

# **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

## **CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN**

## **SALUTE TO THE FLAG**

## **ROLL CALL BY CLERK**

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCIL MEMBER CRIS HENDRICK

TOWN COUNCILMAN JOHN MORROW

SUPERVISOR JAMES QUIGLEY 3<sup>rd</sup>

Town Supervisor Quigley offered a Pride of the Town Award to Officer Sykes in responding to a suicidal male and rescuing him from jumping off the Kingston Rhinecliff bridge.

Council Member Hendrick moved to approve the following:

**WHEREAS, the Town is required by Town Law to make certain designations and appointments, establish salaries, paydays, schedule meetings and determine certain other matters;**

## **NOW, THEREFORE BE IT RESOLVED:**

**The Town Board makes the following designations:**

### **1. Depositories for Town Funds:**

HSBC, Key Bank, J.P. Morgan Chase Bank, Citizens' Bank

### **2. Official Newspapers:**

The Kingston Times, The Daily and Sunday Freeman

### **3. Pay Days:**

Elected and appointed Employees - bi-weekly or monthly

Part-time employees - bi-weekly or monthly

Full-time employees – bi-weekly

### **4. Salaries of Elected Officials:**

Supervisor	\$45,000.00
Town Clerk	40,000.00
Town Justice (2 each)	35,000.00
Council Member (4 each)	9,000.00
Superintendent of Highways	50,000.00

### **5. Appointments:**

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

Secretary to the Supervisor – Margaret King  
Attorney to the Town – Jason J. Kovacs Esq.  
Special Attorneys to the Town – Kevin R. Bryant, Rebecca Milouras-Lettre  
Director of Emergency Management – Andrew J. Buboltz Jr.  
Director of Recreation – Jeffrey Hayner  
Confidential Bookkeeper - Ann Mitchell  
Registrar of Vital Statistics - Jason Cosenza  
Deputy Registrar of Vital Statistics - Carol Bauer  
Deputy Town Clerk - Shirley Felton  
Clerk to Justice Weiss – Suzanne Platte  
Clerk to Justice Kesick - Anna Raskoskie  
Animal Control Officer - Susan Trnka  
GIS Coordinator - James Maloney  
Ulster County Transportation Council – Joel B. Brink  
Empire Zone Council Member – Joel B. Brink  
Public Access Cable Commission – Ronald Markisenis  
Assistant Superintendent of Water – John Rose  
Assistant Superintendent of Wastewater Treatment – Vincent A. Maggiore  
Deputy Superintendent of Highways – Charles Freer

### **6. Town Board:**

Regular Monthly Meetings: Third Thursday of each month at 7:00 p.m.  
Workshop Meetings: First Thursday of each month at 7:00 p.m.  
Any meetings on a holiday will be rescheduled by the Town Supervisor

### **7. Town Board Agenda:**

The Monday prior to the meeting at noon is the deadline for submitting agenda items.

### **8. Mileage:**

Mileage will be reimbursed at the rate of Federal Mileage Rate (.51) per mile for use of personal vehicle for town business.

### **9. Legal Holidays:**

New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving Day and Christmas Day.

### **10. Work Days:**

Monday through Friday or per negotiated contracts

### **11. Vacation:**

As per negotiated contracts

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

All non-union employees per town code

### **12. Insurance Buyout:**

Elected and appointed officials \$1,000.00

All others per negotiated contracts

### **13. Petty Cash:**

Supervisor	\$ 100.00
Town Clerk	200.00
Highway Department	100.00
Police Department	100.00
Water Department	75.00
Court	75.00
Sewer Department	50.00
Whittier Sewer	25.00
Assessor	50.00
Building Department	50.00
Senior Center	25.00

### **14. Highway Budget:**

\$ 2,702,345.23

### **15. Appointment of Town Planner:**

Alan Sorensen, Planit Main Street

### **16. Planning Board Meeting:**

Third Tuesday of each month at 7:00 pm

### **17. Zoning Board of Appeals Meeting:**

First Wednesday of each month at 7:00 pm

### **18. Police Commission Meeting:**

Third Thursday of each month at 4:00 p.m.

### **19. All Authority for the daily operations of the Town:**

Is hereby delegated to Town Supervisor James (Jim) E. Quigley 3<sup>rd</sup>

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

**The following appointment will be voted on individually:**

### **Planning Board Members:**

Name	Term Ends
Renno Budziak	2015
Gary Mulligan	2014
Scott Ricketson	2013
Lawrence Decker	2012
Gerard "Ozzie" Beichert	2011

### **Appointment of Chair of the Planning Board:**

Renno Budziak

### **Zoning Board of Appeals Members:**

Name	Term Ends
Karen Markisenis	2015
Elizabeth Kyriacou	2014
Robert Porter	2013
Donald F. Genther Jr.	2012
John Crispell	2011

### **Appointment of Chair of the Zoning Board of Appeals:**

Karen Markisenis

### **Assessment Board of Review:**

Name	Term Ends
Craig J. Artist	2013
Nelson White	2012
Hon. John Heitzman	2011

### **Town Historian:**

Robert Sweeney

### **Police Commission Members:**

James E. Quigley 3rd  
Joel B. Brink  
Cris Hendrick  
Eric Kitchen  
John Morrow

### **Recreation Committee Members:**

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

Det. Sgt. Anthony Cruise  
Erma Francello  
Donald "Fritz" Genther  
Sean Feeney

### **Economic Development Committee:**

Michael Berardi  
John D. Iannotti  
James F. Maloney  
Patrick M. Sheehan  
Clayton R. VanKleeck

### **Board of Ethics:**

Councilman Joel B. Brink, Chair  
Bryan Ilgner  
Nelson White

### **Association of Towns' Annual Meeting:**

Delegate – James E. Quigley 3<sup>rd</sup>  
Alternate Delegate – James F. Maloney

### **Committee Assignments:**

Building and Grounds	– Councilman Morrow* & Councilwoman Hendrick
Recreation	- Councilman Kitchen* & Councilwoman Hendrick
Highway	- Councilman Morrow* & Councilman Kitchen
Finance	- Councilman Brink* & Councilman Kitchen
Water & Waste Treatment	- Councilman Brink* & Councilman Morrow
Personnel	- Councilman Kitchen*, Councilman Morrow & Councilwoman Hendrick
Planning, Assessor & Building Dept.	- Councilman Brink* & Councilman Kitchen
Information Services	- Councilwoman Hendrick* & Councilman Brink

\* Committee Chair

**THE SUPERVISOR IS A STANDING MEMBER ON ALL COMMITTEES EXCEPT PERSONNEL**

### **Town Auditor:**

Toski, Schaefer & Co., P.C.

2<sup>nd</sup> by Councilman Morrow  
All Ayes

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

### **Resolution to open a new checking account with JP Morgan Chase entitled General Disbursement Account**

Councilman Brink moved to approve the following:

#### **RESOLUTION AUTHORIZING THE TOWN OF ULSTER SUPERVISOR TO OPEN 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.,  
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. General Disbursement Account**

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 3<sup>rd</sup>, 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.

2<sup>nd</sup> by Councilwoman Hendrick  
All Ayes

### **Resolution authorizing the Highway Superintendent to purchase one 2008 Caterpillar Mini Hydraulic Excavator – Model 303C from HO Penn Machinery in accordance with GML Section 103 and the Town Board Resolution dated August 6, 2009 for a sum not to exceed \$47,500.00**

Councilman Morrow moved to approve the following:

#### **RESOLUTION AUTHORIZING PURCHASE OF PREVIOUSLY STANDARDIZED EQUIPMENT**

WHEREAS, for reasons of efficiency and economy and pursuant to the authority conferred by subdivision 5 of section 103 of the General Municipal Law of the State of New York, the Town

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

Board of the Town of Ulster, on August 6, 2009, determined that there was a need for standardization in the purchase of excavators and loaders for the Town of Ulster Highway Department, and standardized the excavators and loaders manufactured by Caterpillar, and

WHEREAS, the Town of Ulster Highway Department currently needs one additional excavator, and

WHEREAS, H.O. Penn Machinery Co., Inc., by letter dated January 29, 2009, has notified the County of Ulster that it is the resident territory dealer for Caterpillar for the County of Ulster in New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Ulster Highway Superintendent is hereby authorized to contract for the purchase of one additional 2010 Caterpillar Mini Hydraulic Excavator - Model 303C, from H.O. Penn Machinery Co., Inc., resident territory dealer of Caterpillar, at a price not to exceed \$47,500.00, without advertising for sealed bids as authorized by State Comptroller Opinion 67-558 in situations where items can be purchased from only one source.

2<sup>nd</sup> by Councilman Kitchen

A Roll Call Vote was taken – All Ayes

### **Motion changing the Town Board Workshop and Town Board Meeting for the month of January 2011 to the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays of the month respectively**

Councilman Morrow motioned to change the Town Board Workshop and Town Board Meeting for the month of January 2011 to the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays of the month respectively

2<sup>nd</sup> by Councilman Brink

All Ayes

### **Resolution Authorizing Extension of Temporary Certificate of Occupancy for 1000-5000 Maple Lane (Birches at Chambers)**

Councilman Morrow motioned to approve the following:

RESOLUTION Extending Temporary Certificates of Occupancy

#### **BIRCHES AT CHAMBERS II**

Owner of Record: Chambers Senior Housing Limited Partnership

Section-Block-Lot: 48.49-1-20.110

WHEREAS, the Town of Ulster Building Department has heretofore on September 28, 2010, issued three (3) Temporary Certificates of Occupancy to Chambers Senior Housing Limited Partnership for the structure located at 1000-5000 Maple Lane (copies of Temporary Certificates of Occupancy are annexed hereto and incorporated as part of this resolution); and

## **ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

December 30, 2010 AT 7:00 PM

WHEREAS, said Temporary Certificates of Occupancy expire on December 31, 2010; and

WHEREAS, it is in the best interest of Chambers Senior Housing Limited Partnership and the Town of Ulster to extend the Temporary Certificates of Occupancy while issues regarding the fire alarm system on site are resolved in a satisfactory matter; now therefore

BE IT RESOLVED that the Town Board of the Town of Ulster hereby directs the Town of Ulster Building Department to inform Chambers Senior Housing Limited Partnership that the Temporary Certificates of Occupancy for 1000-5000 Maple Lane are hereby extended, upon payment of any applicable fee(s), through the 31<sup>st</sup> day of January, 2011.

2<sup>nd</sup> by Councilwoman Hendrick  
All Ayes

### **Public Comment:**

Mr. Richard Metzger requested that a petty cash fund be established for Rider Park  
Supervisor Quigley stated that it will be addressed at the next meeting

Councilman Brink moved to enter into executive session to discuss the matter of the Town of Ulster v. Ulloa at 7:17 PM

2<sup>nd</sup> by Councilman Kitchen  
All Ayes

Councilman Kitchen moved to exit executive session at 7:32 PM

2<sup>nd</sup> by Councilman Brink  
All Ayes

Supervisor Quigley resumed the regular board meeting at 7:35 PM

Councilman Morrow motioned to authorize Supervisor Quigley to sign a retainer agreement with the law firm of Bailey, Kelleher & Johnson, P.C. for professional legal services for the case of Town of Ulster v. Ulloa

2<sup>nd</sup> by Councilwoman Hendrick  
All Ayes

Councilman Kitchen motioned to adjourn the meeting at 7:39 PM

2<sup>nd</sup> by Councilman Morrow  
All Ayes

Respectfully Submitted by  
Jason Cosenza, RMC FHCO  
Ulster Town Clerk