

TOWN OF ULSTER TOWN BOARD MEETINGS (07)

APRIL 23, 2020

***MEETING CLOSED TO THE PUBLIC DUE TO CORONAVIRUS (COVID-19)
Meeting Conducted via Zoom (video conference); Audio Recorded (standard procedure);
Broadcast Live via Facebook.
Audio and Video available on the Town of Ulster Website***

ALL VOTES on Each Motion and Resolution are Cast Via ROLL CALL VOTE

Supervisor: Reminds public to text in comments/questions to his cell phone or email
townclerk@townofulster.ny.gov

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:02 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 3rd

ALSO IN ATTENDANCE:

1. Warren Tutt, Building Inspector
2. Jason Kovacs, Town Attorney
3. Kyle Berardi, Police Chief
4. Frank Petramale, Highway Superintendent
5. Vincent Maggiore, Wastewater Superintendent
6. Miranda Bernholz, Deputy Assessor
7. Bill Kemble, Daily Freeman

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF MINUTES – March 5th and 19th (2020-M-106)

MOTION: Councilman Secreto
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

COMMUNICATIONS – None

ABSTRACT OF CLAIMS (2020-M-107)

April 2020

Prepaid Bills:	\$ 298,633.47
Abstract Bills:	\$ 369,943.86
Escrow Bills:	\$ -
Reserve:	\$ -
TOTAL:	\$ 668,577.33

MOTION: Councilman Van Kleeck
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

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BUDGET MODIFICATIONS (2020-M-108)

2020

Spring Lake Water District		
	Modify Appropriation SW3.8320.250 Meters & Hydrants to be funded through	\$ 32,400.00
	SW3.5990 Appropriated Fund Balance for Meters & Hydrants Expenses	
Cherry Hill Water District		
	Modify Appropriation SW5.8320.250 Meters & Hydrants to be funded through	\$ 35,500.00
	SW5.5990 Appropriated Fund Balance for Meters & Hydrants Expenses	

MOTION: Councilman Van Kleeck

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

BUDGET TRANSFERS (2020-M-109)

MOTION: Councilman Van Kleeck

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

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The following matters have been discussed and actions have taken between March 20, 2020 and April 22, 2020 by the Town Board in periodic Emergency Sessions during the Covid 19 Emergency

MOTION to Vote on the Following List as a Whole (2020-M-110)

MOTION: Councilman Secreto
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

Motion to waive the necessity for punch cards/ticket use at the Transfer Station during the Pandemic if resident presents a valid permit – Free Dumping

Motion to close the 3/19 Town Board meeting to the public and broadcast via Facebook live

Motion to accept the resignation of Full Time Dispatcher Kilfoyle

Motion to hire one Full Time Police Dispatcher

Motion to accept the resignation of one Part Time Police Officer

Motion to extend the Closure of the Town of Ulster Senior Center until the end of April

Motion to Authorize the Supervisor to Sign Intermunicipal Agreement for the Sharing of Information Relating to Short Term Rental Properties Between the County of Ulster and the Town of Ulster

Motion to authorize bid for full depth recycling and cold planning for Highway Department

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Motion to Ratify the Abolition of the Recreation Director Position effective 3/7/20

Motion to cancel all Planning and Zoning Board meetings for the month of April due to the Coronavirus Pandemic

Motion to extend the due date for payment of Town of Ulster Water/Sewer charges from April 30, 2020 to May 31, 2020 without penalty

MOTION TO APPROVE THE AFOREMENTIONED MOTIONS (2020-M-111)

MOTION: Councilman Secreto

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

TOWN OF ULSTER TOWN BOARD MEETINGS (07)

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NEW BUSINESS

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of March 2020 (2020-M-112)

MOTION: Councilman Secreto
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

Presentation and Acceptance of the Supervisor's Monthly Report for the month of February and March 2020 (2020-M-113)

MOTION: Councilman Secreto
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

APRIL 23, 2020

Presentation of 2019 Fund Balance Review in accordance with Fund Balance Policy adopted by the Town Board

NO ACTION

Presentation of the Annual Update Document filed with the NYS Comptroller's Office for the Town's Financial results for the year ending December 31, 2019 to be adopted at the next meeting

NO ACTION

Motion to accept the resignation of Part Time Dispatcher Timothy Quigley (2020-M-114)

MOTION: Councilman Secreto
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

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Motion to authorize the Supervisor to close the Salt Shed account with BOGC and destroy unused checks (2020-M-115)

MOTION: Councilman Secreto
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

Motion to extend the closure of the Town of Ulster Senior Center until May 15, 2020 (2020-M-116)

MOTION: Councilman Secreto
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

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**Motion to not open to the Public, Robert Post Park until May 15, 2020 (subject to change)
(2020-M-117)**

MOTION: Councilman Secreto
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

**Motion to cancel the Planning and Zoning Board Meetings for the month of May if
Necessary (2020-M-118)**

MOTION: Councilman Secreto
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

APRIL 23, 2020

Resolution Authorizing the Redevelopment of the Production Wells in the Halcyon Park Water District in an amount not to Exceed \$39,000.00 (2020-R-119)

Resolution of the Town Board
TOWN OF ULSTER
Resolution Authorizing Well Redevelopment and Pump Upgrades
for Halcyon Park Water District

WHEREAS, the production capacity of the wells that provide water to the Halcyon Park Water District has declined since the last well redevelopment which took place in 2009; and

WHEREAS, John Rose, the Town Water Superintendent, recommends that two subsurface Production Wells located on the property of the water plan in Halcyon Park be redeveloped at this time; and

WHEREAS, the Town has received a proposal dated February 11, 2020 from Subsurface Technologies, Inc. (the contractor responsible for the well redevelopment that took place in 2009) totaling \$33,505.00 for the redevelopment of both wells; and

WHEREAS, during the Well Redevelopment Process, the control system for the pumps should be upgraded with variable speed drives for a cost of \$5,470.00 to Emerick Associates;

WHEREAS, both contracts would be funded by an Appropriation of Unreserved Fund Balance of the Halcyon Park Water District, which was approximately \$42,000 over the minimum Fund Balance per the Town of Ulster Policy at December 31, 2019; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Water Department to contract with Subsurface Technologies, Inc. for the Well Redevelopment Process at a cost not to exceed \$33,505.00 and to contract with Emerick Associates for pump upgrades not to exceed \$5,470.00.

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MOTION: Councilman Secreto
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

APRIL 23, 2020

Resolution Scheduling Public Hearing Regarding Proposed Abandonment of a Portion of John Street for Thursday, May 7, 2020 at 7:10 pm (2020-R-120)

Resolution of the Town Board

TOWN OF ULSTER

Resolution scheduling public hearing for May 7, 2020 at 7:10 p.m. or as soon thereafter as can be reached at the Town of Ulster Town Hall with respect to the abandonment of a portion of John Street in East Kingston

WHEREAS, Quarry Waters LLC, an affiliate of the Scenic Hudson Land Trust, is the owner of the property identified as SBL: 48.16-3-8.100, and said property adjoins both sides of John Street in East Kingston between the municipal boundary with the City of Kingston and the northerly boundary of said property; and

WHEREAS, Quarry Waters LLC desires and requests that the Town convey its interest in that portion of John Street (description attached to this resolution as Schedule "A") between the municipal boundary with the City of Kingston and the northerly boundary of said property to the adjoining property owner: Quarry Waters LLC; and

WHEREAS, said request is being made by Quarry Waters LLC, an affiliate of the Scenic Hudson Land Trust due to the anticipated Empire State Trail which is to be constructed on said property, with easements to be granted to the City of Kingston and Town of Ulster for public access and maintenance; and

WHEREAS, the Town Highway Superintendent joins in the request as the transfer will remove a dead-end street from the town's road inventory and reduce maintenance costs for the Town for a roadway that serves no useful purpose to the Town; and

WHEREAS, the Town Board wishes to hold a public hearing with respect to the conveyance of said portion of John Street in the Town, as well as with respect to any and all other Town roads, previously abandoned or otherwise, that may exist on the property belonging to Quarry Waters, LLC;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board of the Town of Ulster with respect to the abandonment and conveyance of the portion of John Street in East Kingston between the municipal boundary with the City of Kingston and the northerly boundary of said property of Quarry Waters LLC to Quarry Waters LLC at 7:10 p.m. on May 21, 2020 at the Town of Ulster Town Hall, and it is further

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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 Secreto
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

Presentation of Public Access Easement to be Granted by Quarry Waters, LLC to the City of Kingston and Town of Ulster

NO ACTION

Presentation of Hudson River Brickyard Trail Inter-Municipal Agreement

NO ACTION

APRIL 23, 2020

Resolution Scheduling a Public Hearing Regarding Proposal Abandonment of the Road known as the Potter Hill Spur for Thursday, May 7, 2020 at 7:15 pm (2020-R-121)

Resolution of the Town Board
TOWN OF ULSTER

Resolution scheduling public hearing for May 21, 2020 at 7:15 p.m. or as soon thereafter as can be reached at the Town of Ulster Town Hall with respect to the abandonment of a portion of Potter Hill Road

WHEREAS, Joseph Gaddis and Cheryl Gaddis are the owner of the property identified as SBL: 39.8-2-11, and said property adjoins both sides of a paper road that was formerly utilized by the Town as Potter Hill Road but has not been used as a road in over thirty (30 years); and

WHEREAS, Joseph Gaddis and Cheryl Gaddis desires and requests that the Town convey its interest in that portion of the former Potter Hill Road (description attached to this resolution as Schedule "A") to the adjoining property owner: Joseph Gaddis and Cheryl Gaddis; and

WHEREAS, the Town Highway Superintendent joins in the request as the transfer will remove a paper road from the town's road inventory; and

WHEREAS, the Town Board wishes to hold a public hearing with respect to the proposed conveyance of the former Potter Hill Road;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board of the Town of Ulster with respect to the abandonment and conveyance of the portion of the former Potter Hill Road between State Route 32 and the current Potter Hill Road to Joseph Gaddis and Cheryl Gaddis at 7:15 p.m. on May 21, 2020 at the Town of Ulster Town Hall, 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.

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**SCHEDULE "A"
DESCRIPTION OF POTTER HILL ROAD (ABANDONED)**

All that piece or parcel of land situate in the Town of Ulster, County of Ulster and State of New York, being found on a "Map of Lot Line Revision prepared for Cheryl A. Gaddis & Joseph D. Gaddis" filed in the Ulster County Clerk's office on _____ as map number _____, being more particularly bounded and described as follows:

Beginning at point on the Westerly side of New York State Route 32, said point being the Northeasterly corner now or formerly of lands of Mary T. Hellen and Lee Hellen Hewitt (liber 6432 page 227) to be conveyed to Gaddis; thence along the bounds of lands of Hellen and Hewitt the following eight courses and distances

1. North 23°-54'-48" West, 40.84 feet to a point; thence
2. North 31°-16'-48" West, 162.01 feet to a point; thence
3. North 24°-51'-48" West, 35.66 feet to a point; thence
4. North 8°-59'-48" West, 29.75 feet to a point; thence
5. North 2°-24'-12" East, 32.21 feet to a point; thence
6. North 6°-07'-12" East, 55.26 feet to a point; thence
7. North 18°-42'-48" West, 19.49 feet to point; thence
8. North 33°-46'-48" West, 3.16 feet to a point on the Southerly side of the existing Potter Hill Road; thence

North 74°-51'-35" East, along said side of Potter Hill Road, 33.89 feet to a point, said point being the Northwesterly corner of lands of Cheryl A. and Joseph D. Gaddis (liber 3638, page 234); thence along the bounds of Gaddis the following seven courses and distances,

1. South 18°-42'-48" East, 27.69 feet to a point; thence
2. South 6°-07'-12" West, 61.46 feet to a point; thence
3. South 2°-24'-12" West, 27.85 feet to a point; thence
4. South 8°-59'-48" East, 21.85 feet to a point; thence
5. South 24°-51'-48" East, 29.22 feet to a point; thence
6. South 31°-16'-48" East, 162.29 feet to a point; thence
7. South 23°-54'-48" East, 2.36 feet to a point on the aforementioned Westerly side of New York State Route 32; thence

Along said side of New York State Route 32, South 21°-41'-12" West, 23.09 feet to point and South 10°-06'-12" West, 29.49 feet to the point of the beginning.

It is intended herein to describe a portion of the vacated or previously used Potter Hill Road Spur connecting New York State Route 32 to the existing Potter Hill Road.

Subject to the rights of the public in any portions thereof lying within the bounds of N.Y.S. Rt. 32 and Potter Hill Road.

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All bearings are magnetic meridian of August 1986 as surveyed by Michael C. Vetere, P.L.S. as shown on a survey dated March 29, 2020.

MOTION: Councilman Secreto
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

APRIL 23, 2020

Presentation of Resolution of Halcyon Park Water Tank Funding

NO ACTION

TOWN OF ULSTER
RESOLUTION RECOMMITTING THE TOWN OF ULSTER TO FUND
THE HALCYON PARK WATER TANK REPLACEMENT PROJECT

Whereas, the Town of Ulster needs to demolish and remove the 75,000-gallon existing welded and painted steel finished water tank serving the Halcyon Park Water District and replace it with an 85,000-gallon glass-fused-to-steel bolted tank; and

Whereas, Brinnier & Larios, PC has identified the probable cost of replacing the existing storage tank serving the Halcyon Park Water District to be \$465,000; and

Whereas, the New York State Water Infrastructure Improvement Act of 2017 can provide grant assistance amounting to 60% of eligible costs up to \$3,000,000; and

Whereas, the Town of Ulster is prepared to fund the \$178,000 balance of project costs from its existing balance in General Fund Account A230: and

Whereas, pursuant to a Resolution of the Town Board of Town of Ulster duly adopted on the 6th day of September 2018, the Town applied to the State of New York for a grant to fund said water tank replacement project; and

Whereas, by letter dated December 23, 2019, the State of New York awarded the Town of Ulster a grant in an amount not to exceed \$457,200.00 to partially fund said water tank replacement project; and

Whereas, the Town of Ulster is prepared to fund the \$178,000 balance of project costs from its existing balance in General Fund Account A230: and

Now, Therefore, Be It

Resolved, that the Town Board of the Town of Ulster hereby authorizes acceptance of the grant from the State of New York in an amount not to exceed \$457,200.00 to partially fund said water tank replacement project; and be it further

Resolved, that the Town Board of the Town of Ulster shall fund, at the appropriate time, the \$178,000 balance of project costs from its existing balance in General Fund Account A230: and be it further

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Resolved, that Supervisor James Quigley 3rd is authorized to sign all documents and take all action necessary to carry out this resolution.

April 23, 2020

PUBLIC COMMENT

1. Email received from Legislator Brian Cahill: Thank you for conducting the meeting and if anyone needs anything, reach out to him
2. Councilman Secreto: Received good feedback and thank yous regarding the status of the transfer station.
3. Supervisor: Asks from Departments Heads present how things are going?

Vincent Maggiore: Sewer Plant operating well. Tough with reduced staff. On schedule with spring timeline such as disinfection. No significant increase with wipes and gloves being flushed – department is ahead of that problem. Yesterday was Earth Day, reminding everyone “No Wipes in the Pipes”.

Kyle Berardi: Police operating at full staff. Participating in community events such as birthday and school parades.

Miranda Bernholz: Working from home. Mary works both from home and in office. Almost done with the roll. Everything running smooth. Met with Dan Baker twice recently and discussing Grievance Day.

Frank Petramale: Highway Dept at half staff every other week. Monday (4/27) expecting Eastern Parkway railroad crossing to be closed for three days by CSX. A local, 40-year resident will be buying lunch for each department in the next few weeks.

Warren Tutt: Building Dept limited staff but open 8-4, M-F. Permits are limited at this time. Slow in the office but getting caught up on back log. Interdepartmental cooperation and thanks Peggy for supplying cleaning supplies. Continue social distancing.

Suzanne Reavy: Town Clerk’s Office two people working in office, now limiting to one person working at a time, alternating shifts. Increase in marriage license requests and now that Governor issued order to allow marriage license issuance through video conferencing, we will be able to handle the demand.

Supervisor: Court is still closed due to OCA order.

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No further comments

MOTION to adjourn: 7:40 pm (2020-M-122)

MOTION: Councilman Morrow

SECOND: Councilman Secretp

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