

ULSTER TOWN BOARD MEETING
JULY 3, 2014 AT 7:00 PM

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

SALUTE TO THE FLAG

A moment of silence was observed for Thomas K. Casey and Marylou S. Whalen

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.

COMMUNICATIONS

No communications were read.

James P. Gramoglia was sworn in as a Lieutenant

James A. Seyfarth was sworn in as Sergeant.

Resolution authorizing installation of no parking signs at the intersection of Northfield Streets

WHEREAS, the Town Board has been advised by residents of Northfield Street area that there is a public safety need to prohibit on-street parking fifty (50) feet from the west side of Northfield Street, starting as the Plainsfield Street side, extending in all directions; now, therefore, be it

RESOLVED that the Town of Ulster Highway Department install “no parking” signs fifty (50) feet from the intersection from the western side of Northfield Street, starting at the Plainsfield Street side extending in all directions.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Supervisor Quigley suggested to amending the resolution to show only Northfield Street (as written above).

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

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Supervisor Quigley - Aye

Motion Carried

Vote on the resolution as amended

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

Motion Carried

Ongoing discussion on Town of Ulster Transfer Station in light of UCRRA letter of May 29, 2014 and UC Supervisors Meeting of 6/17/2014

A discussion occurred among the Town Board members. Councilman Kitchen, after consulting with the workers, suggested that the town review purchasing some used roll off containers and a used truck to haul them to the UC RRA to save money. He would look into it. Further discussion occurred about co-mingling of recycles.

Set Public Hearing for a proposed local law establishing a new section 190-34 of Chapter 190 of the Town Code addressing pre-existing and non-conforming signs for July 17, 2014 at 7:10 PM

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

Motion Carried

Set Public Hearing to review the application for site plan approval for TMI Hospitality to install a hotel on a property located at 650-998 Frank Sottile Blvd, parcel # 48.8-1-34.11 in an RC zone for July 17, 2014 at 7:15 PM.

MOTION: Councilman Brink
SECOND: Councilman Morrow

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye

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

Motion Carried

**Resolution in Support of Proposed County Resolution No. 224 of July 15, 2014,
Authorizing Ulster County to Pay for the Cost of Election Expenses**

WHEREAS, Ulster County Resolution No. 410 of December 6, 2006 authorized the County of Ulster to charge back the towns and the City of Kingston for the cost of elections; and

WHEREAS, the Help America Vote Act, or HAVA, mandated that all states and localities upgrade many of their election procedures, including their voting machines, registration processes and poll worker training; and

WHEREAS, the increased costs associated with elections have proven to be a substantial expense and burden on the Town of Ulster; and

WHEREAS, the financial burden is expected to escalate, as future costs associated with repair and/or replacement of the new electronic voting machines could be cumbersome; and

WHEREAS, pursuant to New York State Election Law, Article 4, Section 4-136, "...the expenses of providing polling places, voting booths, supplies thereof, ballot boxes and other furniture for the polling place for any election, including the storage, transportation and maintenance of voting machines, appliances and equipment or ballot counting devices, and the compensation of the election officers in each election district, shall be a charge upon the county in which such election district is situated..." and

WHEREAS, New York State Election Law, Article 3, Section 3-226 states that "All voting machines, and appliances and equipment relating to or used in the conduct of elections shall be in the care, custody and control of the board of elections," and therefore, not the responsibility of the local municipalities; and

WHEREAS, the Town of Ulster has no say in the increases in the chargeback pricing rates; and

WHEREAS, the Town of Ulster has no ultimate authority as to who is hired by the county to be local election workers; and

WHEREAS, the Town of Ulster has no authority for election worker compensation rates;

WHEREAS, in a reasoned September 23, 1992 opinion to Broome County, the New York State Comptroller said, in part, "there is no requirement that the chargeback should appear in a city, town, or village budget," and

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WHEREAS, the county does not charge back for services it renders from the Sheriff's Office, Weights and Measures, Emergency Services, District Attorney's Office, or the other county departments, and

WHEREAS, the Town has become a "middleman" in the election process rather than an active participant with any authority of home rule; and

WHEREAS, this chargeback is no less than an unfunded mandate from the County to the Town of Ulster; and

WHEREAS, County Resolution No. 224, currently pending, would direct the cost of election expenses be borne by Ulster County, and not billed to its municipalities, effective January 1, 2015; and

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

RESOLVED that the Town of Ulster Town Board hereby supports the passage of said Resolution and respectfully requests that the Ulster County Legislature pass the proposed resolution; and be it further

RESOLVED that the Town Clerk send a certified copy of this resolution to the Ulster County Legislature and Ulster County Executive within ten (10) days.

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

Motion Carried

Executive Session in regard to Local 17 Labor Negotiations

Councilman Kitchen moved to enter executive session at 7:22 PM
2nd by Councilman Brink

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

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CARRIED

Councilman Secreto excused himself from the executive session due to his wife being in the union. Town Attorney Jason Kovacs and Highway Superintendent Frank Petramale were present.

Executive session ended at 8:00 PM

Supervisor Quigley reported that no actions were taken.

Councilman Morrow moved to adjourn the meeting at 8:01 PM
2nd by Councilman Secreto

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