

ULSTER TOWN BOARD MEETING

September 6, 2012 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM

THE 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 Crane suggested that the town promote a person from within the Town Police Department.

COMMUNICATIONS

Supervisor Quigley received a letter from the Kingston Water Department about a “drought emergency.” The town has a contract with them and they have reduced the quantity of water that can be purchased by 15%. The town will use its primary well system to support the Town’s residents and could help support the City if necessary.

COMMITTEE REPORTS

Councilwoman Hendrick reported from the Parks and Recreation Committee, that the Bidy basketball and volleyball program will begin soon.

Councilman Brink reported from the Water Waste Water Committee that the Waster Water Department recently purchased a sewer truck that was returned due to an improperly installed AC unit. The item will be fixed and returned to the department.

Councilman Morrow reported from the Personnel Committee, that the revised rough draft of the employee handbook is being reviewed. A Department Head training session is scheduled for Friday, September 7, 2012 in regard to employee discipline.

Councilwoman Hendrick reported from the Constituent Relations Committee, that they have been dealing with a lot of animal control issues.

Resolution adopting an Open Development Area per Town Law Section 280-a (4) for a proposed subdivided parcel at 662 East Chester St. [SBL 48.058-7-21.1]

Councilman Morrow moved to approve the following:

WHEREAS, Warwick Properties, Inc. has applied to the Town of Ulster Planning Board for a two (2) lot minor subdivision of a 46.25 acre parcel described on the Town of Ulster Tax Map as SBL 48.58-7-21.10 into two parcels as follows: Lot 1A consisting of 9.36 acres and Lot 1B consisting of 36.89 acres; and

WHEREAS, approval of the subdivision will require Open Development Area (ODA)

ULSTER TOWN BOARD MEETING

September 6, 2012 AT 7:00 PM

designation since proposed Lot 1B would not have frontage on an improved street, but rather by dedicated right-of-way or easement; and

WHEREAS, the Town of Ulster Town Board has concurrently received an application by the applicant to include the subject site within "Development Facilitation Improvement District No. 1," which is a formally designated Open Development Area (ODA); and

WHEREAS, the Town of Ulster Town Board referred this matter to the Town of Ulster Planning Board for its review and recommendation; and

WHEREAS, the Town of Ulster Town Board held a public hearing on the Open Development Area application on August 16, 2012, and no comments opposing the application have been presented; and

WHEREAS, the Town of Ulster Planning Board formally referred this matter back to the Town of Ulster Town Board with a recommendation to grant approval of the request by Warwick Properties, Inc. to include the subject site within "Development Facilitation Improvement District No. 1," which is a formally designated Open Development Area (ODA) at its regularly scheduled meeting on August 21, 2012;

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Ulster, in regular session duly convened, as follows:

(1) Development Facilitation Improvement District No. 1 of the Town of Ulster be and the same hereby is expanded to add the tax parcel identified as SBL 48.58-7-21.10 into the district such that the Town of Ulster Planning Board can, by general or special rule, establish such conditions and such limitations as said Planning Board may deem appropriate in order to permit the erection of any structures hereafter to which access is to be given by means of said right-of-way;

(2) This Resolution shall take effect immediately.

2nd by Councilwoman Hendrick

All Ayes

Presentation of Local Law of 2012: Burglar Alarm and Fire Alarm Local Law of the Town of Ulster to the Town Board

Councilman Morrow reported that the current alarm law needs to be reapproved again and then resubmitted to the state with explanations on why certain sections of the law need to be more stringent than the state building code for approval.

Councilman Morrow moved to set a public hearing for September 20, 2012 at 7:15 PM

2nd by Councilman Brink

All Ayes

Public Hearing for Proposed Local Law Establishing a Chapter of the Code of the Town of Ulster Entitled “Prohibition of Synthetic Cannabinoids”

Councilman Morrow moved to open the public hearing at 7:15 PM
2nd by Councilman Brink
All Ayes

Town Attorney Jason Kovacs gave a brief overview of the law stating that the New York State Health Department passed regulations prohibiting the sale of synthetic cannabinoids. It was recommended that the local municipalities pass a local law prohibiting the possession of such items.

LT. Anthony Cruise reviewed the law and recommended approval.

There was no public comment.

Councilman Brink moved to close the hearing at 7:19 PM
2nd by Councilman Kitchen
All Ayes

Authorize the Supervisor to sign the Recreation Fee Agreement by and Among the Town of Ulster, Ulster Gardens Limited Partnership and Ulster Gardens Housing Development Fund Co., Inc.

Supervisor Quigley summarized an agreement valued at \$162,000 in recreation fees for the 164-unit Ulster Gardens project on East Chester Street Bypass. A \$1,000 a unit would be collected at the issuance of certificate of occupancy. The funds would be restricted to recreation capital improvements, subject to permissive referendums.

Councilwoman Hendrick moved to authorize the Supervisor to sign the Recreation Fee Agreement with Ulster Gardens Limited Partnership and Ulster Gardens Housing Development Fund Co., Inc.
2nd by Councilman Kitchen
All Ayes

Resolution Accepting Construction Easement for 58 Buckley Street [LaTorre Property]

Town Assessor James Maloney reported that there was a serious collapse caused by the recent storms along the banks of the Esopus at 58 Buckley Street. This affects a town water line and a Central Hudson Gas line. In order for the repairs to be effective on the town’s land, a repair of a portion of a private parcel of land has to be performed. An easement is required for the Town to go onto the private property to enact the repairs.

Supervisor Quigley thanked Legislator James Maloney for his work on getting a matching grant from the state to keep the cost of the project off the local tax payers.

Councilwoman Hendrick moved to approve the following:

RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT

WHEREAS, the Town of Ulster has received a grant from the Natural Resources Conservation Service to perform shoreline restoration and flood prevention work on real property owned by Andrew J. LaTorre located at 58 Buckley Street in the Town of Ulster; and

WHEREAS, the shoreline restoration and flood prevention work requires the obtaining of a certain easement from Andrew J. LaTorre, and

WHEREAS, said easement has been offered by Andrew J. LaTorre 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 Andrew J. LaTorre 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

Discussion on the search process to follow in identifying Candidates for the Town of Ulster Police Chief

Councilman Kitchen moved to referred this matter to the Personnel Committee to discuss
2nd by Councilwoman Hendrick
All Ayes

Approval of Consulting Agreement with Kingston Risk Management, Inc. (Ray Guerin) for marketing the Town's 2013 Workmen's Compensation Insurance

Councilman Brink moved to hire Kingston Risk Management, Inc. to market the Town's 2013 Workmen's Compensation Insurance to see if it is economically feasible to leave the Ulster County's workman comp. plan.
2nd by Councilwoman Hendrick
All Ayes

Motion to authorize attendance of Judge Kesick at the NYS Magistrates Conference in Syracuse, NY on September 10th and 11th

ULSTER TOWN BOARD MEETING

September 6, 2012 AT 7:00 PM

Councilman Kitchen moved to authorize Judge Kesick to attend the NYS Magistrates Conference in Syracuse, NY on September 10th and 11th

2nd by Councilman Hendrick

All Ayes

Motion to authorize attendance of Court Clerks at the NYS Magistrates Court Clerks Conference in Albany, NY from September 30th through October 3rd

Councilman Hendrick moved to authorize the Court Clerks to attend the NYS Magistrates Court Clerks Conference in Albany, NY from September 30th through October 3rd

2nd by Councilman Morrow

All Ayes

Motion to approve the hiring of one part time attendant for the Transfer Station

Councilman Kitchen moved to hire Louis G. (Jerry) DeFelicis as a part time Transfer Station Attendant for the Transfer Station with a rate of pay of \$10.00 an hour

2nd by Councilman Hendrick

All Ayes

Public Hearing for Proposed Local Law Establishing a New Ethics Law

Town Attorney Jason Kovacs gave a brief about the proposed local law. He was requested by the Town Supervisor to update the older law. There is some conflict with the Freedom of information Law (F.O.I.L.) as some of the disclosure laws would contain personal financial information and that would be withheld.

Councilman Morrow moved to open the public hearing at 7:30 PM

2nd by Councilman Kitchen

All Ayes

Public Comments

Mr. Robert Barton held a discussion with the Town Supervisor about requirements for serving on the Board of Ethics. There were no requirements. A suggestion was made for a whistle blower statue to be included.

Councilman Morrow moved to close the public hearing at 7:40 PM

2nd by Councilman Kitchen

All Ayes

Public Comments

Mr. Robert Barton complained about blasting from Callanan Industries.

Mr. Robert Crane thanked the Town Board for trying to isolate charge backs on the tax bills, so the public knows what they are being charged for.

ULSTER TOWN BOARD MEETING

September 6, 2012 AT 7:00 PM

Mr. Nelson White inquired about the grant cycle for the town.

Councilman Brink motioned to adjourn the meeting at 7:50 PM

2nd by Councilman Kitchen

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk