

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 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 requested that meter reading date be placed on the water bills.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilwoman Hendrick motioned to accept the minutes of the January 3, 2013 meeting.
2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Abstained

CARRIED

Councilwoman Hendrick motioned to accept the minutes of the January 17, 2013 meeting.
2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

COMMUNICATIONS

There were no communications to report.

ABSTRACT OF CLAIMS

Councilwoman Hendrick motioned to approve the February 2013 abstract as submitted
2nd by Councilman Morrow

Town Councilman Brink	- Aye
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ULSTER TOWN BOARD MEETING
 FEBRUARY 21, 2013 AT 7:00 PM

Town Councilman Kitchen - Aye
 Town Councilwoman Hendrick - Aye
 Town Councilman Morrow - Aye
 Supervisor Quigley - Aye

CARRIED

BUDGET MODIFICATIONS

2011 Audited Adjustments - per Toski

General Fund:

Transfer From

Transfer To

A9060.800	Hosp. & Dental Insur.	A8760.400	Emergency Disaster	51,500.00
A3620.101	Asst. Bldg. Inspector	A8760.400	Emergency Disaster	8,200.00
A3310.433	Two-Way Radio Service	A8760.400	Emergency Disaster	1,000.00
A1620.200	Equipment	A8760.400	Emergency Disaster	0.85
A1320.200	Computer Equipment	A8760.400	Emergency Disaster	0.40
A1670.404	Postage	A1910.400	Unalloc. Insurance	2,450.00
A1355.418	Legal/Profess. Service	A1910.400	Unalloc. Insurance	1,895.00
A1220.200	Office Equipment	A1910.400	Unalloc. Insurance	1,085.00
A1110.102	Court Security	A1910.400	Unalloc. Insurance	1,025.00
A1320.200	Computer Equipment	A1920.400	Dues	1,340.00
A1410.101	Deputy Clerks Wages	A1920.400	Dues	1,485.00
A1460.400	Record Management Expns.	A1920.400	Dues	1,555.00
A1670.414	Meter Rental & Supplies	A1920.400	Dues	1,775.00
A1110.102	Court Security	A1920.400	Dues	200.00
A1620.200	Equipment	A1920.400	Dues	5.00

MOTION: Councilwoman Hendrick
 SECOND: Councilman Brink

Town Councilman Brink - Aye
 Town Councilman Kitchen - Aye
 Town Councilwoman Hendrick - Aye
 Town Councilman Morrow - Aye
 Supervisor Quigley - Aye

CARRIED

2012 Budget Modifcations

General Fund:

Modify Revenue A3089 (St.Aid,Oth Gen.Aid) and Appropriation
 A1320.400 (Computer & Supplies) scanner/Grant from NYSERDA for
 Energy Star Appliances

258.74

ULSTER TOWN BOARD MEETING
 FEBRUARY 21, 2013 AT 7:00 PM

Modify Revenue A3089 (St.Aid,Oth Gen.Aid) and Appropriations
 A1110.402 (Off.Equip.&Computers) \$336.94 for Copy/Fax Machine -
 A1220.200 (Equipment)\$561.94 for Printer-phaser 4600, A1320.200
 (Computer Equip.) \$154.57 for a printer and A1410.400 (Computer
 Expense) \$1,108.50 for scanners /Grant from NYSERDA for Energy
 Star Appliances 2,161.95

Modify Revenue A2189 (DWI-Task Force) and Appropriation A3120.102
 (DWI-Wages) Dec. DWI wage reimb. 828.31

Modify Appropriation A9080.800 (Employee Benefit Liability) to be
 funded through A5990 (Approp.Fund Bal.) to fund reserve from excess
 fund balance 80,000.00

General Fund:

Transfer From	Transfer To	
A1110.102 Court Security	A1110.410 Computer Tech	770.00
A1220.103 P/T Payroll Clerk	A1220.403 Office Supplies	1,500.00
A1220.200 Equipment	A1220.403 Office Supplies	420.00
A1320.100 Bookkeeper Salary	A1320.402 Auditor	250.00
A1355.102 P/T Clerk	A1355.101 Office Clerk	724.00
A1410.102 P/T Clerk	A1410.101 Deputy Clerk Wages	344.00
A1410.102 P/T Clerk	A1410.400 Computer Expense	130.00
A1410.102 P/T Clerk	A1410.403 Off. Suppl & Petty Cash	43.00
A1355.418 Legal/Profess.Servs.	A1450.400 Election Inspectors,etc.	45,211.00
A1622.408 Heat-Senior Center	A1622.409 Rep/Suppl-Sen.Center	16.00
A3120.100 Police Wages	A3120.107 Sick,Vac,Per Buyouts	65,782.00
A3120.100 Police Wages	A3120.110 P/T Servs.Rendered	5,724.00
A3120.100 Police Wages	A3120.200 Equipment	21,869.00
A3120.201 Pol.Vehs.&Prep.	A3120.200 Equipment	7,212.00
A9060.800 Hosp.&Dental	A3120.203 Veh. Leases	66,334.00
A9060.800 Hosp.&Dental	A3120.403 Veh. Leases	1,344.00
A9060.800 Hosp.&Dental	A3120.410 Computer Tech.	32,200.00
A9060.800 Hosp.&Dental	A3120.411 Radio-Teletype Rental	7,187.00
A9060.800 Hosp.&Dental	A3120.420 Gas & Oil	2,423.00
A9060.800 Hosp.&Dental	A3120.430 Clothing/Cleaning	6,229.00
A9060.800 Hosp.&Dental	A3120.435 Canine	515.00
A9015.800 P&F Retirement	A3310.200 Traffic Cntrl Equip.	25,500.00
A9015.800 P&F Retirement	A7110.200 Equipment	15,710.00
A9015.800 P&F Retirement	A3620.421 Veh. Maint.	94.00
A9015.800 P&F Retirement	A5010.100 Hwy. Supt. Salary	0.03
A9015.800 P&F Retirement	A5010.403 Office Supplies	291.00
A9015.800 P&F Retirement	A5132.406 Telephone	1,301.00
A9015.800 P&F Retirement	A7110.420 Gas & Oil	403.00
A9015.800 P&F Retirement	A8010.102 Clerks Wages	1,035.00
A9015.800 P&F Retirement	A8160.404 Printing-Permits,Bills	439.00
A9015.800 P&F Retirement	A8989.400 Landfill Fees-Fire Dist.	2,319.00

ULSTER TOWN BOARD MEETING
 FEBRUARY 21, 2013 AT 7:00 PM

A1110.101	Clerks Wages	A6140.400	Home Relief	5,200.00
A1110.102	Court Security	A6140.400	Home Relief	8,000.00
A1220.104	Budget Officer	A6140.400	Home Relief	10,000.00
A1355.418	Legal/Profess.Servs.	A6140.400	Home Relief	21,000.00
A1460.400	Records Management	A6140.400	Home Relief	10,900.00
A1620.409	Rep/Supplies	A6140.400	Home Relief	18,500.00
A1620.454	Maint.	A6140.400	Home Relief	21,700.00
A1910.400	Unalloc. Insur.	A6140.400	Home Relief	19,900.00
A3121.400	Drug Enforce.	A6140.400	Home Relief	5,000.00
A6410.401	Empire Zone	A6140.400	Home Relief	5,000.00
A7140.101	Program Personnel	A6140.400	Home Relief	11,700.00
A8020.400	Planner	A6140.400	Home Relief	11,600.00
A8160.401	Dumping Costs	A6140.400	Home Relief	10,600.00
A9010.800	State Retirement	A6140.400	Home Relief	14,000.00
A9030.800	Social Security	A6140.400	Home Relief	3,200.00
A5132.407	Electric	A5132.408	Heat	545.00
A7110.102	Pks/Grounds Wages	A6772.400	Programs for Aging	131.00

MOTION: Councilman Brink
 SECOND: Councilman Morrow

- Town Councilman Brink - Aye
- Town Councilman Kitchen - Aye
- Town Councilwoman Hendrick - Aye
- Town Councilman Morrow - Aye
- Supervisor Quigley - Aye

CARRIED

2013 Budget Modifications

General Fund:

Modify Revenue A2705 (Gifts & Donations) and Appropriation A3120.435 (Canine) donations from: Mainetti,Mainetti,&O'Connor, New York Precast and Millens Recycling	6,000.00
Modify Revenue A2705 (Gifts & Donations) and Appropriation A3120.435 (Canine) donation from Kingston Block & Masonry Supply	1,000.00
Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Biddy Basketball) Jan. refereeing- Simphson Brown	100.00
Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Biddy Basketball) Jan. refereeing- Paul Remick	250.00

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

Modify Appropriation A3121.401 (Seizure Fund) to be funded through A5990 (Approp.Fund Bal.) disposition of case-Mitchell Kane 416.00

Modify Revenue A2705 (Gifts & Donations) and Appropriation A3120.435 (Canine) donation from Ul. Hose #5 250.00

MOTION: Councilman Brink
SECOND: Councilman Kitchen

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Resolution changing the due dates for the payment of Water and Sewer charges for all Water and Sewer Districts bills in the Town of Ulster effective with the 2013 second quarter billing cycle and increasing the penalty for late payment from 10% to 20%.

Whereas, the Town Board (hereinafter “Town Board”) of the Town of Ulster (hereinafter “Town”), has received numerous requests by the public that all the water and sewer bills be due at the end of the month, versus having 30 days to pay, and this topic has been fully discussed and considered by the Town Board,

Whereas, the current schedule is as follows; Jan. 30th, April 30th, July 30th & Oct. 30th.

Now, Therefore, the Town Board of the Town of Ulster, does hereby resolve as follows that the due dates for all water and sewer bills be as follows: Jan. 31st, April 30th July 31st & Oct. 31st. This billing change will become effective with the second quarter of the 2013 billing cycle.

Further Be It Resolved, that any balance due after the end of the month, that there will be subject to a *twenty percent (20%)* penalty applied to the unpaid balance. It is the property owner or landlord's responsibility to make sure payments are made on their properties. In the event that there are any water and sewer bills that have been delinquent after October 31st of any year, the Water & Waste Water Department shall report the names of the defaulting persons to the Town of Ulster Assessor, and the Assessor will be directed to relevy the outstanding water balance to the property owners tax bill.

MOTION: Councilman Kitchen
SECOND: Councilman Brink

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion authorizing the Supervisor to sign the 2013 DWI Task Force Agreement with Ulster County

MOTION: Councilman Kitchen
SECOND: Councilwoman Hendrick

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Resolution in support of New York State Assembly bills A.88 and A.824 requiring that lending institutions holding mortgages on vacant structures provide contact information to the Town.

WHEREAS, vacant, abandoned, and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party to units of local government; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures, and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Ulster Town Board supports the passage of said Bills; now, therefore, be it

RESOLVED that the Town of Ulster Town Board hereby supports the passage of said Bills and respectfully requests that Assemblyman Kevin Cahill and Senator Cecilia Tkaczyk support the passage of said Bills; and be it further

RESOLVED that the Town Clerk send a certified copy of this resolution to Assemblyman Kevin Cahill and Senator Cecilia Tkaczyk within ten (10) days.

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

MOTION: Councilman Kitchen
SECOND: Councilwoman Hendrick

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Discussion on the use of the Power Pay Software for the Town Clerk's Office

Town Clerk Cosenza requested that Town Board enter into contract to widen the payment options for residents to the Township. Power Pay offers a free service to the town that would allow them to collect credit card payments over the counter and on-line. The user would pay a convenience fee for the service. The matter was referred to the Town Attorney for review.

Resolution authorizing the Town Supervisor to advertise for public bid for contract TU-131 "Installation of Low Pressure Sanitary Sewer Force Main and Appurtenances for the Route 9W North Sewer Extension" at the direction of the Town Supervisor.

Whereas, the Town Board has approved the extension of sanitary sewer service to the Bread Alone site and the Central Hudson site on Route 9W North; and

Whereas, the extension is being funded by the two property owners; and

Whereas, plans and specifications for the installation of a low pressure sanitary sewer system have been completed and submitted for approval; and

Whereas, regulatory approval is expected to be granted during the month of February; and

Whereas, time is of the essence for construction of the improvements and it is in the Town's interest to have construction completed by June 30, 2013.

Therefore Be It Resolved that Contract TU-131, Installation of Low Pressure Sanitary Sewer Force Main and Appurtenances for the Route 9W North Sewer Extension, be advertised for public bids and the bid date will be established at the direction of the Town Supervisor.

By Order of the Town Board, Town of Ulster, this 21st day of February, 2013.

MOTION: Councilman Morrow
SECOND: Councilman Kitchen

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion authorizing the Supervisor to sign the Application of Supervisor For Extension of Time For Collection of Taxes to the Commissioner of Finance of the County of Ulster until June 1, 2013.

MOTION: Councilwoman Hendrick
SECOND: Councilman Morrow

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Discussion on the request of Mr. McElrath to provide for the payment of County and General Real Property Taxes on the installment method

The Town Board discussed the concept of eliminating a penalty and changing the tax collection schedule. This matter would be further investigated by the Town Supervisor and Assessor's Office and will report back to the Town Board.

Presentation of Local Law - A Local Law Providing for the Adoption of Chapter 191 of Town of Ulster Town Code [Zoning Board of Appeals Bylaws]

Town Attorney, Jason Kovacs, reported that the Town Zoning Board recently adopted a new set of bylaws. He is forwarding a copy of this to the Town Board to adopt as a local law so there is no confusion in this matter.

Presentation of Local Law - A Local Law Establishing a Chapter of Town of Ulster Town Code Entitled "POLICE DEPARTMENT DISCIPLINE PROCEDURES"

Town Attorney, Jason Kovacs, reported that this proposed law sets procedures used in police department disciplinary cases. There would be interviews conducted by the police chief, or someone designated by the chief, within 14 days of a complaint against a police department member. If disciplinary action is recommended, the employee would have eight days to request a hearing. Employees would be allowed represented by an attorney during the process.

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

Motion authorizing the Supervisor to sign a letter to the City of Kingston requesting a change in the By Laws of Kingston Area Public Access TV.

MOTION: Councilman Morrow
SECOND: Councilwoman Hendrick

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion authorizing the Supervisor to open a checking account at JP Morgan Chase for the Route 9W North Sewer Extension Capital Project.

MOTION: Councilwoman Hendrick
SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion Authorizing the Supervisor to sign a Stipulation of Agreement by and between the Town of Ulster and the Town of Ulster Policemen's Benevolent Association, Inc. designating the position of Police Chief as both managerial and confidential within the meaning of the Civil Service Law and moving the title of Lieutenant to the PBA unit.

MOTION: Councilwoman Hendrick
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

Motion accepting the resignation of Aimori Brown, Dog Control Officer effective immediately.

A heated discussion occurred about addressing animal control problems in the Town. The Town Supervisor would look into the issue and report back at the next meeting.

Motion to schedule a Public Hearing for a special use permit for Catskill Tennis Club for Thursday, March 21, 2012 at 7:20PM as required by Town of Ulster Town Code Section 190-69.

MOTION: Councilwoman Hendrick

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Discussion on proposed Local Law of 2012 “Permit Parking”.

The town board discussed the proposed permit parking issue. The proposed local law would place the SBL number on the parking permits.

Public Comment

Mr. Robert Barton requested that the Town Board send a letter requesting the removal of flow control law for the Ulster County Recourse Recovery Agency to Ulster County Legislation as it will increase the cost of private haulers.

Executive Session

Councilman Morrow moved to enter into executive session at 7:46 PM to discuss a personnel issue pertaining to a disciplinary action.

2nd by Councilwoman Hendrick

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Town Assessor Maloney and Town Attorney Jason Kovacs were present in the meeting.

ULSTER TOWN BOARD MEETING
FEBRUARY 21, 2013 AT 7:00 PM

Councilwoman Hendrick moved to exit executive session at 8:14 PM
2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

The Town Board resumed its regular meeting at 8:15 PM.

Supervisor Quigley reported that the Personnel Committee will develop a process memo to be delivered to all the Department Heads in regard to the reporting of personnel issues to the Town Supervisor's Office and the Personnel Committee. He further reported that Councilmen Kitchen and Morrow will undertake a review of the animal control issue and the service to be procured and provided to the Town of Ulster.

It was declared that all letters of resignation shall be filed in the Town Clerk's Office and must include a signature to be effective.

Councilman Brink moved to adjourn the meeting at 8:18 PM
2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk