

JANUARY 6, 2022

***TOWN OF ULSTER***  
***2022 ORGANIZATIONAL MEETING***  
**Thursday, January 6, 2022**  
**7:00 p.m.**

**AGENDA**

- **CALL TO ORDER BY THE CHAIRMAN, SUPERVISOR QUIGLEY, at 7:00 PM**
- **SALUTE TO OUR FLAG**
- **ROLL CALL BY THE CLERK**  
**SUPERVISOR JAMES E QUIGLEY 3<sup>RD</sup>**  
**COUNCILMAN CLAYTON VAN KLEECK**  
**COUNCILMAN ROCCO SECRETO**  
**COUNCILMAN ERIC KITCHEN**  
**COUNCILWOMAN ANNA HAYNER**

**ALSO PRESENT:**

1. **Suzanne Reavy, Town Clerk**
2. **Vincent Maggiore, Wastewater Superintendent**
3. **Kyle Berardi, Chief of Police**
4. **Warren Tutt, Building Inspector**
5. **Jason Kovacs, Town Attorney**
6. **Bill Kemble, Daily Freeman**
7. **Four additional attendees**

**MEETING HELD VIRTUALLY VIA ZOOM and BROADCAST FACEBOOK LIVE**

**ALL VOTES MADE VIA ROLL CALL VOTE**

**WHEREAS, the Town Board of the Town of Ulster convened an organizational meeting for the year 2022 on January 6, 2022, via Zoom; and**

**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:**

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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

**1. Depositories for Town Funds:**

Bank of Greene County, JP Morgan Chase

**2. Official Newspapers:**

The Daily and Sunday Freeman, Kingston Times

**3. Pay Days:**

Elected and appointed Employees - monthly

Part-time employees - bi-weekly

Full-time employees – bi-weekly

**4. Salaries of Elected Officials:**

Supervisor	\$50,250.00
Deputy Supervisor	\$ 1,500.00
Town Clerk	\$56,225.00
Town Justice (2 each)	\$46,854.00
Council Member (4 each)	\$10,400.00
Superintendent of Highways	\$82,784.00

**5. Appointments:**

Secretary to the Supervisor – Peggy King

Deputy Supervisor – Clayton VanKleeck

Attorney to the Town of Ulster and Special Prosecutor: Jason J. Kovacs, Esq.

Assistant Special Prosecutors: Lauren Swan, Esq., Matthew Jankowski, Esq., and David Goodge, Esq.

Special Attorney to the Town – Rebecca Milouras-Lettre, Esq.

Bond Counsel – Thomas E. Myers, Esq. of Orrick, Herrington & Sutcliff LLP

PILOT Counsel – John N. Vagianelis, Esq. of Mazzotia & Vagianelis, P.C.

Financial Advisor – Michael J. Loguerico of Munistat Services, Inc.

Director of Recreation – Vacant

Confidential Bookkeeper - Vacant

Registrar of Vital Statistics – Suzanne Reavy

Deputy Registrar of Vital Statistics – Lauren Hommel

FOIL Officer –Suzanne Reavy

Handicapped Parking Permit Issuing Agent – Suzanne Reavy

## TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)

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Deputy Town Clerk – Lauren Hommel  
Clerk to Justice Weiss – Marissa Martino  
Clerk to Justice Kesick – Karen Gorski  
Building Inspector – Warren Tutt  
Ulster County Planning Board Member – Frank Almquist, Anna Hayner (alternate)  
Ulster County Transportation Council – John Morrow (voting member by delegation)  
Assistant Superintendent of Water – Ryan Weishaupt  
Assistant Superintendent of Wastewater Treatment – Josh Brink  
Deputy Superintendent of Highways – Charles Freer

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

Workshop Meetings: First Thursday of each month at 7:00 p.m.

Regular Monthly Meetings: Third Thursday of each month at 7:00 p.m.

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

The Tuesday prior to the meeting at 4 pm is the deadline for submitting agenda items.

### **8. Mileage:**

Mileage will be reimbursed at the rate of Federal Mileage Rate of \$.585 per mile (or as adjusted by the IRS) 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. Workdays:**

Monday through Friday or per negotiated contracts

### **11. Vacation:**

As per negotiated contracts  
All non-union employees per town code

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**12. Insurance Buyout:**

Appointed Officials and non-union employees \$1,000.00 per year

All others per negotiated contracts.

Elected Officials are not eligible for the Insurance Buyout

**13. Petty Cash:**

Supervisor	\$ 100.00
Town Clerk	100.00
Tax Collector	150.00
Water Dept. Cash Drawer	150.00
Court	100.00
Assessor	50.00
Building Department	50.00
Rider Park	50.00
Highway Department	100.00
Whittier Sewer	25.00
Sewer Department	50.00
Water Department	75.00

**14. Highway Budget:**

\$3,241,022.00

**15. Appointment of Town Planner:**

David Church, AICP

**16. Planning Board Meeting:**

Second Tuesday of each month at 7:00 pm

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

Second Wednesday of each month at 7:00 pm

**18. Police Matters Meeting:**

First Thursday of each month at 4:00 pm

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**19. All Authority for the daily operations of the Town and its districts:**

Is hereby delegated to Town Supervisor James (Jim) E. Quigley 3<sup>rd</sup>, per Town Law Section 29 (16)

**(2022-M-001)**

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**The following current appointments will be voted on individually:**

**Planning Board Members:**

<b><u>Name</u></b>	<b><u>Term Ends</u></b>
Larry Decker	2022
Andrew Stavropoulos	2023
Geoffrey Ring	2024
<b>Rory Lee</b>	<b>2025*</b>

**(2022-M-002)**

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

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**Frank Almquist**                    **2026\***

**(2022-M-003)**

MOTION: Councilman Kitchen  
SECOND: Councilwoman Hayner

Supervisor Quigley:            YES  
Councilman Van Kleeck:        YES  
Councilman Secreto:            YES  
Councilman Kitchen:            YES  
Councilwoman Hayner:         YES

*CARRIED*

**Alternates: (one-year term)**

**John Stowell\***  
**John Morrow\***

**(2022-M-004)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Kitchen

Supervisor Quigley:            YES  
Councilman Van Kleeck:        YES  
Councilman Secreto:            YES  
Councilman Kitchen:            YES  
Councilwoman Hayner:         YES

*CARRIED*

\*Current appointments

JANUARY 6, 2022

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

**Geoffrey Ring**

**(2022-M-005)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Zoning Board of Appeals Members:**

<b><u>Name</u></b>	<b><u>Term Ends</u></b>
Lois Smith	2022
Rob Porter	2023
Andi Turco-Levin	2024
Steve Shultis	2025
<b>Kevin Reginato</b>	<b>2026*</b>

**(2022-M-006)**

MOTION: Councilman Secreto

SECOND: Councilman VanKleeck

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

\*Current appointments

JANUARY 6, 2022

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

**Kevin Reginato**

**(2022-M-007)**

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

Supervisor Quigley: YES

Councilman Van Kleeck: YES

Councilman Secreto: YES

Councilman Kitchen: YES

Councilwoman Hayner: YES

*CARRIED*

**Assessment Board of Review:**

**Name**                      **Term Ends**

John Crispell                9/2022

**Ryan VanKleeck   9/2027\***

**(2022-M-008)**

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

Supervisor Quigley: YES

Councilman Van Kleeck: YES

Councilman Secreto: YES

Councilman Kitchen: YES

Councilwoman Hayner: YES

*CARRIED*

**Margie Stickles            9/2026\***

**(2022-M-009)**



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MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

\*Current appointments

**Town Historian: (2022-M-010)**

Robert Sweeney

MOTION: Councilwoman Hayner  
SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Police Matters Members: (2022-M-011)**

Town Board

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

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**Recreation Committee Members: (2022-M-012)**

John Niles  
Steve Hack  
Marguerite Koechel  
Suzanne Reavy  
Lauren Hommel

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Economic Development Committee: (2022-M-013)**

Michael Berardi  
Patrick Sheehan  
John Stowell

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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**Board of Ethics: (2022-M-014)**

Clayton VanKleeck - Chairman  
Bryan Ilgner  
John Iannotti

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Association of Town's Annual Meeting: (2022-M-015)**

Delegate – Suzanne Reavy  
Alternate Delegate – Clayton VanKleeck

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Committee Assignments:**

**Parks & Recreation – Rocco Secreto (C), Eric Kitchen (M) (2022-M-016)**

MOTION: Councilman VanKleeck  
SECOND: Councilwoman Hayner

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Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Finance – Clayton VanKleeck (C), Anna Hayner (M) (2022-M-017)**

MOTION: Councilman Secreto  
SECOND: Councilman VanKleeck

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Buildings & Grounds – Eric Kitchen (C), Anna Hayner (M) (2022-M-018)**

MOTION: Councilman Kitchen  
SECOND: Councilman Secreto

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Personnel – Rocco Secreto (C), Clayton VanKleeck (M) (2022-M-019)**

MOTION: Councilwoman Hayner

SECOND: Councilman VanKleeck

Supervisor Quigley: YES

Councilman Van Kleeck: YES

Councilman Secreto: YES

Councilman Kitchen: YES

Councilwoman Hayner: YES

*CARRIED*

**THE SUPERVISOR IS AN EX OFFICIO MEMBER OF ALL COMMITTEES**

JANUARY 6, 2022

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

**Resolution Regarding Overtime Pay to Town Employees (2022-R-020)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution Regarding Overtime Pay to Town Employees**

**Be it resolved by the Town Board of the Town of Ulster as follows:**

1. The Town Board of the Town of Ulster does hereby approve overtime payments to Town employees only with the prior written approval of the department head or Town Supervisor and/or his designees except in the case of an emergency involving the health, safety, and welfare of the public for the year 2022.

This resolution shall become effective January 1, 2022

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley: YES

Councilman Van Kleeck: YES

Councilman Secreto: YES

Councilman Kitchen: YES

Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Resolution to adopt Policy Regarding Adoption of Local Laws (2022-R-021)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**  
**Policy Regarding Adoption of Local Laws**

**Be it resolved by the Town Board of the Town of Ulster as follows:**

A proposed local law may be introduced only by a member of the Town Board at a meeting of such Board. **(MEETING #1)**

At the next regularly scheduled meeting of the Town Board, **(MEETING #2)** the Town Board shall schedule a public hearing on the local law. Notice of the public hearing must be given at least five (5) days prior to hearing.

At the public hearing, interested parties may be allowed to speak either for or against the local law. **(MEETING #3)**

It is the policy of the Town Board that the Board shall delay the vote on the proposed local law until the next meeting after the 30 day period has expired to receive written comments. **(MEETING #4)** A majority of the full Board is necessary to approve the local law, and the names and votes must be entered in the minutes.

If a vote on the matter has not been taken within 120 days of the Public Hearing **(Meeting #4)** the matter must start the process over again.

If a mandatory or permissive referendum is required, the procedures of the Municipal Home Rule Law must be followed.

The adoption of the local law must be certified by the Town Clerk after passage, as to accuracy and procedure by the Town Attorney. The certified copy shall contain only the text of the local law and shall be on the forms prescribed by the Department of State.

Local laws shall be numbered consecutively, beginning with No. 1 in each calendar year. Laws subject to referendum should not be numbered until filed.

A local law becomes effective twenty (20) days after adoption and filing, unless otherwise provided in the local law, and no local law shall take effect before it is filed.

All local laws filed in the Clerk's office shall be recorded in a separate book or books, which are to be indexed.

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MOTION: Councilman Kitchen  
SECOND: Councilwoman Hayner

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Resolution Adopting Rules of Conduct for Town Board Meetings and Public Hearings per Town Law Section 63 (2022-R-022)**

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Adopting Rules of Conduct for Town Board Meetings and Public Hearings**

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat members of the public equally, and

Whereas, the Committee on Open Government has stated that any such rules could serve as a basis for preventing verbal interruptions, shouting or other outbursts, as well as slanderous or obscene language or signs, and that a town board could regulate actions of the public attending meetings so as not to interfere with meetings or prevent others in attendance from observing or hearing the deliberative process, and

Whereas, a town board has a responsibility to ensure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and



## TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)

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Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment.

Now, therefore, be it resolved by the Town Board of the Town of Ulster hereby adopts the following rules for public participation at meetings of the Town Board:

1. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings.
2. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.
3. Any individual wishing to speak during the public participation segment or during a public hearing shall raise his or her hand. When recognized by the Supervisor or the presiding officer, the individual must stand and state his or her name and, if appropriate, group affiliation and must state the subject he or she will be addressing.
4. Comments must relate to the purpose of the public hearing or to legitimate town business.
5. The Supervisor or the presiding officer shall act as timekeeper or shall designate another elected official as timekeeper.
6. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the public.
7. The Supervisor or the presiding officer shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.
8. It is inappropriate to utilize a public meeting for making political speeches, including threats of political action and the same will not be allowed.
9. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or the presiding officer.

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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JANUARY 6, 2022

10. Discussion between speakers and attendees of the public meeting or hearing is prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.
11. Banners, flyers, or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.
12. Any person who disregards the directives of the Supervisor or the presiding officer in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for his or her comments.
13. If a speaker who has violated these rules refuses to step down, the Supervisor or the presiding officer may ask for the individual to be removed from the meeting room and charged with disorderly conduct as per the Penal law.
14. The above rules shall take effect immediately.

MOTION: Councilman Secreto

SECOND: Councilman VanKleeck

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Resolution Authorizing the Town Supervisor to Submit to the Town Clerk a Copy of the Report to the State Comptroller Required by General Municipal Law § 30 (2022-R-023)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Authorizing the Town Supervisor to Submit to the Town Clerk a Copy of the Report to the State Comptroller Required by General Municipal Law § 30**

**WHEREAS**, Town Law § 29(10-a) states as follows:

In lieu of preparing the report required by subdivision ten of this section, the town board may determine, by resolution, that the supervisor shall submit to the town clerk, within the time period prescribed in section thirty of the general municipal law, a copy of the report to the state comptroller required by section thirty of the general municipal law, providing, however, that if the time for the filing of the annual report has been extended by the state comptroller as provided in the said statute, then the time for submitting a copy of the report to the town clerk similarly shall be extended. The town clerk shall cause either a summary of such report to be published within ten days after receipt thereof in a form approved by the state comptroller or a notice that a copy of such report is on file in the town clerk's office and is available for public inspection and copying, in the official newspaper and in such other newspapers as the town board may direct; and

**WHEREAS**, General Municipal Law § 30 states in part as follows:

Each town or village having a population, as shown by the latest preceding decennial federal census, between five thousand to nineteen thousand nine hundred ninety-nine, shall file their respective reports with the comptroller within ninety (90) days after the close of the fiscal year of such town or village; and

**WHEREAS**, the Town of Ulster's fiscal year closes on December 31; and

**WHEREAS**, the Town Board of the Town of Ulster has determined that it is in the best interest of the Town of Ulster to authorize the Town Supervisor adequate time to prepare a copy of the report to the state comptroller required by section thirty of the general municipal law;

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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**NOW, THEREFORE Be It Resolved by the Town Board of the Town of Ulster that:**

- 1. A copy of the supervisor's annual financial report for 2022 to the State Comptroller be filed with the town clerk within the first 90 days of 2023, unless the Comptroller extends the filing date by 30 days, in which case the same extension shall apply to the filing with the town clerk.**

MOTION: Councilman Secreto

SECOND: Councilman VanKleeck

Supervisor Quigley: YES

Councilman Van Kleeck: YES

Councilman Secreto: YES

Councilman Kitchen: YES

Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Resolution Authorizing Supervisor to Sign Checks Using Facsimile Signature for Payroll Account (2022-R-024)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**  
**Resolution Authorizing Supervisor to Sign Payroll Checks Using Facsimile Signature**

WHEREAS, Town Law Section 29(3) authorizes a Town Supervisor to sign checks by a facsimile signature provided that authorization is given by the Town Board; and

WHEREAS, the Supervisor signs a large number of payroll checks on behalf of the Town of Ulster on a regular basis and he has requested the authority to affix a facsimile signature to checks rather than sign his autograph to each check; and

WHEREAS, the Supervisor must maintain the check signer in his possession and control; and

WHEREAS, the check signer may only be affixed to payroll checks by the Supervisor or under his direct supervision

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Ulster hereby authorizes the Town Supervisor to use his facsimile signature to sign payroll checks pursuant to Town Law Section 29(3); and

BE IT FURTHER RESOLVED, that the facsimile signature may only be affixed by the Town Supervisor or under his direct supervision.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Supervisor Quigley:	YES
Councilman Van Kleeck:	YES
Councilman Secreto:	YES
Councilman Kitchen:	YES
Councilwoman Hayner:	YES

*CARRIED*

JANUARY 6, 2022

**Motion to adopt Procurement Policy for 2022 (2022-M-025)**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Motion to adopt Investment Policy for 2022 (2022-M-026)**

MOTION: Councilman VanKleeck

SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Motion to adopt FOIL Policy for 2022 (2022-M-027)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

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**Motion to adopt Fund Balance Policy for 2022**

*Supervisor:* Written comments received 30 minutes prior to this meeting. Defer voting on this policy until town board considers those comments.

**Motion to adopt Records Management Policy for 2022 (2022-M-028)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley:	YES
Councilman Van Kleeck:	YES
Councilman Secreto:	YES
Councilman Kitchen:	YES
Councilwoman Hayner:	YES

*CARRIED*

***ORGANIZATIONAL MEETING ENDS AT 7:25 PM***

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**Workshop Meeting Items**

**To follow directly after the conclusion of the Organizational Meeting**

**Communications:** One letter read, received via email 1/3/2022, stating that Judge Cahill issued two decisions this week, upholding the town’s position on two tax certiorari matters: Hudson Valley Federal Credit Union and Tech City.

**Public Discussion on Agenda Items:**

1. Laura Hartmann, town resident  
Regarding the Board of Ethics, recommends the board consider appointing a woman in the future.

**New Business:**

**Resolution Adopting the 2022 Town Fee Schedule (2022-R-029)**

**Resolution of the Town Board**

**TOWN OF ULSTER**

**Resolution of Town Board of the Town of Ulster Adopting a Fee Schedule to Take Effect January 1, 2022**

**WHEREAS**, the Town Board of the Town of Ulster is authorized to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted local law,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the schedule of fees, deposits, and costs is hereby amended as set forth in Exhibit “A” annexed hereto, effective as of January 1, 2022.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*



JANUARY 6, 2022

**Resolution appointing Frank Almquist and Anna Hayner to the UC Planning Board (2022-R-030)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**  
**REVISED Resolution Appointing Delegates to the Ulster County**  
**Planning Board**

WHEREAS, the terms of the current delegates from the Town of Ulster to the Ulster County Planning Board will expire on December 31, 2021; and

WHEREAS, the Town Board, or the majority Members thereof, are authorized to recommend to the Ulster County Legislature for consideration and appointment, delegates to fill said vacancies.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board of the Town of Ulster hereby recommends to the Ulster County Legislature FRANK ALMQUIST, a Town of Ulster resident, for consideration as a member of the Ulster County Planning Board representing the Town of Ulster.
3. The Town Board of the Town of Ulster hereby recommends to the Ulster County Legislature ANNA HAYNER, a Town of Ulster resident, for consideration as an alternate member of the Ulster County Planning Board representing the Town of Ulster.
4. A certified copy of this resolution shall be sent to the Ulster County Planning Department and the Clerk of the Ulster County Legislature within ten (10) days.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Resolution to authorize the Inter Fund Loan from the General Fund –  
Landfill Closure Account to the Halcyon Park Potable Water Storage Capital  
Project of up to the amount of \$400,000 (2022-R-031)**

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Authorizing Interfund Loan from the Landfill Closure  
Reserve Fund to the Halcyon Park Water District Potable Water Storage  
Tank Capital Project**

WHEREAS on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the “LANDFILL CLOSURE RESERVE FUND” to finance the closing of the Town’s landfill, and,

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund, and

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill and,

WHEREAS the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another account pursuant to the authority vested in the Town Board by General Municipal Law Section 6-c (9-a), and

WHEREAS it is proposed to loan monies from the Landfill Closure Reserve Fund to the Halcyon Park Water District Potable Water Storage Tank Capital Project (hereinafter the “District”) to cover the expenses for the construction of the Halcyon Park Water District Potable Water Storage Tank until the expenses are reimbursed to the Town under NYS EFC Project Number 18601; and

WHEREAS, such loan from the Landfill Closure Reserve Fund to the Halcyon Park Water District will save the Halcyon Park Water District the cost and expense of borrowing the needed funds, and

WHEREAS, given these circumstances, the District has requested that the Town Board authorize an interfund loan in order to advance the costs of the Halcyon Park Water District Potable Water

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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Storage Tank from the Landfill Closure Reserve Fund to the District's Fund, until such time that the District can collect the costs incurred under NYS EFC Project Number 18601; and

WHEREAS, pursuant to General Municipal Law § 9-a, all interfund loans must be authorized by Town Board resolution, now therefore be it

RESOLVED, that the Town Board of the Town of Ulster hereby authorizes an interfund loan of up to \$400,000.00 from the Landfill Closure Reserve Fund to the Halcyon Park Water District Potable Water Storage Tank Project; and be it further

RESOLVED, that, pursuant to General Municipal Law § 9-a, said monies shall be repaid to the Landfill Closure Reserve Fund no later than December 31, 2022; and be it further

RESOLVED, that the interest rate established for the borrowing period is 0.5% per annum; and be it further

RESOLVED, that the source of funding shall be a Landfill Closure Reserve Fund Interfund loan, in the amount of \$400,000, to the Halcyon Park Water District and be it further

RESOLVED, that the Town Supervisor is hereby authorized to take any and all steps necessary to effectuate said loan.

MOTION: Councilman VanKleeck

SECOND: Councilman Secreto

Supervisor Quigley: YES

Councilman Van Kleeck: YES

Councilman Secreto: YES

Councilman Kitchen: YES

Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Motion to Authorize the Supervisor to make payment to Statewide Aquastore, Inc. in the amount of \$194,709.15 for Payment Application #3 for Contract TU-211, Replacement of Potable Water Storage Tank, Halcyon Water District (2022-M-032)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Motion to authorize the Supervisor to sign the Engagement Letter with VanDeWater & VanDeWater. LLP for the matter Eddyville Associates aka Eddyville Corp. v Town of Ulster (2022-M-033)**

*Supervisor:* In 2016, Town pursued action against Eddyville Corp involving building code and cleanup of abandoned boats on Route 213. Eddyville Corp not happy with this action and has instituted lawsuit against Town of Ulster in NYS Supreme Court. Building dept standing counsel was Rebecca Millouras-Lettre; recently discovered that Millouras-Lettre will be called as a witness. Town has to seek additional counsel. This is not the retention of a new firm, as this firm handles our tax certiorari cases.

MOTION: Councilman Kitchen  
SECOND: Councilwoman Hayner

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

JANUARY 6, 2022

**Resolution authorizing Tax Certiorari Settlement with Petitioner R.I. of Kingston, Inc. and RI of Kingston, L.P. for property located at 800 Frank Sottile Blvd, Kingston, N.Y. (2022-R-034)**

**RESOLUTION AUTHORIZING TAX CERTIORARI  
SETTLEMENT  
WITH PETITIONER R.I. of KINGSTON, INC. and RI of  
KINGSTON, LP, FOR PROPERTY  
LOCATED AT 800 FRANK SOTTILE BLVD.**

**WHEREAS**, petitions have been filed by the property owner below challenging real property tax assessments on the Town's assessment roll; and

**WHEREAS**, petitioner's court challenges are now pending in Supreme Court, Ulster County; and

**WHEREAS**, the Town and property owner have reached a mutually agreeable resolution; and

**WHEREAS**, Special Town Attorney Kyle W. Barnett, Esq., after reviewing information on comparable properties from the Town Attorney and Assessor's office files, believe that this settlement is reasonable and advantageous to the Town; and

**WHEREAS**, the Town Board has had an opportunity to review the Special Town Attorney's file on this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Town of Ulster;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ulster hereby authorizes Special Town Attorney Kyle W. Barnett, Esq. to execute for the property listed below the following settlement on behalf of the Town and all Special Districts at revised assessments of no less than the following amounts:

<u>Petitioner</u>	<u>Address/Description</u>	<u>Year</u>
R.I. of Kingston, Inc.	800 Frank Sottile Blvd.	2020
	SBL 48.80-1-34.111	2021

<u>Tax Year</u> <u>Assessment</u>	<u>Current Assessment</u>	<u>Amount of Reduction</u>	<u>Revised</u>
2020	\$10,250,000	\$750,000	\$9,500,000
2021	\$5,842,000	\$0	\$5,842,000

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MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

Supervisor Quigley:	YES
Councilman Van Kleeck:	YES
Councilman Secreto:	YES
Councilman Kitchen:	YES
Councilwoman Hayner:	YES

*CARRIED*

JANUARY 6, 2022

**Resolution authorizing Supervisors to sign an Engineering Service Agreement with Creighton Manning Engineering, L.P. of Albany, N.Y. as project engineer for the planning, design and construction administration for PIN 8933.07, Upgrade and Coordination of Existing Signals, (John Clark Drive and Morton Blvd.) at the CSX Crossing, Town of Ulster in the amount not to exceed \$94,000 and the appropriation of \$94,000 from the Landfill Closure Capital Reserve to advance funding until NYSDOT Reimbursement is received (2022-R-035)**

*Supervisor:* Town previously entered into contract with NYSDOT, making town coordinator of a local project. Required town to solicit services for an engineer and planning administration.

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution Authorizing Execution of an Engineering Services Agreement with Creighton Manning Engineering, LLP for Planning, Design and Construction Administration for the Boices Lane CSX Railroad Crossing**

WHEREAS the Town of Ulster has entered into a contract with the New York State Department of Transportation for the administration of a Locally Administered Federal Air Project, referenced as Project # D040313 for the Traffic Signal Engineering at the Boices Lane CSX Railroad Crossing in the Town of Ulster, and,

WHEREAS this project is a Locally Administered Federal Aid Project involving Federal and NYS funding assistance (C51/TC), and

WHEREAS the Town of Ulster has conducted a process requesting Expression of Interest from Qualified Engineering Firms listed on the NYSDOT Region 8 CHSA LDSA List of Consulting Firms in accordance with Federal and NYS DOT Procurement Policies, and

WHEREAS the Town of Ulster Review Committee, consisting of the Supervisor, Highway Superintendent and a member of the UC Planning Department have reviewed the responses from the solicitation process, conducted a scoring of the submittals and held an interview with the firm determined to be the most responsive, and,

WHEREAS the Town has conducted negotiations to develop a contract for services with the deemed most responsive bidder, and,

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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WHEREAS review and comment procedures have been completed by the New York State Department of Transportation, and

WHEREAS the sources of funding, the total amount to be expended over the life of the agreements, and the names and addresses of the contracting parties are as follows:

<b>CONTRACT DESCRIPTIONS</b>	<b>VENDOR</b>	<b>APPROPRIATION CODES</b>	<b>AMOUNT OF CONTRACT</b>
Boices Lane CSX Crossing	Creighton Manning Engineering, LLP 2 Winners Circle Albany, NY 12205	8933.07.121 P 8933.07.121 D 8933.07.321 C	\$94,000.00

RESOLVED, that the Town of Ulster Supervisor be and is hereby authorized to execute an agreement with Creighton Manning Engineering, LLP in accord with the approved proposal and in a form to be approved by the Town Board in the amount of \$94,000.00; and, be it further

RESOLVED, that the Town Supervisor is authorized to approve change orders to the above contracts, providing the dollar total does not exceed 20% of the original contract amount and notification of change is in accordance with Town practices.

FURTHER RESOLVED, that the Town Supervisor is authorized to make payment from monies of the General Fund to Creighton Manning Engineering, LLP as invoiced, pending reimbursement from the NYSDOT under contract number DOT01-D040313.

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*



JANUARY 6, 2022

**Motion to authorize the placement of the Town's Property and Casualty Insurance for the Year 2022 with Travelers Insurance Company (2022-M-036)**

*Supervisor:* Makes board aware that they all received the information from the agent, that the renewal quote was \$71,000 higher than the initial quote from Travelers Insurance. Several differences between prior policy and Travelers policy. Written response received from Travelers and given to town board. Does board wish to highlight differences in two programs?

*Board:* No.

MOTION: Councilman Kitchen  
SECOND: Councilman VanKleeck

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**Motion to hire a Full Time Permanent Police Officer (2022-M-037)**

*(Councilman Secreto)*

Jonathon Torres: Start date 1/1/2022; \$25.87/hour

MOTION: Councilman VanKleeck  
SECOND: Councilman Kitchen

Supervisor Quigley: YES  
Councilman Van Kleeck: YES  
Councilman Secreto: YES  
Councilman Kitchen: YES  
Councilwoman Hayner: YES

*CARRIED*

**TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETINGS (01)**

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**Old Business:** None

**Public Comment:**

1. Supervisor: Next meeting is January 20<sup>th</sup>. Asks for public feedback on our audio.
2. Councilman VanKleeck: 1. Hello and welcome to Anna Hayner; 2. Our sympathies to the family of Dick Boice, who recently passed away.
3. Chris Beall: Regarding Moe's Motor Cars. Thought that the public hearing was adjourned to tonight's meeting.

*Supervisor*: The public hearing will be announced on the town website. The hearing is subject to the project's outcome at the town planning board.

**MOTION to Adjourn 7:45 pm (2022-M-038)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor Quigley:	YES
Councilman Van Kleeck:	YES
Councilman Secreto:	ES
Councilman Kitchen:	YES
Councilwoman Hayner:	YES

*CARRIED*

Respectfully Submitted  
Suzanne Reavy, Town Clerk