

ULSTER TOWN BOARD MEETING
MAY 15, 2014 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES QUIGLEY 3rd

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Secreto motioned to accept the minutes of the April 3, 2014 and April 24, 2014 meetings.

2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

COMMUNICATIONS

A letter was read from Diane Kotze thanking the Park Department for its great work on keeping the Robert E. Post Park well maintained.

ABSTRACT OF CLAIMS

Councilman Secreto motioned to approve the April 2014 abstract as submitted

2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

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BUDGET MODIFICATIONS

General Fund:

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) 9 Yards of infield mix for ballfield from J. Cutrone

Highway Fund:

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) March Gas Reimb. (Oper.Funds) 734.40

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) March Gas Reimb. (Ulster Hose #5) 9,901.65

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) March Gas Reimb. (Ruby Fire Dist.) 180.51

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (Town of Kingston Hwy. Dept.) 228.36

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) March Gas Reimb. (Town of Kingston Hwy. Dept.) 1,581.38

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (E. Kingston Vol. Fire Co.) 607.48

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (E. Kingston Vol. Fire Co.) 570.79

Modify Appropriation SW1.8320.456 (Water Tank Painting) to be funded through SW1.5990 (Approp.Fund Bal.) payment to Amstar of WNY for cleaning & coating repair of water storage tank for \$67,500.00 and payment to Brinnier & Larios for engin.services for re-coating water storage tank for \$585.00 423.00

68,085.00

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilman Morrow - Aye
Town Councilman Secreto - Aye
Supervisor Quigley - Aye

CARRIED

Presentation of 2013 MS4 report by Fire Inspector David Allen

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Capt. David Allen, the town's stormwater officer, gave an overview of the town's stormwater management plan. He reported that the purpose of MS4 is to track the flow of storm water to handle where the water is coming from and where it is going. The current districts are in residential areas. He reported one incident that he had investigated. There was some light discussion that followed.

Public Comments

Mr. Robert Crane felt MS4 should be looking at the water turbidity of the Esopus and what is passing through the town.

7:15 pm – Application for 2014 CFA Grant for Brigham Lane Water Line Extension

Councilman Brink moved to open the public hearing at 7:17 PM
2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Mr. Mark Blauer, the town grant writer, stated that the purpose of this hearing is to solicit suggestions from the public for project proposals. The town was interested in applying for a \$600,000 grant to install a water line to the Brigham Lane area. He felt confident that this would be a very competitive grant as it meets all the marks of helping low to moderate income neighborhoods. The town would consider other ideas if the public suggested them.

Public Comments

There was no public comment.

Councilman Brink moved to close the public hearing
2nd by Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to accept the retirement of Lt. Barringer from the TOU Police Dept. in Good Standing

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MOTION: Councilman Secreto
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to approve the hiring of Adam Rua, as a seasonal employee for the Water Department at a rate of pay of \$10.00 an hour effective June 1, 2014

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to accept the resignation of Leanne Buchinger as a full time court clerk

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to approve the hiring of Leanne Buchinger as a part-time court clerk effective May 13, 2014 at a rate of pay of \$15.80

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye

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Town Councilman Morrow - Aye
Town Councilman Secreto - Aye
Supervisor Quigley - Aye

CARRIED

Motion to approve the hiring of Lindsay Marinelli as a part-time Police Officer effective May 16, 2014 at a rate of pay of \$19.19

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilman Morrow - Aye
Town Councilman Secreto - Aye
Supervisor Quigley - Aye

CARRIED

Schedule a Public Hearing on June 5, 2014 at 7:15 pm for Special Permit Application for Mobile Home outside a Trailer Park on 154 Esopus Ave., Kingston, NY, parcel 48.49-1-18.200

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilman Morrow - Aye
Town Councilman Secreto - Aye
Supervisor Quigley - Aye

CARRIED

Resolution Authorizing the Supervisor to close the savings account at Key Bank for the TOU Police Block Grant

WHEREAS, the following bank account at Key Bank is no longer needed for the town's banking needs, and are considered superfluous;

Key Bank Account

Police Block Grant Account #323245004730

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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 authorizes the Supervisor to close the following bank account at Key Bank according to the terms and conditions of the authorizations granted in this resolution:

Key Bank Account

Police Block Grant Account #323245004730

2. That the Town Clerk is hereby authorized to file with Key Bank a duly certified copy of this resolution

MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution Authorizing the Supervisor to close the checking account at Key Bank for the Capital Reserve Account

WHEREAS, the following bank account at Key Bank is no longer needed for the town's banking needs, and are considered superfluous;

Key Bank Account

Capital Reserve Account #323240007472

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 authorizes the Supervisor to close the following bank account at Key Bank according to the terms and conditions of the authorizations granted in this resolution:

Key Bank Account

Capital Reserve Account #323240007472

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2. That the Town Clerk is hereby authorized to file with Key Bank a duly certified copy of this resolution

MOTION: Councilman Secreto
SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to authorize Hudson Valley Appraisal Corporation to prepare an appraisal on the Ulster Water Tank property located on E. Chester St. bypass

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Presentation of Draft Cyber Security Notification Policy

Supervisor Quigley offered this policy for review. It is required by various state statutes.

Safety Net Overview

Supervisor Quigley reported the historical safety net costs since 2006. His presentation showed the favorable tax savings for the exchange of sales tax revenue for reduced safety costs.

PUBLIC COMMENT

There was no public comment.

Councilman Secreto moved to enter into executive session at 7:35 PM to discuss a pending litigation
2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye

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Town Councilman Secreto - Aye
Supervisor Quigley - Aye

CARRIED

Town Attorney, Jason Kovacs was present in the executive session.

Executive session was ended at 7:45 PM

Resolution Approving Settlement in the AMtter of Mary Ann LaLumia v. Town of Ulster

WHEREAS, a Summons and Complaint in the matter of LaLumia v. Town of Ulster, et al., bearing United States District Court for the Northern District of New York File No. 1:13-cv-01012-DNH-CFH was duly served upon the Town of Ulster on or about September 4, 2013; and

WHEREAS, the Town of Ulster, with the assistance of the Morris, Duffy Law Firm, Attorneys for the Town of Ulster, having duly made and filed their Answer to said Summons and Complaint, and

WHEREAS, the Plaintiff and the Town of Ulster are prepared to enter into an agreement and stipulation of compromise and settlement of their differences in summary as follows:

The Town of Ulster shall pay \$10,000.00 to Plaintiff Mary Ann LaLumia, and Midwest Claims Service, on behalf of the Town of Ulster, shall pay Plaintiff Mary Ann LaLumia \$40,000.00, for a total sum of \$50,000.00 paid to Plaintiff.

WHEREAS, it appears to be in the best interests of the Town of Ulster to settle said matters as recommended by Morris, Duffy Law Firm without further attendant legal costs relating to said matters,

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

1. The Town Board be and they hereby are authorized to enter into a stipulation of settlement of said pending proceeding on the terms set forth herein.
2. The Supervisor of the Town of Ulster be and hereby is authorized to make and pay the sum of \$10,000.00 to Mary Ann LaLumia upon receipt of a fully executed General Release running in favor of the Town of Ulster, and Midwest Claims Service.
3. This Resolution shall take effect immediately.

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink - Aye

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Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Councilman Morrow moved to adjourn the meeting at 7:46 PM
2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk

May 15, 2014
7:15 Public Hearing
OCR CFA Small Cities,
Grant Application

Name

John Rose

FRANK Petramale

Kathryn Morin

Julia Case

John More

JASON KOVALS

ROBERT RUGGIERO

Jason Cosenza