

ULSTER TOWN BOARD MEETING
AUGUST 18, 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 water service agreement for the Mental Health Association, the proposed East Kingston Sewer District, the Fire Protection Districts contract's and the SRO Contract.

Supervisor Quigley reported that the Mental Health Association would pay all the fees for connections including special district tax costs and water usage rates. He is looking to work with the City of Kingston to establish an East Kingston Sewer District as the Town needs a place to discharge the waste water. The fire protection district contracts are to provide fire protection for certain areas of the town. The SRO Contract is a revised contract that more accurately reflects the cost of the town that the school district pays for a police officer's services.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Morrow motioned to accept the minutes of July 7, 2011 and July 21, 2011
2nd by Councilman Brink
All Ayes

COMMUNICATIONS

Councilman Kitchen announced that the Town will host its annual Senior Picnic at the Robert E. Post Park on August 25, 2011. It begins at 10 AM with lunch being served at noon.

ABSTRACT OF CLAIMS

Councilman Brink motioned to approve the August 2011 Abstract as submitted.
2nd by Councilwoman Hendrick
All Ayes

BUDGET MODIFICATIONS

Councilman Brink moved to approve the following budget modifications:

General Fund:

Modify Appropriation A7140.401 (Recreation Equip. Reserve) to be funded through A5110 (Approp. Reserve-Softball League) electric payment	326.6 7
Modify Appropriation A7140.401 (Recreation Equip. Reserve) to be funded through A5110 (Approp. Reserve-Softball League) mower parts from Kng. Lawn & Power	135.2 5

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Modify Appropriation A7140.401 (Recreation Equip. Reserve) to be funded through A5110 (Approp. Reserve-Softball League) registration-co-ed teams/USSSA Dist. Director	100.0 0
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Modify Appropriation A7140.401 (Recreation Equip. Reserve) to be funded through A5110 (Approp. Reserve-Softball League) softballs-Hat World	173.5 0
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Modify Appropriation A7140.401 (Recreation Equip. Reserve) to be funded through A5110 (Approp. Reserve-Softball League) refund-forfeit fee to Ruby Fire Dept.	(148.0 0)
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Highway Fund:

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) June Gas Reimb. (Oper. Funds)	10,839.0 0
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Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) June Gas Reimb. (Town of Kingston Hwy. Fund)	460.3 9
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Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) June Gas Reimb. (Ruby Fire Dept.)	609.3 7
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Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) July Gas Reimb. (Town of Kingston Hwy. Fund)	721.4 7
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Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) June Gas Reimb. (East Kingston Fire Co.)	660.8 6
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General Fund:

Transfer From:	Transfer To:	
A3120.203 Vehicle Leases	A3120.201 Police Vehs.& Prep.	30,692.79

2nd by Councilman Morrow
 All Ayes

Presentation of Award honoring Muriel Whitaker's efforts in the creation of the Cherry Hill Water District

Councilman Brink presented Mrs. Muriel Whitaker with a pride of the Town Award for her effort in creating the Cherry Hill Water District.

Supervisor Quigley motioned for a brief recess to allow the large crowd of people who were attending for the presentation to leave at 7:20 PM

2nd by Councilman Kitchen

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All Ayes

The meeting resumed at 7:26 PM

Authorize the Supervisor to sign the purchase and sale contract for .695 acres of land for the Glenerie Water District to be used for the Glenerie Water Storage Tank with the Estate of Harry Lowe, Sr. for the sum of \$29,000.00

Councilwoman Hendrick moved for the following:

1 RESOLUTION TO PURCHASE REAL PROPERTY

WHEREAS, it is in the best interest of the Glenerie Water District to acquire a 0.695 acre portion of the real property located at 2559 Route 9W, Town of Ulster, County of Ulster, New York State, identified as Ulster County SBL 39.35-1-13 ("Property"); and

WHEREAS, said Property is the ideal location for a water storage tank to be constructed for the benefit of the Glenerie Water District; and

WHEREAS, an application to subdivide SBL 39.35-1-13 is currently pending before the Town of Ulster Planning Board; and

WHEREAS, the Estate of Harry Lowe, Sr., the owner of real property located at 2559 Route 9W, Town of Ulster, County of Ulster, New York State, identified as Ulster County SBL 39.35-1-13, has agreed to sell a 0.695 acre portion of the Property to the Town for \$29,000.00 and the Attorney for the Town has prepared a purchase contract; and

WHEREAS, the purchase contract contains an appraisal contingency and a subdivision contingency, which, in the opinion of the Attorney for the Town, adequately protect the Town if the Property is not appraised for \$29,000.00 or if the subdivision is not approved by the Town of Ulster Planning Board; and

WHEREAS, the purchase of said Property is an "Unlisted" action under the State Environmental Quality Review Act ("SEQRA") and the Board has prepared a Short Environmental Assessment Form and considered the environmental impacts of this purchase and, therefore, be it

RESOLVED that no significant adverse environmental impacts would result from the Town's purchase of this land and the Supervisor is authorized to execute a Negative Declaration; and be it further

RESOLVED that the Town Supervisor is authorized to execute a Contract of Sale with the Estate of Harry Lowe, Sr. to purchase a 0.695 acre portion of the real property located at 2559 Route 9W, Town of Ulster, County of Ulster, New York State, identified as Ulster County SBL 39.35-1-13, funded from the Glenerie Water District Fund Balance; and be it further

RESOLVED that the Town of Ulster Town Board, subject to the contingencies set forth in the

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Contract of Sale and this Resolution and other contingencies relating to obtaining necessary approvals, hereby authorizes the purchase of the property from the Estate of Harry Lowe, Sr. as set forth in such Contract of Sale, and further authorizes the undertaking of all of the obligations set forth in said Contract of Sale, including without limitation, the preparation of a survey, obtaining and delivering all closing papers, and completion of the sale, all of said actions being authorized pursuant to Town Law Section 64; and be it further

RESOLVED that The Town of Ulster Supervisor and the Attorney for the Town are hereby authorized to take such actions as they deem necessary or appropriate to complete the purchase of the real property and it is further

RESOLVED that the Town Supervisor be authorized to allocate \$4,000.00 of additional funds for the purchase of this property to cover the closing costs – including, but not limited to, legal fees, title insurance, survey costs, environmental review expenses, and deed recording costs – from the Glenerie Water District Fund Balance; and be it further

RESOLVED that copies of this Resolution be provided to the Attorney for the Town, and the Town Assessor.

2nd by Councilman Morrow
All Ayes

Authorize the Supervisor to sign a Water Service Agreement between the Town of Ulster on behalf of the Ulster Water District and the Mental Health Association in Ulster County, Inc. to provide water to a parcel of property owned by the Association situated at 211 Tytenbridge Road

Councilwoman Hendrick moved to authorize the Supervisor to sign a water service agreement between the Town of Ulster on behalf of the Ulster Water District and the Mental Health Association in Ulster County, Inc. to provide water to a parcel of property owned by the Association situated at 211 Tytenbridge Road

2nd by Councilman Morrow
All Ayes

Authorize the Superintendent of Sewer to go out to bid for a video camera system with truck for the Sewer Department

Councilman Morrow authorized the Superintendent of Sewer to go out to bid for a video camera system with truck for the Sewer Department

2nd by Councilman Brink
All Ayes

Appoint the Chairman of the Zoning Board

Councilwoman Hendrick moved to appoint Robert Porter as the Chairman of the Zoning Board, effective until December 31, 2011

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2nd by Councilman Morrow
All Ayes

Discussion on Town Board Members' office

The Town Board discussed the need for council members to have an office with equipment so they can hold meetings and conduct town business. The current conference room in the back of the town meeting room that was meant to be used as a councilman's office is used as a storage area and a conference room for the court. An inventory will be performed to see what is stored there.

Discussion and approval of Change Order #2, Ulster Glass and Mirror, dated August 15, 2011 to Contract No.TU-111, requesting that the date for substantial completion be extended to September 19, 2011 and that the contract for window modifications be increased in the amount of \$1,060.00

Councilman Morrow moved to approve change order #2 for Ulster Glass and Mirror for Contract No. TU-111 in the amount of \$1060.00 and extended the completion date to September 19, 2011
2nd by Councilman Kitchen
All Ayes

Discussion and approval of the Town Justice Court Audit for the year that ended December 21, 2010 performed by Toski & Schaefer & Co., P.C. CPA's

This item was tabled until the next meeting.

Discussion and approval of an Information Technology Contract with Monaco Computer Services

This item was tabled until the next meeting.

Discussion on Municipal Agreement by and between the City of Kingston and Town of Ulster for the proposed East Kingston Sewer District

Councilman Kitchen moved to authorize the Town Supervisor to conduct negotiations with the City of Kingston to enter into a Municipal Agreement for a proposed East Kingston Sewer District, subject to the final ratification of the Town Board
2nd by Councilman Morrow
All Ayes

Discussion on contract between the Town of Ulster on behalf of the Eddyville Fire Protection District and Bloomington Fire Company

Councilwoman Hendrick moved to authorize the Town Supervisor to negotiate a contract between the Town of Ulster on behalf of the Eddyville Fire Protection District and Bloomington Fire Company for fire protection services, subject to the final ratification of the Town Board
2nd by Councilman Morrow

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All Ayes

Discussion and approval of the 2011-2012 SRO Contract between the Town of Ulster and Kingston Consolidated School District for Miller Middle School

Councilman Kitchen moved to approve the 2011-2012 SRO Contract between the Town of Ulster and Kingston Consolidated School District for Miller Middle School as submitted 2nd by Councilman Brink

All Ayes

Discussion on Hiring 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

The Town Board discussed the issue of going out to bid and shopping for Town insurance to save money. A brief discussion occurred about staying with the same insurance vender and having him shop out the insurance or to hire Kingston Risk Management to perform that task to have current vender compete with two other insurance companies.

The Supervisor would talk to Mr. Ray Guerin on his proposal and to contact the current insurance carrier to clarify their letter on what additional savings the town can receive.

Town of Ulster Police Department Accreditation Program

Councilwoman Hendrick moved to authorize the town Supervisor to enter into contract to allow the Town of Ulster Police Department to be reviewed to continue its accreditation with the state 2nd by Councilman Brink

All Ayes

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ULSTER DECLARING ITS INTENT TO ACT AS LEAD AGENCY WITH RESPECT TO AN ACTION PROPOSED BY *BIG MATT ASSOCIATES, INC.*

Councilman Kitchen moved to approve the following:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ULSTER DECLARING ITS INTENT TO ACT AS LEAD AGENCY WITH RESPECT TO AN ACTION PROPOSED BY *BIG MATT ASSOCIATES, INC.*

WHEREAS, the applicant – Big Matt Associates, Inc. - has submitted an application for Site Plan review to construct a 4,725 square-foot (sf) office/manufacturing building and 3,584 sf garage (car storage) on a 1.6-acre site (SBL 48.14-1-12.1) served by municipal central water and on-site sewage disposal system on a site located at 38 Old Sawkill Road in the Town Of Ulster, Ulster County, New York; and

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WHEREAS, upon review of the application, the Town of Ulster Town Board has determined the Proposed Action is subject to the State Environmental Quality Review Act and its implementing regulations (6 NYCRR Part 617) as an Unlisted Action; and

WHEREAS, under the applicable standards of SEQRA, 6 NYCRR Part 617.6, the Town Board of the Town of Ulster has concluded that it is the appropriate agency to serve as Lead Agency for the coordinated environmental review of the proposed Unlisted Action; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulster hereby declares its intent to serve as Lead Agency for the purposes of conducting the review and making such determinations as are necessary with respect to the Proposed Action and required by Article 8 of the New York Environmental Conservation Law (State Environmental Quality Review Act) and the regulations promulgated thereunder.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to distribute notice of the adoption of this resolution and a Notice of Intent to be Lead Agency Form to all Involved Agencies as required by the Article 8 of the New York Environmental Conservation Law (State Environmental Quality Review Act) and the regulations promulgated thereunder.

2nd by Councilman Morrow
All Ayes

Public Comment

Mr. Robert Barton inquired if there was any new information in regard to Time Warner's Contract. He also asked what the Town Board feels about flow control with the RRA in the county.

Supervisor Quigley has not heard back. The Town will receive \$18,000.00 for a recent audit. There is no opinion in regard to the RRA Flow Control.

Mr. Reno Budziak agreed with the Town Board for a special room. He announced that there will be a fundraiser by the Wallkill Valley Land Trust for the Rail Trail on August 24, 2011 between 1 PM and 6 PM at William's Lake. Tickets are \$25 per person and Children are \$12 with children under 10 years old free.

The Town Board entered into executive session at 8:04 PM to address a possible disciplinary action with the Police Department.

Executive session began at 8:23 PM. Chief Taggard was invited in.

Councilman Morrow moved to exit executive session at 8:38 PM

2nd by Councilwoman Hendrick
All Ayes

Councilman Brink motioned to adjourn the meeting at 8:40 PM

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2nd by Councilman Kitchen
All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk