bank Site Plan Approval is an opportunity for improvement and encouraged the Town Board to continue on its course.

Councilman Morrow motioned to adjourn the meeting at 9:08 PM  
2<sup>nd</sup> by Councilman Kitchen  
All Ayes

Respectfully submitted by  
Jason Cosenza, RMC FHCO  
Ulster Town Clerk