

ULSTER TOWN BOARD MEETING

July 7, 2011 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 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

PUBLIC COMMENT

Mr. Robert Barton expressed concern about the tax consequences in keeping the Golden Hill Nursing Facility open.

DEPARTMENT HEAD REPORTS

Director of Recreation – Mr. Jeffrey T. Hayner reported that the Biddy Basketball banquet was held and that the Summer Camp program has started with an enrollment of 265. The volleyball program has started. Rider Park is open and the fees collected are covering the costs.

Councilman Kitchen thanked Highway Superintendent Petramale and his crew for their work at the Town Park. He also thanked Mr. Richard Metzger and Mr. Tony Quarantino for their work on the shed at the Rider Park.

Building Department – Mr. Paul Andreassen, the Town Building Inspector, read the monthly report.

Highway Department – Highway Superintendent, Frank Petramale, reported that his department is busy. Paving and drainage work are scheduled to start soon. They have new equipment that will be placed into service. This equipment was paid for as part of the scheduled purchase plan. The Town Transfer Station will accept certain electronics for free. Notices have been posted at the Town Hall, Transfer Station and on the Town website.

Water Department – Paul Vogt, Town Water Superintendent, reported that all is running well. They are still waiting for the East Water Tank to be completed. A preconstruction has been scheduled so construction should begin soon. His crew is working on the radio read systems. They are performing system maintenance.

Waste Water Department – Mr. Corey Halwick reported that all systems are operating satisfactorily. He has to order some manhole covers. He is looking into buying new ones that are made out of a synthetic material as the metal ones are being stolen. His crew is working on the generator in Whittier to ensure compliance. He thanked Highway Superintendent Petramale and his crew for their assistance him in freeing a truck that was stuck in a muddy road.

Town Assessor – James Maloney reported that all the building permits have been reviewed and is current. Due to the low building activity, he recommended the flattest budget possible.

Police Department – Police Chief Taggard read the monthly report. A grant was received that allowed for all the computers in the vehicles to be updated. The town is waiting on a grant to hire additional police officers.

Town Clerk – Mr. Jason Cosenza reported that the tax warrant has been turned over to the county and that all the monthly reports have been filed and completed.

ULSTER TOWN BOARD MEETING

July 7, 2011 AT 7:00 PM

Set a Public Hearing date and time for a Proposed Local Law of 2011: A Local Law Providing for the Adoption of a New Section 176 of the Town Code - Timber Harvest Law

Town Attorney, Jason Kovacs, reported that this proposed law offers procedures and regulations for timber harvest permits in the Town.

Councilman Kitchen moved to set a public hearing for July 21, 2011 at 7:15 PM for the proposed timber harvest law.

2nd by Councilwoman Hendrick

All Ayes

Set a Public Hearing date and time for Proposed Local Law of 2011: A Local Law Providing for the Adoption of a New Section 161-27 and a New Section 161-28 of Chapter 161 of the Town Code and revised Section 145-6 of Chapter 145 of the Town Code (Title Search Requirements and Notice to adjacent property owners of subdivision and site plan applications)

Councilman Morrow moved to set a public hearing for July 21, 2011 at 7:25 PM for the proposed adoption of a new section 161-27 and 161-28 of Chapter 161 of the Town Code and revised Section 145-6 of Chapter 145 of the Town Code.

2nd by Councilman Kitchen

All Ayes

Authorize the Supervisor to sign the 2011 Poll Site Agreement with the Ulster County Board of Elections

Councilman Morrow moved to authorize the Town Supervisor to sign the 2011 Poll Site Agreement with the Ulster County Board of Elections

2nd by Councilman Brink

All Ayes

Authorize the Supervisor to grant a site plan extension for Prestige Kia, 400-416 Old Neighborhood Road

Councilman Morrow moved to approve the following:

1 RESOLUTION - TOWN OF ULSTER TOWN BOARD

**Site Plan Approval Extension
JBCR LLC d/b/a Prestige KIA Auto Dealership**

**SBL 48.007-1-14.1 & 48.007-1-14.2
400-416 Old Neighborhood Road**

WHEREAS, on August 19, 2010, the Ulster Town Board approved the application by JBCR LLC d/b/a Prestige Kia Auto Dealership to construct a 16,950 square foot addition to an

ULSTER TOWN BOARD MEETING

July 7, 2011 AT 7:00 PM

existing 2,960 square foot Prestige Auto Dealership; and

WHEREAS, pursuant to Ulster Town Code Section 145-13(A), construction of an approved site plan shall be commenced within twelve (12) months from the date of approval, or else the approval shall expire; and

WHEREAS, construction of the approved site plan has not commenced to date, and it is not expected to commence before August 19, 2011; and

WHEREAS, JBCR LLC d/b/a Prestige Kia Auto Dealership, through their project engineers, Brinnier and Larios P.C., is requesting a two year extension of the site plan approval; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the site plan approvals; and

WHEREAS, Ulster Town Code Section 145-14 grants the Town Board the power to vary or waive the provisions of Chapter 145, where, in its judgment, the circumstances justify such variance or waiver upon such terms and conditions as it may deem appropriate provided that such variation and/or waiver promotes the health or general welfare and orderly growth; now therefore, be it

RESOLVED, that the site plan approval heretofore granted on August 19, 2010, shall be amended as follows: the approval granted by the Town Board on August 19, 2010 shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than August 19, 2013; and be it further

RESOLVED, that this resolution shall take effect upon payment by JBCR LLC d/b/a Prestige Kia Auto Dealership of any applicable extension fees.

2nd by Councilman Brink
All Ayes

Authorize the Supervisor to grant a site plan extension for Ulster 9W Holdings, LLC, 1680-1694 Ulster Avenue for three years.

Councilman Morrow moved to approve the following:

1 RESOLUTION - TOWN OF ULSTER TOWN BOARD

**Site Plan Approval Extension
Ulster 9W Holdings, LLC**

**1680-1694 Ulster Avenue
1670-1678 Ulster Avenue**

ULSTER TOWN BOARD MEETING

July 7, 2011 AT 7:00 PM

WHEREAS, on February 5, 2007, the Ulster Town Board approved the application by Quick Chek Corporation for the development of approximately 7.5 acres, comprising SBL 39.082-2-3.2, 39.082-2-3.3, and 39.082-2-3.4; and

WHEREAS, pursuant to the resolution of the Town Board dated February 5, 2007, site development plan approval shall expire on February 5, 2012 if the approved improvements are not completed and a Certificate of Occupancy is not obtained by said date; and

WHEREAS, building permits for the retail lot and the bank lot have been issued by the Town of Ulster Building Department, but Certificates of Occupancy are not expected to be obtained before February 5, 2012; and

WHEREAS, Ulster 9W Holdings LLC is requesting a three year extension of the site plan approval; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the site plan approvals; and

WHEREAS, Ulster Town Code Section 145-14 grants the Town Board the power to vary or waive the provisions of Chapter 145, where, in its judgment, the circumstances justify such variance or waiver upon such terms and conditions as it may deem appropriate provided that such variation and/or waiver promotes the health or general welfare and orderly growth; now therefore, be it

RESOLVED, that the site plan approval heretofore granted on February 5, 2007, shall be amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2015; and be it further

RESOLVED, that this resolution shall take effect upon payment by Ulster 9W Holdings LLC of any applicable extension fees.

2nd by Councilman Brink
All Ayes

Motion to approve the hiring of two replacement seasonal employees for the Recreation Department.

Councilwoman Hendrick moved to hire Jared Jensen and Amy Gavin as Camp Counselors at \$7.25 an hour effective July 5, 2011 and June 28, 2011

2nd by Councilman Kitchen
All Ayes

Motion to approve the Standard Mileage Reimbursement rate to be \$.555 in accordance with the recent IRS Memo effective July 1, 2011.

ULSTER TOWN BOARD MEETING

July 7, 2011 AT 7:00 PM

Councilman Brink moved to approve the Standard Mileage Reimbursement rate to be \$.555 in accordance with the recent IRS Memo effective July 1, 2011.

2nd by Councilwoman Hendrick

All Ayes

Motion to authorize the Supervisor to sign change order number 1 for Contract TU-111, Window and Door replacement for Ulster Town Hall extending the contract completion date to August 20, 2011.

Councilman Morrow moved to authorize the Supervisor to sign change order number #1 for Contract TU-111, Window and Door replacement for Ulster Town Hall extending the contract completion date to August 20, 2011.

2nd by Councilman Hendrick

All Ayes

Discussion on Modification of Town Law Section 194 – Fees as they relate to the Building Department.

Mr. Paul Andreassen, the Town Building Inspector, gave an overview of a proposed revised fee schedule. The amended fees are proposed to be comparable with the surrounding municipalities. The changes also eliminate ambiguity and add more detail to the schedule. A light discussion followed among the Town Board. Supervisor Quigley requested that the building Inspector create a comparison chart for the Town Board to see what is charged now and what is proposed to be charged.

A discussion was had on the fees to be charged under the Landlord Registry law (Chapter 105 adopted on May 5, 2011). The proposed landlord registration fee is \$20.00 per unit. The proposed inspection and other fee schedule is as follows:

Dwelling Units:

4-9 Units	\$100.00 + \$45.00 per rental unit
10-20 Units	\$200.00 + \$40.00 per rental unit
Over 20 Units	\$350.00 + \$35 per rental unit

Cancelling inspection within 24 hours of appointment \$20.00/unit

Failing to be present at time of appointment \$25.00/unit

Motion authorizing Judge Kesick and two court clerks to attend the NYS Magistrates Association annual training session September 25 to 28th, 2011 in Niagara Falls, N.Y.

Councilman Morrow moved to authorize Judge Kesick and two court clerks to attend the NYS Magistrates Association annual training session September 25 to 28th, 2011 in Niagara Falls, N.Y.

2nd by Councilman Kitchen

All Ayes

Councilman Brink moved to approve the following resolution:

ULSTER TOWN BOARD MEETING

July 7, 2011 AT 7:00 PM

In Support of Keeping the Golden Hill Health Care Facility owned and operated by Ulster County to provide quality Healthcare for Ulster County's Senior Citizens

WHEREAS, Ulster County has Provided Quality Healthcare to Our Senior Citizens and additional Ulster County Residents in Their Time of Need for More Than Fifty years, and

WHEREAS, Ulster County has a moral responsibility to care for its Senior Citizens who have lived in and supported Ulster County throughout their lives, and

WHEREAS, Closing or Selling the Golden Hill Healthcare Facility would cause a major disruption to the lives our seniors and their loved ones, and

WHEREAS, privatization of the Golden Hill Healthcare facility would cause a diminished level of Healthcare and Service to our Senior Citizens, and, now, therefore be it

RESOLVED, that the Town of Ulster Town Board supports keeping the Golden Hill Healthcare Facility owned and operated by Ulster County for the benefit our Senior Citizens so that continued quality Healthcare shall be provided to them, and all who need it and moves for its adoption.

2nd by Councilman Morrow
Four Ayes – Supervisor Quigley abstained

Public Comment

Mr. Robert Barton inquired about the tax cap mandate from the state.
Supervisor Quigley stated that the tax cap makes it difficult to create a budget when raising costs exceed the cap.

Councilman Kitchen motioned to adjourn the meeting at 8:05 PM
2nd by Councilman Morrow
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk