

**TOWN OF ULSTER TOWN BOARD MEETINGS (13)**

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AUGUST 6, 2020

**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM**

**SALUTE TO THE FLAG**

**ROLL CALL by Town Clerk, Suzanne Reavy:**

TOWN COUNCILMAN ERIC KITCHEN - *Excused*

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. Frank Petramale, Highway Superintendent (via Zoom)
2. Jason Kovacs, Town Attorney
3. Kyle Berardi, Police Chief
4. Warren Tutt, Building Inspector

**ADDITIONS OR CHANGES TO AGENDA –**

*Supervisor:* Change regarding SRO agreement between Town of Ulster and Kingston City School District, no answer yet from the School District re: the arrangement for this school year. .  
Table this item.

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

**COMMUNICATIONS –** Letter read from Mark D. Morano, Assistant Engineer at NYS Department of Transportation, received July 31, 2020. Letter was in response to Town Board's 6-18-2018 request for a formal speed limit study be completed on Route 9W/E Chester St Bypass, between the City of Kingston line and Ulster Avenue. NYSDOT determined that existing 45 mph speed limit is reasonable and correct; existing traffic conditions at the intersections of Route US 9W at Kiefer Lane and at Memorial Drive are not the type necessitating signalization.

AUGUST 6, 2020

**Committee Reports**

1. Recreation, Rocco Secreto  
Post and Rider Parks are in great shape. Workers there have been thanked numerous times. Thanks them for job. Men's and women's softball are doing well. Monday nights, Music in the Park is held at Post Park, information advertised on the Town Clerk Facebook page. Thanks highway and water departments for park and softball field work and help.
2. Finance, Clayton Van Kleeck  
Reviewing bills every month. No inconsistencies or concerns. Minor expenses with government grants (PPE and protective work). Noticeable vehicle purchases which were planned. Everything in order.
3. Personnel, Clayton Van Kleeck  
Limited activity and layoffs of non-essential employees due to COVID. Some police hires. Does not recall any issues.
4. Building, John Morrow  
Working with Councilman Van Kleeck and police department regarding construction to get police employees back in. Working with Councilman Secreto, Warren Tutt, judges, on handicapped accessible doors for the town hall.

*Supervisor:* Engineering study underway for replacement of generator at town hall building. Waiting for final design plans.

AUGUST 6, 2020

**New Business:**

**Presentation and Acceptance of the Supervisor's Report for June 2020 (2020-M-198)**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

**Discussion on the renewal of CDPHP Health Insurance Plan for plan year December 1, 2020-November 30, 2021**

*Supervisor:* Information in meeting packet see an initial premium increase of 16% and illustration of how premium compares to prior year. In discussion with agent on how to modify proposed rate increases. Will report back.

**Presentation of School Resource Officer Agreement between the Town of Ulster and Kingston City School District for the 2020-2021 school year**

*TABLED*

**Motion to authorize the Town Court to make application for the 2020-2021 Court Grant with Judge Susan Kesick and Supervisor Quigley being authorized to sign the Grant Paperwork (2020-M-199)**

*Supervisor:* Last year grant received that will result in front door replacement.

TOWN OF ULSTER TOWN BOARD MEETINGS (13)

---

AUGUST 6, 2020

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

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

*CARRIED*

**Motion to authorize the Highway Superintendent to add a crosswalk on Orlando St. by Aunt Jenn's Early Learning Center**

*Councilman Secreto:* Will drive down there with Highway Superintendent tomorrow to look at site.

*Supervisor:* Revise wording of Motion

**Motion to authorize the Highway Superintendent use his own discretion to add a crosswalk and/or stop sign at the intersection of Orlando Street and Esopus Avenue (2020-M-200)**

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

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

*CARRIED*

AUGUST 6, 2020

**Resolution for Bidding of Materials for Spring Lake Capital Sewer Project (2020-R-201)**

*Supervisor:* \$750,000 grant received in 2018. Set of plans in front of NYSDEC for approval. Resolution authorizing bid for materials that will not be required until approval from DEC.

**TOWN BOARD RESOLUTION**  
**Town of Ulster, Ulster County, New York**

**Whereas,** the Town Board has approved the CDBG funding of a low pressure sewer system for Phase 1 of Spring Lake; and

**Whereas,** the Town Board has awarded an engineering contract for the design and bidding of the extension; and

**Whereas,** the project plans are completed and have been submitted and New York State Department of Environmental Conservation, and

**Whereas,** time is of the essence with respect to the CDBG funding.

**Therefore Be It Resolved** that the Town Board of the Town of Ulster authorizes the project, “Contract No. TU- 201M, “*Low Pressure Pump Stations and Appurtenances*” and TU-202M, “*Low Pressure Sanitary Sewer Force Main and Appurtenances*” be publicly bid in accordance with the Town Law and requirements of the Funding Agency; and that the precise bid date be established as August 21, 2020. By Order of the Town Board, Town of Ulster, this 6th day of August, 2020.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

AUGUST 6, 2020

**Presentation of Local Law \_\_ of 2020: A law creating the Office of Town Comptroller**

*[Present on Town Website and to discuss at a future meeting]*

*Supervisor:* No action required tonight. Discuss at a future meeting.

**Discussion on Whittier Water**

*Supervisor:* Surveys recently mailed and to date, we received 35/205 to date. Asks Whittier/Deer Run residents to return surveys. Second step is if majority of residents indicate favorable for the Town to acquire assets from American Water, Supervisor will develop a proposal to engage an engineering firm to prepare an appropriate plan – finances, rates, etc.

*Councilman Van Kleeck:* How many responses are required for a successful indication?

*Councilman Morrow:* Went door to door for another survey and it was successful.

*Supervisor:* If we receive over 50%, we can build a financial model.

*Councilman Van Kleeck:* Is there an appropriate way to canvas during COVID?

*Supervisor:* Can do a telephone campaign.

Phone call from Albany today with an organization that had a conversation with Public Service Commission on our behalf. Recommendation to Town to make application to be a party to the application of approval to the merger between American Water and Liberty. If the Town is a party, all communications will come to the Town and the Town will have a “seat at the table”.

*Councilman Van Kleeck:* Is it possible to get copies of customers’ bills?

*Supervisor* will ask.

AUGUST 6, 2020

**Motion to authorize the Supervisor to make application to the NYS Public Service Commission for the Town of Ulster to be a party to the Joint Petition of American Water Company, Inc. and Liberty Utilities (Eastern Water Holdings ) Corp for Approval Pursuant to Section 89-h of the New York Public Service Law, of the Acquisition by Liberty Utilities (Eastern Water Holdings) Corp. of 100% of New York American Water Company, Inc. Issued and Outstanding Capital Stock and for Approval, Pursuant to Section 89-f of the New York Public Service Law, of the Issuance of Long-Term Indebtedness (2020-M-202)**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

**Revise Motion made and adopted on July 16, 2020 meeting on Water/Sewer Penalties (2020-M-203)**

*Supervisor:* Last meeting the Town Board considered a revision to the penalty schedule and was mis formed. Town Board ratify existing Town water/sewer penalties at 20% assessed, 30 days after the due date. Town Board limited waiving the prior penalty for a business affected by COVID.

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

AUGUST 6, 2020

**Police Reform Committee discussions**

*Councilman Van Kleeck:* Twelve people expressed interest in joining this committee. He and Chief Berardi accepted all. Meeting notice will be sent out for August 27 meeting.

*Chief Berardi:* Twelve candidates will establish a workable dialogue. We can put something forward for the Town Board by the April 1, 2021 deadline.

*Supervisor:* [to Kovacs] Should the Town Board address an item at the next meeting for the formation of this committee and name all members?

*Kovacs:* yes

*Councilman Morrow:* Set a term for the candidates.

*Supervisor:* State mandate this report is to be turned into the State by April 1, 2021, so turned into the Board no later than the March to ratify for submission. Asks Kovacs to include the deadlines in authorizing legislation.

*Councilman Van Kleeck:* Targeting the end of February to be complete. We will have three officers from the police department as a resource, as well as a member from both District Attorney and Public Defender offices.

*Chief Berardi:* Then present at the first meeting in March.



AUGUST 6, 2020

**Motion to authorize the transfer of \$7500.00 from the Ulster Water District and \$7500.00 from the Spring Lake Sewer Project to the SCADA System Upgrade Project – Phase 1 for the Districts cost contribution (2020-M-204)**

*Supervisor:* Project is being manufactured now by electronics manufacturer. Phase 2 will be installed also.

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

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

*CARRIED*

**Motion to transfer up to \$25,000.00 from Account # A.0231.000 Landfill Closure Fund to Katrine Lane Sewer Extension Capital Project for local cost contribution per July 26, 2016 Project Budget (2020-M-205)**

*Supervisor:* Initial budget at onset (2016) of \$788,000; grant for \$750,000. Town cost contribution is \$38,000 to complete project as designed.

MOTION: Councilman Secreto  
SECOND: Councilman Van Kleeck

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

*CARRIED*

AUGUST 6, 2020

**Motion to accept the resignation of Part Time Officer Bailey effective 7/20/20  
(2020-M-206)**

*Presented by Councilman Van Kleeck*

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

*CARRIED*

**Motion to authorize the Police Chief to purchase a Mobile License Plate  
Reader Camera System from NDI Recognition Systems, under NYS Contract  
#PC69027 in the amount of \$15,912.50 (2020-M-207)**

*Upon recommendation of Chief Berardi, will replace an antiquated system with modern  
technology and will provide additional benefits to Town of Ulster and Ulster County.*

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

*CARRIED*

AUGUST 6, 2020

**Motion to schedule a Public Hearing for Thursday, September 3, 2020 at 7:10pm for a CDBG hearing for a prospective Spring Lake Phase 2 Sewer project (2020-M-208)**

*Supervisor:* Required by program rules of small cities. CFA grant process not announced yet for 2020. Prudent to be prepared for when NYS allowed.

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

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

*CARRIED*

**Motion to authorize the sale of the 2009 Dog Control Vehicle to Ulster County Canine for \$500.00 (UCC is a NYS registered 501c3 non-profit organization)**

*Recommendation from Councilman Secreto to add to Motion – \$500 to be offset against fees to be paid for canine control services (2020-M-209)*

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

*CARRIED*

AUGUST 6, 2020

**PUBLIC COMMENT -**

**Discussion on Whittier/Deer Run Water**

Three Residents with Questions/Concerns

1. Did not send the survey back because did not want to commit to anything without obtaining more information. Not sure how everything would be converted. What will the rates look like?
2. Current system cannot handle the number of residents now. More houses are being developed. Recent purchase of 31 acre lot – how will that be developed?

*Supervisor:* There is an application to provide the same water and service to another company, Liberty – in negotiations for approximately nine months. Acquisition by Liberty would include 125K customers, mostly on Long Island. Only 220 customers here in the Town of Ulster. Town of Ulster has seven water districts, 2100 customers, six employees. They and sewer and water departments respond to issues within an hour. Survey just gives the town the support to acquire assets from American Water and negotiate for assets, including wells. No idea how much it will cost to buy or maintain. Right now asking residents for opinions. If positive feedback for takeover, engineering study would be done to determine costs, rate structure, etc. Survey does not bind anyone to anything, just for the town to consider.

*Councilman Van Kleeck:* You have to give us permission to look into it. If people say no, we will not proceed.

*Warren Tutt:* Knows about the purchase of the 31 acres. The man who bought it wants to build a garage but must build a house first. No large development will be allowed due to the water issue.

*Supervisor:* A prior owner went before the planning board for a development project, and eventually was denied by the planning board due to lack of ability to get service letter for water and town denied him sewer. Now new owner of the 31 acres.

*Councilman Van Kleeck:* Keep in mind that someone will end up owning the water system. The Town has proved that it runs water districts efficiently. If it is Town of Ulster, you have some influence. Canada is a long way away. We have opportunity to do something better.

*Chuck Phillips (resident):* Worked on the pump house at age 16. Ever since Don Glass sold, it has gone downhill. Upgrades never done.

**TOWN OF ULSTER TOWN BOARD MEETINGS (13)**

---

AUGUST 6, 2020

*Supervisor:* Surcharge at bottom of each monthly bill, 2%, approx. \$12. Multiply that by 220 houses, and question, does that provide a return of a \$1M investment that American Water just made. Tells that there is to be a rate increase. Improvements do not serve in a reliant manner.

*Resident:* Just received letter that rates will increase in September.

*Supervisor:* Please get me that letter. Discusses Katrine Lane Sewer project wherein town used town employees, did not have to go out to bid for upgrades. Please return surveys.

*Councilman Morrow:* We are on a fact-finding mission that we are investigating. Number of parties involved. Before there is commitment, you will have information before you. Apologizes on not coming across that way.

~End of Public Comment~

**MOTION to enter Executive Session to Discuss PBA Collective Bargaining Agreement (7:53 pm) (2020-M-210):**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

**TOWN OF ULSTER TOWN BOARD MEETINGS (13)**

---

AUGUST 6, 2020

**RETURN from Executive Session – No actions to report/None Taken**

**MOTION to adjourn: 8:15pm: (2020-M-211)**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk