

TOWN OF ULSTER TOWN BOARD MEETING (12)

JUNE 17, 2021

PUBLIC HEARING SCHEDULED: 7:15 PM

To consider applying for one or more applications through the Consolidated Funding Application process for NYS Office of Community Renewal program year 2021 funds for either Public Infrastructure, Public Facilities and/or Community Planning

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

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

TOWN COUNCILMAN CLAYTON VAN KLEECK - *Excused*

SUPERVISOR JAMES E. QUIGLEY 3rd - *Excused*

ALSO IN ATTENDANCE:

1. Warren Tutt, Building Inspector
2. Frank Petramale, Highway Superintendent
3. Jason Kovacs, Town Attorney
4. Kyle Berardi, Police Chief
5. Vincent Maggiore, Wastewater Superintendent
6. Mark Blauer, Town Grant Writer
7. Six town residents

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF APRIL MINUTES – May 6th and 20th (2021-M-156)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

COMMUNICATIONS –

1. Synopsis of emailed letter from Regis Obijiski, representing Townofulstercitizens.org: Regarding a request for updates on Glidepath/Lincoln Park Grid project. Regis submitted detailed and technical questions that will be addressed at the next town board meeting.
2. Synopsis of emailed letter from Laura Hartmann, representing Townofulstercitizens.org: Regarding the town discussion to jointly purchase an armored vehicle with City of Kingston. This matter will be placed on the agenda at the next town board meeting.

ABSTRACT OF CLAIMS (2021-M-157)

Presented by Councilman Secreto

June, 2021

Prepaid Bills:	\$ 458,039.25
Abstract Bills:	\$ 284,009.06
Escrow Bills:	\$ 3,827.50
Reserve:	\$ 1,462.99
TOTAL:	\$ 747,338.80

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MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

New Business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of May 2021 (2021-M-158)

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Presentation of draft of the Statement of Annual Financial and Operating Information ("SEC") for the fiscal year ending December 31, 2020

Presentation Only

JUNE 17, 2021

Discussion on Town Policy of allowing Hudson River Access from Post Park

Councilman Secreto: Call in to the town hall requesting to kayak from Post Park. We have a boat launch at Rider Park that should be used.

Councilman Kitchen: Agrees

Councilman Morrow: Agrees. Injuries at rocks.

Motion to Set a Policy – No Boat Launch at Post Park (2021-M-159)

(Petramale to install signs)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Resolution referring Uncle B's The Crossing Apartments, P-836, 400-416 Old Neighborhood Road, Kingston, SBL 48.7-1-12.110 for Site Plan Amendment to Ulster County Planning Board (2021-R-160)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Uncle B's The Crossings Apartments, P-836
400-416 Old Neighborhood Road, SBL 48.7-1-12.110
ZONE: RC
Site Plan Amendment

WHEREAS, the applicant – Uncle B's Holdings LLC, seeks Site Plan Amendment approval for construction of a pair of one bedroom apartment buildings on an existing mixed-use property; and,

WHEREAS, the applicant has submitted a complete Site Plan Amendment application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Ulster Town Board has final Site Plan review and approval authority for this application; and,

WHEREAS, the Town of Ulster Planning Board has recommended that the Ulster Town Board initiate SEQRA for this application and refer the application to the Ulster County Planning Board.

NOW THEREFORE BE IT RESOLVED, based on a review of the application by the Town of Ulster Planning Board and Town Board, that the Town Board of the Town of Ulster determines that the Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and that the Town Board of the Town of Ulster declares intention to be the Lead Agency for coordinated review with the Town of Ulster Planning Board; and be it further

RESOLVED, that the Ulster Town Board formally refer the Site Plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

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MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Resolution referring Pioneer Solar, P-831, 491-549 Sawkill Road, Kingston, SBL 48.6-1-23 to the Ulster County Planning Board for Site Plan Approval (2021-R-161)

RESOLUTION - RE-REFERRAL to Ulster County Planning Board
with Conditions
TOWN OF ULSTER TOWN BOARD
Pioneer Solar, P-831, 491-549 Sawkill Road
SBL 48.6-1-23, ZONE: OM
Site Plan

TOWN OF ULSTER TOWN BOARD MEETING (12)

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WHEREAS, the applicant – Pioneer Solar, seeks Site Plan approval for a community solar / utility company structure installation; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form; and,

WHEREAS, the Town of Ulster Planning Board has initiated coordinated application review, and the Ulster Town Board has final review and approval authority for this application; and,

WHEREAS, the Town of Ulster did previously refer this application to the Ulster County Planning Board who returned a set of comments that more documentation was need prior to any final review; and,

WHEREAS, the applicant has now provided the Town of Ulster with such documentation.

NOW THEREFORE BE IT RESOLVED, upon recommendation of the Planning Board the Town Board agrees to be lead agency and to type the application as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA).

NOW BE IT FURTHER RESOLVED, the Town Board agrees to formally RE-REFER this application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239, conditioned on the following:

1. The Town Engineer has had the opportunity to review and comment to the Ulster Town Board and Planning Board on a Stormwater Pollution Prevention Plan for this application: and,
2. The Town Attorney has had the opportunity to review and comment to the Ulster Town Board and Planning Board on a Decommissioning Plan for this application.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Motion to authorize the hiring of one Seasonal Employee for the Highway

Dept. (2021-M-162)

(Presented by Councilman Secreto)

John Petramale: Seasonal, non-union, \$18/hour; start date 6/21/21; 40 hours/week

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Old Business:

Resolution Authorizing Interfund Loan from the Ulster Water District Capital Reserve Fund to the Ulster Water SCADA Upgrade Project Phase 1 and 2 (2021-R-163)

RESOLUTION OF THE TOWN BOARD

TOWN OF ULSTER

Resolution Authorizing Interfund Loan from the Ulster Water District Capital Reserve Fund to the Ulster Water SCADA Upgrade Project Phase 1 and 2

WHEREAS on June 18, 2020, pursuant to Section 6-c of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "CAPITAL RESERVE FUND f/b/o ULSTER WATER DISTRICT" to finance the capital improvements of the Ulster Water District, and,

WHEREAS monies have been deposited in a bank account known as the Town of Ulster Special Investment Account at the Bank of Greene County, 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 it is proposed to loan monies from the Capital Reserve Fund f/b/o Ulster Water District to the SCADA Upgrade Projects Phase 1 and 2 (hereinafter the "Project Fund") to cover the balance of expenses for the SCADA Upgrade Project; and

WHEREAS, given these circumstances, the Supervisor has requested that the Town Board authorize an interfund loan in order to advance the costs of the SCADA Upgrade Project Phase 1 and 2 Project from Capital Reserve Fund f/b/o Ulster Water District the Project Fund, until such time that the Project Fund can collect the proceeds from the New York State SAM Grants number 7495 and 8921; and

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

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RESOLVED, that the Town Board of the Town of Ulster hereby authorizes an interfund loan of up to \$175,000.00 from the Capital Reserve Fund f/b/o Ulster Water District to the SCADA Upgrade Project Funds for Phase 1 and 2; and be it further

RESOLVED, that, pursuant to General Municipal Law § 9-a, said monies shall be repaid to the Capital Reserve Fund f/b/o Ulster Water District no later than December 31, 2021; and be it further

RESOLVED, that the interest rate established for the borrowing period is 0.25% per annum, and the repayment obligation amount is \$175,000, plus accrued interest; 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 Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Resolution on Conversion of Street Lights owned by Central Hudson to Town owned LED Fixtures (2021-R-164)

Resolution of the Town Board

TOWN OF ULSTER

Resolution Authorizing the Town Supervisor to Sign a Letter to Central Hudson to Convert all Streetlights to Rate A LEDs

WHEREAS, the Public Service Commission issued approval for Central Hudson to offer municipalities the option to install high efficiency Light Emitting Diode (LED) streetlights, and

WHEREAS, the Town of Ulster has 212 streetlights that are non-LEDs, and

WHEREAS, LED Street Lights use less electricity and will save the Town of Ulster on annual street light costs, and

WHEREAS, the conversion to full LED, Rate A lights will cost approximately \$36,082.00, after a Central Hudson Rebate energy efficiency rebate the out-of-pocket cost to the town will be approximately \$27,121.00, payable by lighting district, and

WHEREAS, the payback to the Town will be about 24 months, and

NOW, THEREFORE BE IT RESOLVED, that the Town of Ulster Town Board authorizes the Town Supervisor to execute the Agreement above on behalf of the Town of Ulster.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Resolution Scheduling Public Hearing on Proposed Local Law and Referring Proposed Local Law to the Ulster County Planning Board for Thursday, July 15, 2021, at 7:15pm – A Local Law Pertaining to Regulations of Digital Signs (2021-R-165)

Resolution of the Town Board

TOWN OF ULSTER

Resolution Scheduling Public Hearing on Proposed Local Law and Referring Proposed Local Law to the Ulster County Planning Board

WHEREAS a local law, being proposed Local Law No. ___ of 2021 – **A Local Law Pertaining to Regulations of Digital Signs**, a copy of which is attached hereto, was introduced at this meeting of the Town Board of the Town of Ulster, and

WHEREAS this Governing Body desires to hold a public hearing with respect to the adoption of said Local Law,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by this Governing Body with respect to the adoption of the aforesaid Local Law at 7:10 p.m. on July 15, 2021, at the Town of Ulster Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449, and it is further

RESOLVED, that said Local Law is hereby referred to the Ulster County Planning Board, pursuant to General Municipal Law Section 239-m(3)(a)(ii), for review and recommendations; and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. ____ of 2021: A Local Law Repealing Local Law No. 2 of 1999 – “Taxicab Local Law of the Town of Ulster, New York (2021-R-166)

Chief Berardi: Antiquated law. Does not fit our needs any longer.

Resolution of the Town Board
TOWN OF ULSTER

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. 2 of 2021: A LOCAL LAW REPEALING LOCAL LAW 2 OF 1999 – “Taxicab Local Law of the Town of Ulster, New York

WHEREAS an introductory Local Law entitled A LOCAL LAW REPEALING LOCAL LAW 2 OF 1999 – “Taxicab Local Law of the Town of Ulster, New York was introduced before the Town Board of the Town of Ulster on May 6, 2021, and upon notice duly published and posted, a hearing was held on June 3, 2021, at 7:10 p.m., before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled “Litter and Dumping Control Law” is hereby determined to be a Type II SEQR action, and be it further

RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. 2 of 2021: A LOCAL LAW REPEALING LOCAL LAW 2 OF 1999 – “Taxicab Local Law of the Town of Ulster, New York, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be, and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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2021

A LOCAL LAW REPEALING LOCAL LAW 2 OF 1999 – “Taxicab Local Law of the Town of Ulster, New York”

Be it enacted by the Town Board of the Town of Ulster, as follows:

Section 1. Legislative Findings and Intent. The Town Board of the Town of Ulster wishes to repeal Local Law 2 of 1999 concerning Town Taxicab Services.

Section 2. Repealer. Local Law 2 of 1999, codified at Chapter 174 of the Town Code, is hereby repealed in its entirety.

Section 3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. Effective Date. This chapter shall take effect immediately upon filing with the Secretary of State

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Motion to open a checking account at the Bank of Greene County for Spring Lake Sewer District – Operations Account (2021-M-167)

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Resolution Authorizing the Town Clerk to send a letter to NYSDOT regarding proposed limiting of left turn on Ulster Avenue in front of Hoffman Car Wash (2021-R-168)

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing the Town Clerk to send a letter to NYS DOT regarding proposed limiting of left turn on Ulster Avenue in front of Hoffman Car Wash

WHEREAS, the New York State Department of Transportation is investigating the increasing number of accidents resulting from the left turns into Hoffman Car Wash by automobiles traveling northbound on Ulster Avenue; and

WHEREAS, increased traffic on Ulster Avenue has made left turns at said intersection increasing difficult; and

WHEREAS, one result of this investigation may be a recommendation to eliminate the left turn lane onto Ulster Avenue; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster hereby authorizes the Ulster Town Clerk to write a letter to the New York State Department of Transportation, indicating that

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the Town Board of the Town of Ulster agrees to support any action, including the elimination of the left turn lane, that the New York State Department of Transportation suggests in order to reduce accidents at this intersection.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Presentation and Acceptance of the final 2020 Financial Reports for the Town Clerk's Office and the Justice Court (2021-M-169)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

JUNE 17, 2021

Presentation and Acceptance of the final 2020 Audited Financial Reports for the Town (2021-M-170)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Discussion on mask wearing for non-vaccinated individuals to remain in effect at Town Buildings

Motion that Guidelines Remain and Cleanliness Policy Continues – Masks Worn by Non-vaccinated Individuals in all Town Buildings (2021-M-171)

Councilman Secreto: Honesty policy. This request came from a town employee.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

PUBLIC HEARING SCHEDULED: 7:15 PM

To consider applying for one or more applications through the Consolidated Funding Application process for NYS Office of Community Renewal program year 2021 funds for either Public Infrastructure, Public Facilities and/or Community Planning

Opening: *Mark Blauer*

Grant writer and project administrator. Served Town of Ulster since 1983. Working with Community Development Block Grant (CDBG); program was formerly US HUD Block Grant Program. State took over now Office of Community Renewal oversees. Recent projects have been Katrine Lane Sanitary Sewer, Brigham Lane Water, and low-pressure sewer system Spring Lake Phase I. This prerequisite gives us the opportunity to apply again. We applied in 2020 and were denied for Spring Lake Phase 2; seven out of 63 projects were funded in 2020. Grant ceiling increased to \$1M. Very competitive year Now another opportunity to apply; applications due 7/30/2021 for fiscal year 2021 funding. Agreed to do project application at no cost to the town. Supervisor expressed that town would like to apply for Spring Lake Phase 2 again. Main point on record – program must primarily benefit people with low to moderate income. Income survey established that. Basic infrastructure for people in need. Results may come in December. Town to consider contributing funds toward project to make application more competitive. Possibly adopt a SEQR resolution Looking for anyone to suggest programs for this year or future year funding programs – suggestions plant the seed for what happens later on. Looking for suggestions for Spring Lake.

Motion to Open Public Hearing (7:25 PM) (2021-M-172)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

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PUBLIC HEARING COMMENT

1. John Ciccocanti, 4 Spring Lake Drive
Application process dates – clarification on timeline

Blauer: Application due 7/30. I application accepted at December decision, grant agreement January, 2022, will have until 2023 to complete the project. Our sewer and highway department will perform the installation, which multiplies the effect of the grant, not having to pay for a third-party contractor. Town of Ulster departments are superb. No guarantees we will win the grant. Last time only 27% of applicants were awarded the grant. We have to send a good project and be persistent.

Ciccocanti: Residents should take their markers out?

Councilman Morrow: Should leave markers.

Ciccocanti: Thanks the board and Mark.

Motion to Close Public Hearing (7:31 PM) (2021-M-173)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Blauer: Reminds all to sign the sign-in sheet for the public hearing.

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PUBLIC COMMENT:

1. Regis Obijiski, 170 Ledge Road
Re: Muddy water release Ashokan Reservoir-Esopus Creek/DEC Comment Period
Yesterday was DEC's close of comments for NYC DEP DEIS proposal to revise plans.
Did town submit anything by yesterday's deadline?

Councilman Morrow: The town has not submitted anything at this time.

MOTION to adjourn (7:33 pm) (2021-M-174)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Excused
Supervisor Quigley	-Excused

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk