

ULSTER TOWN BOARD MEETING

April 16, 2015 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY at 7 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 - Absent

SUPERVISOR JAMES QUIGLEY 3rd

AGENDA ADDITIONS

Letter from Carollee Carpino to be discussed

PUBLIC COMMENT

None

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Brink motioned to accept the minutes of the March 5th, March 12th, and March 19th, 2015 meetings.

2nd by Councilman Kitchen

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

COMMUNICATIONS

A letter was read from the Ulster County Coalition Against Narcotics (Louis Klein, Chairman) regarding Resolution number 371. Informational letter explaining the mission of the Coalition.

A letter was read from Senator George Amedore informing Supervisor Quigley that the Town of Ulster will be receiving \$149,508.61 from the CHIPS Program as part of the 2015-16 State Budget. In addition, the Town will receive \$21,167.23 in extreme weather recovery funding.

A letter was read from resident Carollee Carpino regarding the condition of Boices Lane Extension, asking for the Town to come up with a remedy to fix this privately owned road.

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ABSTRACT OF CLAIMS

Councilman Morrow motioned to approve the April 2015 abstracts as presented as submitted, 2nd by Councilman Kitchen

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

BUDGET MODIFICATIONS

General Fund:

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|--|-----------|
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Bidy Basketball League) Jan. & Feb. refereeing-Simpson Brown | 175.00 |
| Modify Revenue A2665 (Sale of Equipment) and Appropriation A3120.435 (Canine) sale of 2007 Dodge Magnum to Sheriff's Dept. | 3,000.00 |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund-Rec.Equip.Reserve) addl. budget funding | 10,000.00 |

Highway Fund:

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|--|-----------|
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (Oper. Funds) | 5,469.37 |
| Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.200 (Equipment) checks from Town of Hurley & Town of Shandaken - town share of used Elgin Pelican Sweeper purchase | 24,975.00 |

BRIGHAM LANE

WATER CAP.PROJ.:

Total -
\$612,465.00

Revenues:

| | | |
|----------|-----------------------------------|--------------|
| HBL-3991 | St.Aid,Small Cities Grant | \$600,000.00 |
| HBL-5031 | Interfund Transfer - Town Funding | 12,465.00 |

Appropriations:

| | | |
|--------------|----------------|--------------|
| HBL-8310.200 | Construction | \$525,465.00 |
| HBL-8310.400 | Engineering | 63,000.00 |
| HBL-8310.401 | Administrative | 24,000.00 |

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MOTION: Councilman Morrow

SECOND: Councilman Kitchen

| | |
|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

NEW BUSINESS

Presentation by Dennis Larios, of Brinnier and Larios, P.C. on recoating/Replacement of Ulster Water District South Tower.

Mr. Larios outlined the 3 options available, along with the associated costs involved with each option. His presentation included a printed presentation for the Board to review.

He recommends that the Ulster Water District begin planning for the replacement of the 4.8 MG tank with a pre-stressed concrete tank at a total volume of 3 MG +/- . This will, in conjunction with the North Tank, provide adequate system storage for the Ulster Water District and meet the requisite fire flow requirements of the District.

Councilman Kitchen and Councilman Secreto will meet with John Rose, Ulster Water Superintendent to evaluate and bring back to the Board.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Prior to calling the Public Hearing to order, Supervisor Quigley asked that Mr. Blauer, the Town's Grant Writer to explain the CFA Grant requirements for this Public Hearing and what is already in place for the Town to possible receive a 2015 Grant.

Mr. Blauer explained the process and the one due date available each year for these funding applications done online. The Public Hearing notice as published was explained and tells the public what is available, and the process is for public involvement.

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A recap was given of projects previously granted in prior years, and how this grant, which is a competitive process has impacted our town. The Halcyon Park Water District is hopefully eligible for this grant, and is something the Town is looking towards for this year.

Surveys for Income Eligibility are being distributed, as this is a key element to the grant.

Mr. Blauer asked that the Public Hearing be opened to gather input from the public.

Motion was made by Councilman Morrow, seconded by Councilman Brink to open the Public Hearing at 7:45 pm.

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Lisa Dachenhausen, a resident read a letter prepared by her and Steve Dachenhausen explaining the problems that plague the area adjoining the Halcyon Park Water District, and asked the Town to allow the resident of Dachenhausen lane to connect to the water district if they choose.

She spoke in support of the Halcyon Park Water District project for this years Grant Application.

Motion was made by Councilman Brink, seconded by Councilman Morrow to close the Public Hearing at 7:46 pm.

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Supervisor Quigley added that the Public would be kept informed as the Town goes through the Project and Grant Process. He encouraged everyone involved to cooperate with Mr. Blauer and the income survey responses. This will help with the demographics of the area.

Returning to the regular Town Board Meeting at 7:48 pm

ULSTER TOWN BOARD MEETING

April 16, 2015 AT 7:00 PM

NEW BUSINESS

Motion to authorize the hiring of one Full Time Temporary Police Officer, Kevin Woltman, at a starting salary of \$42,185.00 per year, start date of 04/20/15.

MOTION: Councilman Morrow

SECOND: Supervisor Quigley

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

**Motion to authorize the hiring of four seasonal employees for the Recreation Department
Richard Metzger, Park Attendant, starting wage \$10.00 per hour, start date of 04/20/15
Frank Rittie, Park Superintendent, starting wage \$11.00 per hour, start date of 04/20/15
Trenton Kitchen, Park Attendant, starting wage \$10.00 per hour, start date of 04/20/15
Robert Nylassy, Park Attendant, starting wage of \$9.00 per hour, start date of 04/20/15
Josh Gilman, Park Attendant, starting wage of \$9.00 per hour, start date of 04/20/15**

MOTION: Councilman Morrow

SECOND: Supervisor Quigley

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Abstained |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Motion to authorize the change in salary for Clerk to Justice, Patti Ilgner, to \$16.30 per hour.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Discussion on Procedure for 30 Day Advance Notice for Liquor License and Renewals, and Procedure for Waiver of same.

Mr. Kovacs explained the procedure for the application, and also for the 30 day waiver, which expedites the license renewal.

The proposed process as discussed with Town Clerk McDonough, will be that the Town Clerk transmit the applications to the Town Board, the Superintendent and the Police Chief by electronic format, and if there are any objections by any of the above, they be directed to the Supervisor. At that time, the Town Supervisors Office will consider issuing the 30 Day Waiver letter, if it's requested. If there are issues raised, they will discuss it, and come to a decision as to the course of action on a case by case basis.

Resolution Establishing Procedure upon Receipt of Application for Liquor Licenses

WHEREAS, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, notice is given in order that said municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board, and

WHEREAS, the Town of Ulster has heretofore not established a procedure on how to respond to such applications pursuant to the ABC Law; now, therefore, be it

RESOLVED, that upon receipt of such an application or renewal, the Town Clerk shall circulate such application or renewal to the Town Supervisor, Town Board, and Town Police Chief, and be it further

RESOLVED, that if no adverse comments or recommendations of any kind are received by the Town Supervisor from the Town Board or the Town Police Chief, the Town Supervisor is hereby authorized and empowered to waive the 30 day notification required by the New York State Liquor Authority and to sign any and all documents in support of such waiver.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

ULSTER TOWN BOARD MEETING

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Resolution Authorizing Release of Easement(s)

WHEREAS, a request was submitted by 1561 Ulster Properties, LLC, the owner of SBL 39.82-2-7.110 for the discontinuance and release of a sanitary sewer easement which encumbers the aforementioned tax map parcel; and

WHEREAS, the Town of Ulster Sewer Department has consented to the release of said drainage easement; and

WHEREAS, said sanitary sewer easement is no longer needed for Town purposes; and

RESOLVED, that, subject to permissive referendum, that the Town Board of the Town of Ulster hereby authorizes the Supervisor to sign a Release of Easement to permit a release of a portion of an existing sanitary sewer easement at 1561 Ulster Avenue, Lake Katrine, NY 12449 [SBL 39.82-2-7.110] as shown on Map No. 13-134, entitled "Subdivision Plat – MHMG-KM Kingston, LLC" recorded on October 18, 2013 in the office of the Ulster County Clerk; and be it further

RESOLVED, that the Release of Easement shall be in the Town's format and shall be recorded at the Ulster County Clerk's Office with a certified copy of this Resolution at the expense of the property owner; and be it further

RESOLVED, that the Town Clerk shall publish the attached Notice of Resolution Initiating Permissive Referendum in Daily Freeman within ten (10) days of adoption of this resolution:

NOTICE OF RESOLUTION INITIATING PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Ulster, County of Ulster, State of New York, at a meeting thereof held on April 16, 2015, duly adopted a resolution, an abstract of which follows:

A resolution, subject to permissive referendum, authorizing the Town Supervisor to execute such documents as may be necessary to permit a release of a portion of an existing sanitary sewer easement at 1561 Ulster Avenue, Lake Katrine, NY 12449 [SBL 39.82-2-7.110] as shown on Map No. 13-134, entitled "Subdivision Plat – MHMG-KM Kingston, LLC" recorded on October 18, 2013 in the office of the Ulster County Clerk

MOTION: Councilman Brink

SECOND: Councilman Kitchen

| | |
|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

ULSTER TOWN BOARD MEETING

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Resolution Accepting Conveyance of Sanitary Sewer Easement

WHEREAS, as a condition of the approval of the Mid-Hudson Medical Group complex at 1561 Ulster Avenue in Lake Katrine, the Town of Ulster Planning Board and the Town of Ulster Town Board required that the applicant convey a sanitary sewer easement and right of way to the Town of Ulster; now therefore be it

RESOLVED, that the Town Board hereby accepts the conveyance of the following:

Name of Owner 1561 Ulster Properties, LLC

Sanitary sewer easement and right of way as described in Schedule "A", annexed hereto and made a part hereof; a portion of SBL: 38.82-2-7.116

And be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval of the Town Attorney of all necessary documents including review of the proposed Deed in the Ulster County Clerk's Office, provision of the title report, provisions for payment of all taxes, recording fees, and assessments which are acceptable to the Town Attorney, and be it further

RESOLVED, that there be appended to the within resolution, a copy of the recorded conveyance after it has been filed with the Ulster County Clerk.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

- | | |
|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Discussion with the Town Board on the City of Kingston's use of Athletic Facilities

No concerns expressed, as it all worked well last year. The consensus is that they should be allowed to use it under the same terms as last year. The inter-municipal agreement will be prepared and brought to the May meeting.

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Motion to withdraw the Ulster Police Department from the Ulster County Emergency Response Team, and to authorize the Town of Ulster Police to notify the Ulster County Sheriff's Office of the withdrawal.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

Motion for the Town of Ulster to support BSA Troop 8 for a Fitness Awareness and Fundraiser Event for May 17, 2015. There will be a requirement of assistance from potentially the Highway Department and the Police Department since part of this will run thru the Town.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

| | |
|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

Motion to allow the Supervisor to sign the Town of Ulster – City of Kingston Range Agreement for 2015. This Agreement allows the City of Kingston Police Dept. to use the Firearms Range.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

| | |
|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

ULSTER TOWN BOARD MEETING

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Motion to authorize the Supervisor to sign the MOA Re: Stacey Hommel

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

Additional Agenda Item

Boice's Lane Extension – In reference to the letter from Carollee Carpino regarding the condition of the road, and the ownership for maintenance of said road. As stated in the letter, Ms. Carpino is concerned with the condition of the road, and would like it repaired.

Mr. Kovacs explained the history behind this road, and the ownership by AG Properties LLC. The Town has no responsibility to maintain this road. As a result of the subdivision when the property was owned by IBM, the Town may exercise a right by notifying AG Properties, LLC and demanding that they turn over Boice's Lane Extension to the Town of Ulster for use as a public road.

A discussion was held with the Town Board in favor of resolving this matter.

Motion authorizing Mr. Kovacs the town attorney, to write a demand letter asking AG Properties, LLC to live up to the requirements of the 1996 subdivision.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

PUBLIC COMMENT

Michael Berardi, a resident, asked if this should be declared a nuisance property and have the Town maintain the road. The Town would then bill back the property thru real estate taxes.

It was explained by Supervisor Quigley that it is in the best interest, for everyone involved, to write the demand letter.

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Chief Cruise asked about the traffic signal and if that would become town responsibility. The traffic light would remain the responsibility of IBM.

Councilman Morrow moved to adjourn the meeting at 8:09 PM
2nd by Councilman Brink

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|--------------------------------|-----------------|
| Town Councilman Brink | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow | - Aye |
| <i>Town Councilman Secreto</i> | - <i>Absent</i> |
| Supervisor Quigley | - Aye |

CARRIED

Respectfully Submitted by
Linda McDonough
Ulster Town Clerk