

TOWN OF ULSTER TOWN BOARD MEETING (24)

December 19, 2019

7:10 pm SCHEDULED: Public Hearing Katrine Lane Sewer Project – Citizen Participation on Performance Review and Status of Activities

SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK ~ *His Last Town Board Meeting*

TOWN COUNCILMAN ERIC KITCHEN

DEPUTY SUPERVISOR JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Kathy Moniz, Building Inspector
2. Warren Tutt, Building Inspector
3. Frank Petramale, Highway Superintendent
4. Jason Kovacs, Town Attorney
5. Mark Blauer, Town Grant Write
6. William Kemble, Daily Freeman
7. Nine Audience Members

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS –

1. Laura Hartmann, Catskill Avenue (former Sunset Gardens resident):
To Kathy Moniz, Building Inspector, on her retirement: You have gone above and beyond. What you did for Sunset Gardens – you stuck with us; diligent, caring. Thank you for all you have done for community.

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APPROVAL OF MINUTES –November 7th and 21st

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

COMMUNICATIONS –

Town Clerk read email correspondence from Chief Kyle Berardi, commending Sergeant Short, Officer Leiter and Officer Miller for heroic actions on the Kingston Rhinecliff Bridge December 12, 2019, in their successful rescue of a distraught female near the railing of the bridge.

Supervisor: Let record reflect that this is Sergeant Short's second save on that bridge.

ABSTRACT OF CLAIMS

Presented by Councilmen Secreto & Brink

Councilman Brink Read Total as this is his Last Town Board Meeting

December, 2019

Prepaid Bills:	\$ 1,092,936.90
Abstract Bills:	\$ 274,908.61
Escrow Bills:	\$ 3,820.00
Reserve:	\$ -
TOTAL:	\$ 1,371,665.51

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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BUDGET MODIFICATIONS

Presented by Councilman Secreto

General Fund:

Modify Revenue A4389 (Federal Aid,Safety) and Appropriation A3120.430
(Clothing/Cleaning) Federal Grant for Bulletproof Vests from DOJ Treas 310/
Misc.Pay for Police Officers 1,117.20

Modify Revenue A2615 (NYS STOP DWI-Drug Evaluation) and Appropriation
A3120.101 (OT Wages) check from NYS STOP-DWI FOUNDATION for drug
evaluation by Officer Miller - July-Sept. 689.76

Highway Fund:

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &
Oil) Oct. Gas Reimb.-Oper.Funds 6,327.32

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &
Oil) Oct. Gas Reimb. (Ruby Fire District) 111.35

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &
Oil) Oct. Gas Reimb. (Ul.Fire Dist.#1) 96.54

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &
Oil) Oct. Gas Reimb. (Town of Kng.Hwy.Dept.) 595.97

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &
Oil) Oct. Gas Reimb. (E.Kng.Vol.Fire Co.) 239.13

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &
Oil) Nov. Gas Reimb. (E.Kng.Vol.Fire Co.) 393.84

MOTION: Councilman Brink

SECOND: Councilman Kitchen

Town Councilman Brink -Aye
Town Councilman Kitchen -Aye
Deputy Supervisor Morrow -Aye
Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

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Public Hearing Katrine Lane Sewer Project – Citizen Participation on Performance Review and Status of Activities

Opening: Mark Blauer

Performance Hearing:

CDBG Grant for \$750,000 to extend sanitary sewer service to Katrine Lane and side streets, received two years ago

Two public hearings are necessary, one at the beginning and one tonight for public concerns and feedback.

Town staff were used (highway, sewer) without hiring a third party contractor

Service is operational/functional now and people can now connect.

Less potential for water contamination and malfunction.

Motion to Open Public Hearing (7:14 pm):

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Public Comment:

1. Clayton Van Kleeck: Van Kleeck's Tire
Owns business on Katrine Lane. Thank you all. Work to figure out the project was bigger than the project itself. Business was not interrupted. Clean. Functioning. Very pleased and thankful.

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2. Regis Obijiski: 170 Ledge Road

Does not live there; however, recently read a document about economic development which stated that a primary weakness is water and sewer infrastructure. Anything done is great for the town.

No further comments

Motion to Close Public Hearing (7:17 pm):

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

New Business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of November 2019

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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Presentation and Acceptance of the Supervisor's Monthly Report for the month of November 2019

MOTION: Councilman Brink
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to authorize the Supervisor to sign the 2020 Agreement between the Town of Ulster and the City of Kingston for Utilization of the Ulster Police Firearms Range

MOTION: Councilman Kitchen
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to authorize the Supervisor to sign the 2020 Agreement between the Town of Ulster and the Ulster County Law Enforcement Training Group for Utilization of the Ulster Police Firearms Range

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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Motion to authorize the Supervisor to sign the 2020 Agreement between the Town of Ulster and the NYS Dept. of Environmental Conservation for Utilization of the Ulster Police Firearms Range

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to accept the Retirement of Building Inspector Kathy Moniz effective 12/31/19

MOTION: Councilman Brink
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to hire Kathy Moniz as a Part Time Code Enforcement Officer Start Date 1/1/2020

MOTION: Councilman Morrow
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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Motion to authorize the Police Chief to purchase a 2019 Dodge Durango under Municipal Contract

Councilman Secreto: May be a 2020 model

MOTION: Councilman Secreto
SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Resolution appointing Frank Almquist and Dan Furman to the Ulster County Planning Board

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

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, 2019; 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.

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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 DAN FURMAN, 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 Secreto

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Resolution Authorizing Payment of 2020 Highway Fund Debt Service Payment in 2019

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution of the Town Board Authorizing Payment of 2020 Highway Fund
Debt Service Payment in 2019

Whereas, the Town of Ulster Town Board authorized the issuance of bonds on February 23, 2016 in the amount of \$609,199 for the payment of certain Highway Department equipment purchased in 2009. The bond issuance requires the annual payment of principal in the amount of \$76,150 in each of the years 2018 through 2024 with interest payable annually at 1.5%;

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Whereas, the Town of Ulster Town Board authorized the Capital Reserve Fund of the Ulster Sewer District to purchase said bonds as an investment;

Whereas, the Town of Ulster Town Board approved the 2019 Highway Fund Budget and authorized the spending of \$230,000 for line item D.5110.440 Blacktop;

Whereas, the Town of Ulster Town Board increased the 2019 Highway Fund Budget and authorized the spending of \$275,000 for line item D.5110.440 Blacktop;

Whereas, the actual amount spent in 2019 for line item D.5110.440 Blacktop was \$160,159.26 and the Highway Superintendent has requested that the unspent difference between the Budget and Actual of \$114,870.74 be transferred to the 2020 Budget and added to D.5110.440 Blacktop;

Whereas, the Town of Ulster Town Board approved the 2020 Highway Fund Budget and authorized the spending of \$136,855 for line item D.9710.600 Serial Bond / Principal;

RESOLVED that the Town of Ulster Town Board does hereby authorize:

1. For the 2019 Budget, Transfer the amount of \$114,870.74 from D.5110.400 Blacktop and the amount of \$22,014.26 from D.1930.400 Judgments & Claims to D.9710.600 Serial Bond / Principal.
2. For the 2019 Budget, Transfer the amount of \$4,741.12 from D. 1930.400 Judgements & Claims to D.9710.600 Serial Bond / Interest.
3. Pay the amount of \$141,596.12 to the Ulster Sewer Reserve Fund for the Bond Principal and Interest Payment due February 22, 2020 and charge the appropriate accounts.
4. For the 2020 Budget, Transfer the amount of \$114,870.74 from D.9710.600 Serial Bond / Principal to D.5110.440 Blacktop.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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**Resolution for Site Plan Amendment Approval for Bernie Bus Services, Inc., 521-599
Boices Lane, Kingston, NY, SBL:48.7-2-37.210**

Councilman Morrow: Points out that there is no fuel storage at this location.

Supervisor: Correct. They made it clear that they will not service vehicles from an on-site storage tank or store it.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Site Plan Amendment Approval
Bernie Bus Services, Inc.
S-B-L: 48.7-2-37.210

WHEREAS, the Town of Ulster Planning Board, Town Board and its consultant planner have reviewed an application by *Rick Henningsen with Bernie Bus Services, Inc., with the consent of Gary Malfitano, 935 Associates, LLC. (Owner)* seeking *Site Plan Amendment* approval to allow 935 Associates, LLC to lease a 2.48-acre area of their 14.469-acre lot to Bernie Bus Services, Inc.; and

WHEREAS, the applicant intends to utilize the 2.48-acres for the parking of 30-32 School Buses along with employee parking for up to 32 employees; and

WHEREAS, physical changes to the site would be minimal and a mobile office trailer of *140 square feet* will be placed on the site; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Narrative* by Gary Malfitano, 935 Associates, LLC., dated November 26, 2019;
- *Site Plan Consent Form* by Gary Malfitano, 935 Associates, LLC., dated November 26, 2019;
- *Site Plan Application* by Rick Henningsen for Bernie Bus Services, Inc., dated November 26, 2019;
- *SEQR Short EAF* by by Rick Henningsen for Bernie Bus Services, Inc., dated November 26, 2019; and
- *Site Plan of Lands of 935 Associates to be leased to Bernie Bus Services, Inc.*, by Brinnier & Larios, P.C., dated November 26, 2019.

WHEREAS, the Town of Ulster Town Board retains the authority to approve the site plan amendment since the Proposed Action involves a Site Plan involving more than one (1) acre of land; and

WHEREAS, the Site Plan provides for sufficient on-site parking and loading spaces for the intended mix on uses on the Subject Site; and

WHEREAS, the Proposed Action did not require further referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster since the site has

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channelized access and sufficient parking spaces are provided on the site to accommodate the amended Site Plan; and

WHEREAS, the Town of Ulster Town Board, as the Lead Agency, upon review of the entire record determined the Proposed Action is a *Type II Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law and found no further action pursuant to SEQR is required.

WHEREAS, the Town of Ulster Town Board, finds there is a sufficient number of on-site parking spaces on the site to lease the 2.48-acre portion of the lot to Bernie Bus Service, Inc., while ensuring sufficient on-site parking for the existing building and current tenant mix.

WHEREAS, the Town of Ulster Planning Board, referred this matter to the Town Board with a recommendation to grant Site Plan Amendment approval.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby classifies the Proposed Action as a SEQRA Type II Action, pursuant to NYCRR Part 617.5(c)(9) of the SEQRA regulations and grants Conditional Site Plan Amendment approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. The applicant provides a revised Site Plan with a Parking Compliance Table for the subject site showing compliance with the Town Code;
5. The Town's consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
6. All fees, including consultant fees, shall be paid.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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Motion to authorize the Highway Superintendent to purchase a 2020 Cat 304E3 Mini Excavator from H.O. Penn Machinery as per Sourcewell Cooperative Purchasing Group Contract #032515 for the sum of \$74,500.

Petramale: Replaced small excavator used every day

MOTION: Councilman Secreto
SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to authorize the Highway Superintendent to purchase a 2020 Viking Custom Plow and Body Package from T & T Sales, Inc. as per Onondaga County Contract #8996 for the sum of \$99,050.

Petramale: this plow goes along with chassis purchase that was approved last month.

Supervisor: Essential for future projects and order takes time – need to order in advance.

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to authorize the Town Supervisor to renew the Town’s Insurance Policy for the year 1/1/2020 – 12/31/2020 with Tokio Marine / HCC Public Risk per the Quote of December 10, 2019

Supervisor: Quotations published on the Town Website.

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MOTION: Councilman Brink
SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to authorize the Town Supervisor to enter into a contract to purchase electricity and natural gas for the term 1/1/2020 through 12/31/2021 (24 months) through the New York Energy Program administered by GoodEnergy

Supervisor: Contract expired end of November. Savings range from 20-30% right now. Market changes day to day.

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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LATE ADDITION TO AGENDA:

Supervisor asks for the privilege of the floor for a late Resolution:

Supervisor Reads Resolution:

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER
Resolution Honoring Joel B. Brink,
Retiring Town Councilman

WHEREAS, Joel B. Brink began his service as Town of Ulster Town Councilman on January 1, 2000, and will retire from Town Government on December 31, 2019, and

WHEREAS, Joel will have served on the Town of Ulster Town Board for twenty (20) years, having been elected to five (5) terms as Town Councilman; and

WHEREAS, Joel has been a committed and dedicated public servant, and has worked tirelessly and cooperatively to promote the well-being of the citizens of the Town of Ulster, and

WHEREAS, Joel has been involved in numerous initiatives of great importance to the Town of Ulster, and has served in his role as Town Councilman with professionalism, integrity, humility, and compassion, and

WHEREAS, Joel is a lifelong resident of the Town of Ulster, and he hails from a family with a commitment to public service that spans the generations, and

WHEREAS, the Town of Ulster wishes to recognize Joel for his dedication and excellent service to the citizens of the Town of Ulster, and express appreciation for his work,

NOW, THEREFORE BE IT RESOLVED that the Town of Ulster Town Board hereby honors Joel B. Brink for his long and distinguished career in local government in the Town of Ulster, and for his commitment, dedication, and leadership. The Town of Ulster Town Board hereby expresses its appreciation for his service to our community, and wishes him a healthy and fulfilling retirement.

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MOTION: Councilman Secreto
SECOND: Councilman Kitchen

ROLL CALL VOTE:

Town Councilman Brink	-Excused
Town Councilman Kitchen	-Yes
Deputy Supervisor Morrow	-Yes
Town Councilman Secreto	-Yes
Supervisor Quigley	-Yes

CARRIED

Supervisor: Monday night Brink honored at a dinner; he was recognized by NYS Senate, Assembly, UC Legislature, UC and Town of Ulster Republicans. Brink did not get a chance to speak at that time.

Councilman Brink: Thanks voters in the Town of Ulster, employees, public officials, his wife, daughter, son in law, and grandson. Everyone was very supportive. Merry Christmas.

Supervisor: Heartfelt gratitude and appreciation for his service. Presents Brink a card and gift certificate from Town employees.

Councilman Brink: Thanks everyone.

Councilman Morrow: It has been a great honor serving last 10 years with Joel.

Councilman Secreto: Last 10 years an honor and became good friends.

PUBLIC COMMENT- No Public Comment

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MOTION to enter Executive Session to discuss Town Assessor position (7:37 pm)

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Supervisor: Out of Executive Session – No Reportable Actions

MOTION to End Executive Session and Adjourn (7:51 pm):

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk