

ULSTER TOWN BOARD MEETING
JULY 21, 2011 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

PUBLIC COMMENT

Mr. Robert Barton inquired about the purpose of the soil and material testing for the Glenerie water storage tank.

Supervisor Quigley reported that the purpose is to determine how much rock needs to be removed to create an RFP for bidders on the project to allow a connection to the water line. This has nothing to do with environmental pollution.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Morrow motioned to accept the minutes of June 2, 2011 and June 16, 2011
2nd by Councilwoman Hendrick
All Ayes

COMMUNICATIONS

Councilman Kitchen announced that the Town will host its annual Senior Picnic at the Robert E. Post Park on July 28, 2011. It begins at 10 AM with lunch being served at noon.

ABSTRACT OF CLAIMS

Councilman Morrow motioned to approve the following July 2011 Abstract as submitted.
2nd by Councilwoman Hendrick
All Ayes

BUDGET MODIFICATIONS

Councilman Brink moved to approve the following budget modifications:

Drainage Projects:

Transfer From:	Transfer To:	
HDR-9950.900 Interfund Transfer	HDR-5110.200 Construction	2,555.33

General Fund

Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp. Reserve-Softball League) electric payment	342
	.42

Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp. Reserve-Softball League) lime from Lowe's	53.4
	0

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Modify Appropriation A7140.401 (Recreation Equip. Reserve) to be funded through A5110 (Approp. Reserve-Softball League) light bulbs from Eastern States Electrical	351. 54
Modify Appropriation A1320.200 (Equipment) to be funded through A5110 (Approp.Reserve-Landfill Closure-Equipment Reserve) payment to KVS Information Services for conversion of General Ledgers Jan-Mar.2011	700.00
Modify Revenue A3390 (St.Aid,Buckle UP NY) and Appropriation A3120.103 (Traffic Safety Program) Reimb. Grant Wages May 23, 2011 thru June 5, 2011	1,724.75
Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) refund-forfeit fee to Ruby Fire Dept.	148.00
Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) softballs,field paint and bases from Hat World	165.84
Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) water bill-Orlando St. Ballfield	10.00
Modify Appropriation A7140.401 (Recreation Equip.Reserve) to be funded through A5110 (Approp.Reserve-Junior Football League) insurance payment to Mid-Hudson Conference	969.00
Highway Fund:	
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) May Gas Reimb. (Oper.Funds)	10,177.80
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) May Gas Reimb. (Town of Kingston Hwy.Fund)	778.72
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) May Gas Reimb. (Ulster Hose #5)	632.00
Modify Revenue D1289 (Oth.Dept. Income) and Appropriation D5142.420 (Gas & Oil) May Gas Reimb. (Ruby Fire Dept.)	345.83
Modify Appropriation D5130.200 (Equipment) to be funded through D5990 (Approp.Fund Bal.) purchase of 2012 Mack Chassis from Mid-Hudson Mack	113,344.03

2nd by Councilman Morrow
 All Ayes

Public Hearing at 7:15 on Proposed Local Law Providing for the Adoption of a New Section 176 of the Town Code - Timber Harvest Law

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Supervisor Quigley opened the hearing at 7:15 PM.

Town Attorney Jason Kovacs explained that this proposed law would set a detailed procedure and set of regulations that was missing in the current town code.

Public Comment:

Mr. Hans Funccius inquired if there were any provisions as to how much can be cut. Supervisor Quigley stated that this proposed law doesn't have anything of that nature in it. The Town Attorney stated that this law was based on the model law of the NYS DEC.

Mr. James Maloney requested that some bond be placed for clean-up of properties by the timber harvesters if it is not already included in the proposed law.

Mr. Steven D. Hagopian inquired if there is a notification to surrounding residences and if there is any storm water control measures involved.

Town Attorney, Jason Kovac, stated that there is no formal law yet. There is a public hearing notice requirement and in a future proposed law there is a mailing notification requirement. Supervisor Quigley stated that the law does have some restoration, storm water and buffer requirements.

Mr. David Brink addressed several concerns in the law consisting of the term of selective cutting, timber harvesting, clear cutting, and registered forest ranger. He expressed concern about the buffer zones and the cost involved with filing the paperwork affecting the prospect on the return of the harvest.

Supervisor Quigley requested that he submit a marked up copy of the law with of the items he has concerns about and suggestions for improvement.

Mr. Robert Barton was in favor of the proposed law as it offers the residents some protection.

Mr. George Slonger expressed concern about the town infringing on the property owners and is over regulating the public.

Supervisor Quigley read an email received from O&R who opposed the proposed local law.

Councilman Kitchen spoke in favor of the law as a means to protect neighboring property owners and the intent is not to infringe upon anyones property rights.

Councilman Joel Brink moved to close the public hearing at 7:44 PM

2nd by Councilman Morrow

All Ayes

Public Hearing schedules at 7:25 PM on Proposed 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)

Supervisor Quigley opened the public hearing at 7:45 PM

Mr. Jason Kovacs, the Town Attorney, reported that this proposed local law requires a sub-division project to perform a title search and to offer notification to surrounding neighbors during sub-division to see if there are any objections.

Public Comment

Mr. Steven D. Hagopian inquired if the title search is current and what is certified. Supervisor Quigley stated that it should be current. Mr. Jason Kovacs, the Town Attorney, stated that they are certifying that a search has been performed in the County Clerk's Office. There is no title insurance required. This is a review of the documents that affect the land. Supervisor Quigley requested that he submit a marked up copy of the law with the items he has concerns about suggestions for improvement.

Councilwoman Hendrick moved to close the public hearing at 7:44 PM

2nd by Councilman Brink

All Ayes

Presentation by Ray Guerin of Kingston Risk Management on bidding the General Liability/Property and Casualty/Automobile Insurance for the Policy Year 1/1/1012-12/31/1012

Mr. Ray Guerin of Kingston Risk Management gave an overview of the proposed bidding process for town insurance. He would like to seek three bids with one from the current carrier with the rules clearly stated. The savings would have to be significant to change carriers. This would allow for competition as comparing proposals is a labor intensive task and there has to be a fair chance for a new carrier to earn business. This is a fair process.

Supervisor Quigley stated that this item would be acted upon at the next meeting.

Authorize the Supervisor to sign a Memorandum of Understanding by and between the Town and Laborers International Local 17 and Carol Bauer concerning Post-Retirement Health Care Benefits

Councilman Morrow moved to authorize the Supervisor to sign a Memorandum of Understanding by and between the Town and Laborers International Local 17 and Carol Bauer concerning Post-Retirement Health Care Benefits

2nd by Councilwoman Hendrick

All Ayes

Motion authorizing the Supervisor to hire Steve Kalka LLC of Hurleyville, NY as an Environmental Consultant to coordinate the removal of a 2000 gallon fuel oil tank at the Town Hall

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Councilman Morrow motioned to authorize the Supervisor to hire Steve Kalka LLC of Hurleyville, NY as an Environmental Consultant to coordinate the removal of a 2000 gallon fuel oil tank at the Town Hall

2nd by Councilman Kitchen

Councilwoman Hendrick moved to modify the resolution so that the amount spent is not to exceed \$1,000.00

2nd by Councilman Morrow

All Ayes for the amendment to resolution

All Ayes for the resolution as amended

Resolution authorizing the Supervisor to execute an Easement Agreement between the Town of Ulster / Glenerie Water District and Giampoalo and Nelida Reginato

Councilman Morrow moved to approve the following:

1 RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT FOR GLENERIE WATER DISTRICT OF THE TOWN OF ULSTER

WHEREAS, water lines for the benefit of the Glenerie Water District are currently installed on lands owned by Giampoalo Reginato and Nelida Reginato at 5 Hauns Hill, Town of Ulster; and

WHEREAS, a proposed water tower for the Glenerie Water District will require employee and agents of the Town of Ulster to have ingress and egress on the Reginato property; and

WHEREAS, the plans designated by Brinnier & Larios, P.C. require the obtaining of a certain easement from the Reginatos, and

WHEREAS, said easement has been offered by Giampoalo Reginato and Nelida Reginato to the Town of Ulster, and

WHEREAS, the Town Board of the Town of Ulster is desirous of accepting said offered easement on behalf of said Town, and

WHEREAS, the Town Board of the Town of Ulster has examined said instrument, and finds the consideration described above to be fair and reasonable for the value of such taking,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulster does hereby accept an easement from Giampoalo Reginato and Nelida Reginato in accordance with the terms and conditions contained in said instrument, authorizes the Town Supervisor to sign said easement and any transfer documents, and directs that the same be recorded in the Office of the Clerk of the County of Ulster, the fee for said recording to be borne by said Town.

2nd by Councilman Brink

All Ayes

Authorize the Supervisor to enter into an agreement with an appraiser to prepare an Appraisal for the parcel to be acquired for the Glenerie Water District water tank using Small Cities grant funds

Councilman Morrow moved to authorize the Supervisor to enter into an agreement with an appraiser to prepare an appraisal for the parcel to be acquired for the Glenerie Water District water tank using Small Cities grant funds

2nd by Councilman Brink

All Ayes

Authorize the Supervisor to enter into an agreement with an appraiser to prepare an Appraisal Review Report for the parcel to be acquired for the Glenerie Water District tank using Small Cities grant funds

Councilwoman Hendrick moved to authorize the Supervisor to enter into an agreement with an appraiser to prepare an Appraisal Review Report for the parcel to be acquired for the Glenerie Water District tank using Small Cities grant funds

2nd by Councilman Morrow

All Ayes

Authorize the Supervisor to sign an agreement with Soil & Material testing for testing services for the Glenerie Water District Tank

Councilman Brink moved to authorize the Supervisor to sign an agreement with Soil & Material testing for testing services for the Glenerie Water District Tank

2nd by Councilman Morrow

All Ayes

Hire Two Part-Time Police Officers & One Dispatcher

Councilman Morrow moved to hire the following:

Gary W. Russel as a part-time dispatcher with a pay rate of \$13.72 an hour effective August 1, 2011

Ronald J. Stroh Jr. as a part-time police officer at a pay rate of \$18.63 an hour effective August 1, 2011

Michale F. Miller as a part-time police officer at a pay rate of \$18.63 an hour effective August 1, 2011

2nd by Councilman Brink

All Ayes

Appoint Arnold Jacobsen as Town Zoning Board Member

Councilman Brink moved to appoint Arnold Jacobsen as Town Zoning Board Member filling the position of Karen Markisenis.

2nd by Councilman Morrow

4 Ayes – Councilwoman Hendrick abstained

Authorize spending \$400 for transportation for summer camp

Recreation Director Jeffery T. Hayner reported that the county had to cancel transportation for one of the planned Town Summer Camp field trips. Private transportation was arranged with the help of Councilwoman Hendrick but there is a cost of \$400.00 that was not anticipated in the budget.

Councilman Kitchen motioned to authorize the \$400 cost for transportation for the field trip.
2nd by Councilwoman Hendrick
All Ayes

Public Comment

Mr. David Brink pointed out another problem with trees, when they are a problem, it's the neighbor's tree. He complimented the Town's PA system.

Councilman Morrow pointed out that the new police hires were to replace people who left. He thanked Richard Krakowski for 19 years of service and Trevor Baily for his 6 years of service as part-time police officers.

Councilman Kitchen reiterated that the proposed timber law is to protect the residents and not to be restrictive.

Mr. Richard Metzger reported his concern about feral cats in the town and requested a more effective program for getting rid of them than the current spay and release program.

Councilman Kitchen thanked Mr. Richard Metzger and Tony Quarantino for their work in fixing the Town Shed at Charles Rider Park.

Councilman Morrow motioned to adjourn the meeting at 8:17 PM
2nd by Councilman Brink
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk