

ULSTER TOWN BOARD MEETING

November 1, 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

There was no public comment.

COMMUNICATIONS

No communications were read.

COMMITTEE REPORT

Councilwoman Cris Hendrick reported that the Annual Christmas Festival will be held on November 25, 2012. Santa Claus will be there. The Memorial Day River Festival Celebration will be held next year.

Motion to set a Public Hearing for Local Law for 2012 providing for the Adoption of a New Section 161-16 of Chapter 161 of the Town Code. Filing of Approved Subdivision Map

Councilwoman Hendrick moved to set a public hearing on November 15, 2012 at 7:30 PM for a proposed Local Law for 2012 providing for the Adoption of a New Section 161-16 of Chapter 161 of the Town Code for the filing of approved Subdivision Maps

2nd by Councilman Brink

All Ayes

Motion to set a Public Hearing for the 2013 Town of Ulster Town Budget

Councilman Morrow moved to set a public hearing for the 2013 Town of Ulster Town Budget on November 8, 2012 at 7 PM

2nd Councilwoman Hendrick

All Ayes

Motion to authorize the hiring of Gerry DeFelicis as a temporary employee for the Highway Department for a 90 day period

Councilman Kitchen moved to authorize the hiring of Gerry DeFelicis as a temporary employee for the Highway Department for a 90 day period at a rate of \$13.03 an hour effective October 29, 2012

2nd by Councilman Brink

All Ayes

ULSTER TOWN BOARD MEETING

November 1, 2012 at 7:00 PM

Motion to authorize the hiring of Jonathan McEvoy as a part-time employee of the Transfer Station

Councilman Brink moved to authorize the hiring of Jonathan McEvoy as a part-time employee of the Transfer Station at a rate of \$10.00 an hour effective October 29, 2012.

2nd by Councilman Hendrick

All Ayes

Resolution authorizing the Supervisor to open a new checking account with Chase Bank for the Route 9W Sewer Extension

Councilman Kitchen moved to approve the following:

Resolution Authorizing the Supervisor to Open a New Checking Account at JP Morgan Chase Bank, N.A.

WHEREAS, the Town of Ulster Town Board determines it is in the best interest of the Town of Ulster to open one (1) new checking account at JP Morgan Chase Bank, N.A.; now, 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 hereby declares JP Morgan Chase Bank, N.A., an official depository for town funds.
2. That the Town Board of the Town of Ulster authorizes the Supervisor to open the following checking accounts at JP Morgan Chase Bank, N.A., according to the terms and conditions of the authorizations granted in this resolution:
 - A. Route 9W Sewer Extension
3. That JP Morgan Chase Bank, N.A. is hereby authorized to pay and charge to any account of the Town of Ulster on their books, all such checks, drafts, or other orders when signed with mechanically affixed facsimile signatures of Town Supervisor James E. Quigley 3rd, Town Clerk Jason Cosenza, or Town Bookkeeper Ann Mitchell, regardless of by whom the facsimile signatures may have been affixed thereon, if the signature resembles the facsimile specimens furnished JP Morgan Chase Bank, N.A. Either of these three may act individually; this is not intended as solely a joint authorization.
4. That the Town Clerk is hereby authorized to file with JP Morgan Chase Bank, N.A., a duly certified copy of this resolution.

2nd by Councilwoman Hendrick

All Ayes

Resolution approving the SEQR form and approval of Kingston-Ulster Airport's repaving project approved by the FAA

ULSTER TOWN BOARD MEETING

November 1, 2012 at 7:00 PM

Councilman Morrow moved to table the resolution pending further clarification.

2nd by Councilman Kitchen

All Ayes

Buck's Junkyard License Denial

Councilman Morrow moved to approve the following resolution:

WHEREAS, Don S. Mackenzie, on or about July 17, 2012 filed an application for a Junk Yard License with the Town of Ulster Town Board (the "Board") relating to his business known as Buck Recycling Center f/k/a Buck's Junk Yard, which is located at 1015 Route 213, Town of Ulster, on property designated as Tax Map No. 56.71-2-2, and

WHEREAS, notice of a public hearing to be held at 7:25 p.m. on Thursday, October 18, 2012 at the Town of Ulster Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449 regarding said junk yard license application was duly published in the Daily Freeman, the official newspaper of the Town of Ulster, and

WHEREAS, said public hearing was duly conducted at said time and place. The Applicant was present and chose not to speak or discuss this application. Numerous neighboring property owners spoke in opposition to the project. The hearing was duly closed at about 7:45 p.m., and

NOW, THEREFORE, the Town of Ulster Town Board, pursuant to the delegation of power in Chapter 101 of the Town of Ulster Town Code, after due deliberation, based upon the testimony received at the public hearing, and the report of Town of Ulster Code Enforcement Officer Paul Andreassen, does hereby deny the application of Don S. Mackenzie to operate a junk yard on premises having Tax Map No. 56.71-2-2, having determined that:

1. Don S. Mackenzie has not complied with Chapter 145 of the Town Code (Site Plan Approval), pursuant to Town Code Section 101-4©. In particular, the October 18, 2011 approved site plan of the Town of Ulster Planning Board is not being complied with as follows
 - A. There are dumpsters in front of the property that are not part of the approved site plan;
 - B. Trees should be cut away from the fencing;
 - C. The fencing is in various degrees of disrepair/damage;
 - D. The masonry wall is not constructed pursuant to the approved site plan;
 - E. There are no permits on file with the Town of Ulster Building Department.
2. It in the best interest of the Town of Ulster to disapprove said application for a junk yard license for such public health, safety and welfare concerns

2nd by Councilman Kitchen

All Ayes

ULSTER TOWN BOARD MEETING

November 1, 2012 at 7:00 PM

Councilman Morrow moved to refund Mr. Don S. Mackenzie his \$1000.00 junkyard application fee

2nd by Councilman Brink

All Ayes

Public Comments

Mr. Robert Barton inquired if the town received any storm damage.

Highway Superintendent Frank Petramale reported that the town had received no flood damage from the Esopus. There was one tree down. There was some damage to the Robert E. Post Park and Rider Park. His crew was able to move the picnic tables and docks to a safe place before the storm. He is waiting for the tide to go down so they can inspect the shore line.

Mr. Richard Metzger complimented the Highway Superintendent and his crew for his many good works.

Town Assessor James Maloney thanked the Supervisor, the Town Board, all the Town Departments and Fire Departments for their preparedness before the storm.

Supervisor Quigley explained that there were many meetings, between the departments, all the Fire Departments, and the surrounding Towns and City to prepare.

7:20 – Proposed Local Law of 2012: A Local Law Providing for the Adoption of a New Chapter 123 of the Town Code [Parking, Stopping, and Standing]

Town Attorney Jason Kovacs gave an overview of the proposed local law. The purpose of the law is to enhance the parking ordinances so that they can be enforced by the court. If someone disregards a parking ticket, the DMV will be notified and their license will be suspended. The law allows the court to create a Traffic Violation Bureau which makes it easier for the court to handle parking tickets. It allows a person to plead guilty to a predetermined fine. This allows the Town to enforce traffic devices in the mall and shopping areas.

Councilwoman Hendrick moved to open the public hearing at 7:22 PM

2nd by Councilman Morrow

All Ayes

Public Comment

Mr. Richard Metzger inquired if private store parking areas are required to place stop signs where “stop” is written on the payment.

Supervisor Quigley asked Mr. Metzger to contact the Building Department to review the site plans to see if they are required.

Councilman Morrow motioned to close the hearing at 7:24 PM

2nd by Councilman Brink

All Ayes

ULSTER TOWN BOARD MEETING

November 1, 2012 at 7:00 PM

Councilwoman Hendrick moved to recess for 5 minutes

The motion was withdrawn

Councilman Morrow thanked the Town Highway Department for their excellent work in the FEMA repair along the Orlando Street area.

Councilman Kitchen thanked all the Fire Departments and the Town Departments for their participation in attending all the meetings pertaining to Storm Sandy.

Public Hearing at 7:30 for a Correction of a Structure owned by Horst Beir

Town Attorney Jason Kovacs reported that Town Building Inspector, Paul Andreassen, reported a building situated on the premises at 236 Glenerie Blvd. in the Town of Ulster, designated by Tax Map No. 39.7-7-39 reputedly owned by Horst O. Bier is an unsafe structure. The purpose of the hearing is for the Town and the owner to come to an agreement to remedy the situation.

Town Building Inspector, Paul Andreassen stated that there are two structures on the site that need to be fixed.

Councilwoman Hendrick moved to open the public hearing at 7:31 PM

2nd by Councilman Brink

All Ayes

Public Comment

Mr. Horst Beir, the owner of the property, stated that he never received any prior notices about any problems. Hurricane Irene took down a tree that damaged his house. The neighbor's trees keep hitting his house. He believes these people are responsible for damages to his property. He doesn't believe the house is a danger to anyone. He plans on taking down the garage in a couple of weeks. His long term plans are to tear down the building and install a module home

Supervisor Quigley suggested that the Town Board give Mr. Horst Beir 30 days to correct the situation and revisit the issue.

Councilman Morrow moved to adjourn the hearing and reopen it in 30 days

2nd by Councilman Kitchen

All Ayes

Councilman Morrow motioned to adjourn the meeting at 7:41 PM

2nd by Councilwoman Hendrick

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk