

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

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

SALUTE TO THE FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Kyle Berardi, Police Chief
2. Kathy Moniz, Building Inspector
3. Frank Petramale, Highway Superintendent
4. Jason Kovacs, Town Attorney
5. Vincent Maggiore, Wastewater Superintendent
6. Jeff Hayner, Recreation Director
7. Warren Tutt, Code Enforcement
8. Three town residents

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

COMMUNICATIONS –

Happy Birthday to Councilman Eric Kitchen

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

PRESENTATION by Martin Bruhn regarding 3 Days of Ulster Cycling 2020

Present: Martin Bruhn & Joseph Murphy (Colleague & Director)

MB: [Displays map of course} Seven years under belt. This is a 62-mile, three day event: May 1-3, 2020, to highlight Ulster County. This is a “women only” event, mission is to “Share the Road”. No political agenda. Woodstock, Kingston, Ulster, Phoenicia, Saugerties, Town of Kingston involved. Asking to be guests on Town roads.

Councilman Secreto: Will roads be closed to residents?

MB: Manned by police departments and fire police. Not the virtue of our race.

JM: Race in your town will be a 5-7 minute delay only: Non-intrusive. Sawkill Road to Hallihan Hill.

MB: Only need two law enforcement personnel.

MOTION to endorse Town of Ulster’s Participation and Encouragement for the Ulster Cycling 2020 Event on May 3, 2020

[will provide necessary insurance paperwork]

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

DEPARTMENT HEAD REPORTS

1. Police Department -- Chief Kyle Berardi
15,000 calls for service; 580 arrests (39 alcohol/drugs while driving); over 1500 traffic tickets issued. New records management system this year funded by Ulster County – over \$100k savings over five years. Waiting on two new hybrid vehicles. Lost two senior detectives; promoted a detective sergeant; hired first ever female detective.

Councilman Kitchen: Bail reform beginning 1/1/20: What do you see regarding its implementation?

Berardi: An argument across the state between law enforcement and state. Law would change that a burglary 2nd charge (felony) would allow defendant to be released with an appearance ticket rather than arraignment and possible bail. Also law enforcement will be required to deliver discovery to defense within 15 days post-arrest or case will be disposed of.

2. Wastewater Department – Vincent Maggione
No problems with Ulster plant, Whitter, and Washington Avenue. Scheduled maintenance of equipment and tanks. Katrine Lane sewer expansion in the process and nearly complete, with help of highway department. Spring Lake sewer project – filed for extension of grant and one year granted. Hope to construct in 2020.

Supervisor: re Ulster Sewer, recently received Arcadis review study. Arcadis should make a presentation to the Town Board.

VM: Will make arrangements.

3. Recreation – Jeff Hayner
Tree lighting is Saturday, 12/7 at 6pm. Parks closed well on 10/31. Biddy basketball starting games in one week. Adult volleyball is now one month in.

4. Highway Department – Frank Petramale
Salt shed complete and worked fine during recent storm. Thanks to Town Board and Senator Amedore. Paved 3+ miles of roadway this year. Fall leaf pickup began.
Equipment: Hope to received Mack chassis by the end of December; tonight request to purchase another chassis for next year; will order mini excavator in 2020 – all purchased through capital equipment. Employees are fine. Recently storm accumulation 13”. Happy Holidays.

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

Supervisor: Compliance with parking ordinance – any problems during the storm?

FP: Usually it is the same vehicles. If any problems, drivers usually call town police.

KB: In late November, the usual vehicles on roadway were issued warnings.

FP: January will begin split shifts – scheduling.

5. Building Department - -Kathy Moniz

Working on Buffalo Wild Wings (minor issues), Casa Vallarte, Kingston Commons, grocery pickup area at Target, Kingswood Park Plaza, interior work at Kay Jewelers moving to Ulster Commons, UPS new location in Kings Mall. Six commercial c/o; 16 residential c/o; 18 commercial c/c; 48 residential c/c.

Sunset Gardens: Will be in court on 12/17 regarding egress and rats. Meeting with office manager and attorney on 12/6. Completed a walkthrough and will do another. KM will look to see what court town of Esopus brought them to.

New Business:

Motion to set the 2019 Organizational Meeting for Thursday, January 2, 2020 at 7:00pm

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

Motion to authorize the Supervisor to sign the 2020 Tax Collection Agreement with the Bank of Greene County for collection of 2020 Real Estate Taxes

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

Motion approving the payments to the Town Registrar and Deputy Registrar of Vital Statistics for the twelve-month period ending November 30, 2019 in accordance with Town Policy

MOTION: Councilman Secreto
SECOND: Councilman Brink

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

CARRIED

Motion to accept Resignation of Police Officer Trevor Bailey effective January 6, 2020

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

Motion to hire Daniel Odendahl as a Full Time Police Officer effective January 1, 2020

[presented by Councilman Brink]

Employed here since 6/2018; \$21.61/hour; start date 1/1/2020

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

Motion to hire a Part Time Police Officer

[presented by Councilman Brink]

Nicholas Norton: currently employed Red Hook PD; \$21.61/hour; start date 12/9/19

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

Motion to hire a Part Time Dispatcher William Gray Effective 12/2/2019

[presented by Councilman Brink]

\$15.91/hour; fire fighter and EMT 10 years at Ulster Hose

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

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

CARRIED

Motion to authorize the Highway Superintendent to purchase a 2021 Mack Granite 42FR single axle chassis from Beam Mack Sales as per Onondaga County Contract #8996 for the sum of \$133,741.02

Supervisor: One year ago, Town Board authorized the purchase of the recent chassis. (planned Capital Equipment in Highway Department funds). For this purchase, the model year will depend on the manufacturing date.

MOTION: Councilman Kitchen
SECOND: Councilman Brink

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

CARRIED

Motion to appoint John Morrow as an Ulster County Transportation Council Voting Proxy (previously Councilman Brink served)

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

Old Business:

Motion to authorize the Supervisor to sign Change Order #2 for Job #TU-182M, Furnishing Low Pressure Sanitary Sewer Force Main, Pump Stations and Materials in the amount of \$10,673.49 to Siewert Equipment

Vincent Maggiore: This should be the last change order.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

December 5, 2019

Resolution Establishing Capital Reserve Fund f/b/o East Kingston Fire Protection District under General Municipal Law Section 6-c

Resolution of the Town Board
TOWN OF ULSTER
Resolution Establishing Capital Reserve Fund f/b/o East Kingston Fire Protection District Under General Municipal Law Section 6-c

The Town Board of the Town of Ulster, duly convened in regular session, does hereby resolve as follows:

SECTION 1. That there be and hereby is established a capital reserve fund for the future repairs to or improvement of the facilities of East Kingston Fire Protection District (the "District").

SECTION 2. Such fund is to be known as the "Capital Reserve Fund f/b/o East Kingston Fire Protection District of the Town of Ulster."

SECTION 3. That the estimated maximum cost of the said capital improvement(s) is unknown at the present time.

SECTION 4. That the Town of Ulster Town Board formerly paid \$0.25 per ton of the Host Community Benefit Fee received to the Town of Ulster Fire Training Center. Said Fire Training Center has been acquired by the County of Ulster and is presently non-existent. The Town Board hereby appropriates \$0.25 per ton of the Host Community Benefit Fee received by the Town to the Capital Reserve Fund f/b/o East Kingston Fire Protection District of the Town of Ulster, and the Town Supervisor of the Town of Ulster is hereby authorized, empowered and directed to transfer from the General Fund \$0.25 per ton of the Host Community Benefit Fee received to the newly established Capital Reserve Fund.

SECTION 5. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. The moneys in the fund shall be deposited in a separate bank account.

SECTION 7. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Ulster pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York.

SECTION 9. This resolution shall take effect immediately.

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

Resolution Authorizing Adoption by the Town Board of Local Law 5 of 2019 – Litter and Dumping Control Law

Resolution of the Town Board
TOWN OF ULSTER

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of
Local Law No. 5 of 2019 – Litter and Dumping Control Law

WHEREAS, an introductory Local Law entitled “Litter and Dumping Control Law” was introduced before the Town Board of the Town of Ulster on October 3, 2019, and upon notice duly published and posted, a hearing was held on November 7, 2019 at 7:25 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. 5 of 2019 - Litter and Dumping Control Law, 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

December 5, 2019

LOCAL LAW NO. 5 of 2019

Litter and Dumping Control Law of the Town of Ulster

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ULSTER,
IN THE COUNTY OF ULSTER, NEW YORK, AS FOLLOWS:**

§ 1 Title.

This chapter shall be known and may be cited as the "Litter and Dumping Control Law."

§ 2 Intent.

The intent of this chapter is to safeguard the health, safety and welfare of the inhabitants of the Town of Ulster; to safeguard against unwarranted invasion; to protect, preserve and maintain property values; to minimize nuisances; and to protect against health hazards.

§ 3 Definitions.

For the purposes of this chapter, the following terms shall have the meanings indicated:

ABANDON OR DUMP

For items of personal property other than motor vehicles, the relinquishment of personal property, including parts of motor vehicles, and/or littering with the intention of not reclaiming said property or resuming its ownership or enjoyment.

DISPOSING OF, DEPOSITING, DUMPING OR ABANDONING

Includes throwing from a vehicle or any type of an aircraft or boat.

LITTER

- A. Garbage, refuse, trash or rubbish or noxious or offensive matter. "Garbage" is waste animal or vegetable matter, such as materials from a kitchen, store, restaurant or food stand.
- B. All waste materials customarily handled or collected by refuse collectors or junk dealers.
- C. Items known as "junk," regardless of size, discarded or abandoned by reason of obsolescence, age or state of repair or intended to be discarded, abandoned or junked, including but not limited to motor vehicles or parts thereof.
- D. Discarded reading material, newspapers, magazines or similar paper goods, cans, bottles, containers, cartons or wrappers, with or without contents.

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

§ 4 Prohibited Acts

- A. No person shall throw, deposit or abandon litter or cause the same to be done on any property within the town, whether public or private and whether or not owned by such person.
- B. No person shall throw, deposit or abandon litter or cause the same to be done upon any open or vacant property within the town, regardless of the ownership thereof.
- C. No person shall throw, deposit or abandon litter or cause the same to be done in or upon any street, highway, walk, park, parking area or other public place within the town, except in public receptacles; provided, however, that no litter defined as "garbage" shall at any time be thrown or deposited in public receptacles unless such receptacles are specifically designated and marked for the reception of garbage.
- D. No person shall throw, deposit or abandon any litter or foreign matter of any kind whatsoever or cause the same to be done in any fountain, pool, pond, lake, stream, culvert, reservoir or its tributaries or watershed or any body of water in a park or elsewhere within the town, except that this provision shall not prohibit the authorized treatment and control of pools, lakes, ponds or reservoirs to control or regulate water purity or aquatic vegetation by persons or corporations having all required permits issued by state, county, Town or watershed authorities having jurisdiction over such treatment or such permit.
- E. The prohibitions contained herein against the deposit of litter shall include activities known as "dumping," the maintenance of dumps for any purpose, including landfill operations, or the use of any property in the Town as a dumping ground for the benefit of the owner or any other person, except those activities approved by the Department of Environmental Conservation and the County Board of Health and/or licensed by the Town of Ulster.
- F. No person shall abandon or dump a motor vehicle or any parts thereof or cause the same to be done.
- G. No person or corporation who collects refuse shall be on a public highway without the load being fully enclosed and secured, except that this provision shall not prohibit the pickup of refuse within the immediate residential area.

§ 5 Penalties for offenses.

Each violation of this chapter constitutes an offense and shall be punishable as follows:

- A. By a fine not exceeding \$750 or imprisonment for a period not to exceed 15 days, or both, for conviction for a first offense; for conviction of a second offense, both of which were committed within a period of five years, by a fine not less than \$1,000 nor more

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

than \$1,500 or imprisonment not to exceed 30 days, or both; and upon conviction for a third offense, all of which were committed within a period of five years, by a fine not less than \$2,000 nor more than \$3,000 or imprisonment for a period not to exceed 45 days, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers, generally, violations of this chapter shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

- B. In addition to the above-provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such chapter.
- C. The Code Enforcement Officer and his deputies, members of the Town Board, and other law enforcement agencies are empowered to enforce this chapter and, to that end, shall have the authority to issue appearance tickets pursuant to Criminal Procedure Law § 150.20.

§ 6 Liability for expenses.

Any person violating any of the provisions of this chapter shall become liable to the Town for any expenses, loss or damage occasioned the Town by reason of such violation, including but not limited to court costs, attorney's fees, the cost of cleanup, removal and disposal of said items and/or any other costs incurred by the Town in the enforcement of this provision.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (22)

December 5, 2019

Public Comment: No Public Comments

Executive Session:

MOTION to enter Executive Session (7:51 pm)

Discussion on Town Assessor Position

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

RETURN from Executive Session – Nothing to Report

MOTION to adjourn (8:12 pm)

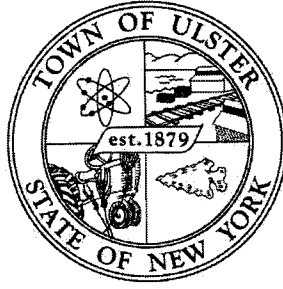
MOTION: Councilman Brink

SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk

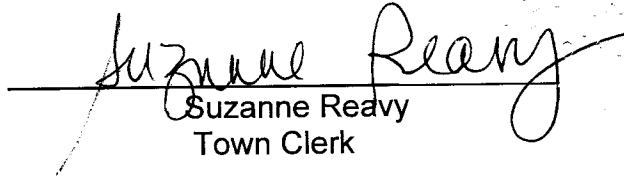


MOTION

TOWN OF ULSTER
1 Town Hall Drive, Lake Katrine, NY 12449

I, Suzanne Reavy, as Town Clerk of the Town of Ulster, under the laws of the State of New York, DO HEREBY certify that the following is a true and correct copy of a motion made and carried at a meeting of the Town Board held and convened on December 5, 2019, at which meeting a duly constituted quorum of the Town Board was present and acting throughout, and that such motion has not been modified, rescinded or revoked, and is at present in full force and effect:

IN WITNESS WHEREOF, the undersigned has affixed her signature and the official seal of the Town of Ulster this 5 day of December, 2019.


Suzanne Reavy
Town Clerk

MOTION to endorse Town of Ulster's Participation and Encouragement for the Ulster Cycling 2020 Event on May 3, 2020

MOTION: Councilman Morrow
SECOND: Councilman Brink

Supervisor James E. Quigley 3 rd :	Aye
Councilman Joel B. Brink:	Aye
Councilman Eric Kitchen:	Aye
Councilman John Morrow:	Aye
Councilman Rocco Secreto:	Aye

CARRIED