

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (11)**

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June 3, 2021

**PUBLIC HEARING SCHEDULED:**

**7:10 pm: Local Law \_\_\_\_ of 2021: A Local Law Repealing Local Law of 1999 – “Taxicab Local Law of the Town of Ulster, NY”**

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**CALLED TO ORDER BY SUPERVISOR QUIGLEY 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  
SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Warren Tutt, Building Inspector
2. Kyle Berardi, Police Chief
3. Bill Kemble, Daily Freeman
4. Three town residents

**ADDITIONS OR CHANGES TO AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

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**COMMUNICATIONS – \***

Two letters read:

1. Joanne & Peter Nicholson, praising Thomas Harvey at Post Park for dealing with the matter of children throwing rocks at the geese.
2. Anonymous/Concerned Town Resident: Condition of properties along Neighborhood Road and piles of construction debris at old IBM site/Tech City. Asking Town to take charge.

*\*(Supervisor will address #2 at the end of the scheduled meeting)*

*Councilman Kitchen:* Brought this up to former building inspectors (condition of houses on Neighborhood Road). Has been 10 years regarding condition of house in front of Crosby School. What are next steps?

*Warren Tutt:* Has not been in the property. Owner filed for a permit. Will reach out to owner.

*Supervisor:* Will ask town attorney Kovacs what legal action can be taken.

**New Business:**

**Motion to authorize a public hearing on June 17, 2021, at 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 (2021-M-151)**

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

ROLL CALL

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

CARRIED

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**Motion to authorize the hiring of one Part Time Seasonal Park Attendant for Post Park (2021-M-152)**

Devin Boice: \$13.50/hour; start date 6/5/21; requested by Councilman Secreto

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

ROLL CALL

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

CARRIED

**Discussion on Police Department funding for the joint purchase with the City of Kingston of one Lenco Bearcat Vehicle for the Emergency Services Unit**

*Chief Berardi*: Would be a used vehicle and a cooperative agreement with City of Kingston (COK) Emergency Services Unit – ESU. Tactical team would use should the need arise for advanced services. COK has a grant but not enough for purchase; can serve both communities. Not for intimidation.

*Councilman Kitchen*: Great decision to join with COK. Defensive vehicle, not offensive. For protection of civilians and officers. Can support fully.

*Berardi*: Recent incident in Ruby wherein male half of domestic dispute discharged weapon. Officers approached on foot; secluded from roadway; no coverage/protection; difficult to extract civilian. Luckily, incident resolved without use of force. Nearest unit is at Stewart AFB.

*Councilman Secreto*: Cannot put a price on someone's life.

*Councilman Morrow*: Dramatic savings compared to new vehicle. Indemnification policy.

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*Councilman Van Kleeck:* Need cooperation, training, safety, and insurance agreements documented. Applauds years of work with ESU.

*Berardi:* Will speak to Kovacs if approved. Spoke with Chief Tinti. Not loaning to other agencies; always operated by one of our trained operators.

*Supervisor:* Both COK and TOU would have trained operators for interchange. Ensure always operated by one of our agencies.

### **Discussion on limiting left turns on Ulster Avenue in front of Hoffman Car Wash**

*(Town Board to decide at the next meeting)*

*Supervisor:* Northbound cars can turn left into Hoffman Car Wash or make a U-turn. Asked by NYSDOT, Town Board's opinion of potential closure at intersection of left hand turns. Sixty eight accidents at that location since 01/01/2019. Should we ask NYSDOT to take action?

*Councilman Kitchen:* Fully support. Personal experience – had accident there himself. Continuing pattern. Town proactive to involve DOT.

*Councilman Van Kleeck:* Town proves it tries to facilitate businesses; however, with this number of accidents overrides that – risk is higher.

*Supervisor:* Businesses also suffer from accidents – shut down traffic. Dispatching 9-10 people and putting \$1M equipment on road.

*Councilman Secreto:* May have to extend the island.

*Councilman Van Kleeck:* This is a state road.

*Supervisor:* Town Board will make a decision at next meeting if letter to DOT in support of corrective action.

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**Discussion on Conversion of Street Lights owned by Central Hudson to Town owned LED Fixtures**

*Supervisor:* Reference – Town authorized NY Power Authority (NYPA) to conduct a study. \$20,000 examining possibilities converting lights to LED fixtures. The Town would own all fixtures, buy all fixtures from Central Hudson, and be responsible for care and maintenance of lights and poles. Expenses would be unacceptable financial risk. In meeting packet, Central Hudson presentation to convert all fixtures to LED for sum of approximately \$30,000, reduced by energy rebate. Net town cost: \$27,000; \$9000 annual electric savings; balance paid by each lighting district. Would be self-funded with positive fund balances in various lighting districts.

Discussion with Central Hudson for documentation to take place. Town attorney to draft resolution for next meeting consideration.

**Presentation of the Draft of the 2020 Financial Reports for the Town Clerk’s Office and the Justice Court**

*Distributed today to each town board member via email.*

**Presentation of the Draft of the 2020 Audited Financial Reports for the Town**

*Distributed today to each town board member via email.*

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

*Supervisor:* Fund the needs to have improvements completed prior to making application to NYS DASNY. Same grant (SAM Grant) used in construction of our salt shed, worked out great. Voted on at next meeting.

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**PUBLIC HEARING**

**7:10 pm: Local Law \_\_\_\_\_ of 2021: A Local Law Repealing Local Law of 1999 – “Taxicab Local Law of the Town of Ulster, NY”**

*Chief Berardi:* Police Department oversees taxi law. Law put in place because complaints about taxi companies, drivers, vehicles used. Last few years, complaints from taxi companies – inequality. Opposition between taxis, medical transport, Uber, Lyft. Complaints from public decreased. Other forms of public transportation. Down to four taxi companies, compared to 12. Approached board to repeal the law a few months ago.

**MOTION to Open Public Hearing at 7:35 PM (2021-M-153)**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

**PUBLIC COMMENT**

Clark Richters, City of Kingston

Difficult to keep up share & ride program. Restrictions. Financially makes sense. Thank you to the police department.

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**MOTION to Close Public Hearing at 7:37 PM (2021-M-154)**

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

*Supervisor:* Policy to keep public hearing open for 30 days for written comment.

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\* COMMUNICATIONS re “Old IBM site”

*Supervisor:*

Tech City special circumstance. Multi-layer issue. Now involving Environmental Protection Agency (EPA), US Department of Justice (DOJ), NYS Department of Labor (DOL), NYS Department of Health (DOH) and NYS Department of Environmental Conservation (DEC)

In 2017, town and county approached EPA for assistance to have Tech City declared as a superfund site. [Note: Superfund sites are polluted locations in the United States requiring a long-term response to clean up hazardous material contaminations. They were designated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980.]

DEC and DOL were not taking actions on debris piles and other demolition debris before that.

2019 - TOU hosted a meeting with county and many others, and as a result EPA took lead.

4/21/2020, EPA press release announced demolition of a portion of building 2 asbestos, continued to demolish, and pursued Alan Ginsburg for remaining asbestos cleanup of building 1 and debris piles in building 025.

October, 2020 – administrative hearing in NYC with EPA, where Ginsburg served with an order to clean up property, along with criminal and civil potential penalties. Ginsburg’s series of lawyers’ negotiations with EPA setting terms of conditions of removal of building 025 waste.

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As of today, not been removed and EPA in discussions with DOJ how to bring about civil action. Also, EPA running criminal investigations resulting in three criminal indictments for violation of asbestos remediations law. Two of the three were employees of asbestos remediation contractor, one was an employee of Tech City. EPA aggressively pursuing Ginsburg.

5/26/2021: Received a notice of a violation from DEC, notified Tech City/Ginsburg, in violation of demolition disposal laws. New violations accruing with civil penalties up to \$37,500 per day.

Town has not forsaken our responsibility. Forced due to non-compliance at town level; limited ability to enforce at local level. Actively reached out through Peter Lopez, Director of EPA region 2, former assemblyman. Very cooperative and set administrative side of EPA onto this project. Expects further announcements in next few months, particularly this problem elevated to EPA central office. Large expenses needed to clean up site, very little demonstration of Ginsburg to clean up the site. Funds expended will be civil penalty on Ginsburg.

## **PUBLIC COMMENT**

1. Regis Obijiski, 170 Ledge Road

Thank you for the update. Asking for occasional updates would benefit the public, for example, Glidepath.

*Supervisor:* Submit questions for discussion to town clerk. Updates prompted by letters.

2. Teri Quarantino, Flatbush Road

Inconsiderate neighbors with chickens in front yard and rooster crowing all hours. Also, firepit right outside her bedroom window with smoke.

*Supervisor:* We will look into and get back to you.

3. Jess Davis, 17 Denver Road

Memorial Day fireworks past 9pm. Disrupting peace, small children, pets, quality of life. Happens randomly, not just during holidays. Dreads what will happen this summer.

*Tutt:* State code no aerial fireworks – illegal.

*Supervisor:* Will have discussion with town attorney.



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4. Clark Richters, COK  
Commends supervisor for actions taken regarding Tech City. Site should be utilized.

**MOTION to adjourn: 8:00 pm (2021-M-155)**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk