

TOWN OF ULSTER TOWN BOARD MEETING (21)

DECEMBER 3, 2020

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

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

**~~ ALL AGENDA ITEMS (MOTIONS AND RESOLUTIONS) ARE MADE VIA ROLL
CALL VOTE ~~**

ADDITIONS OR CHANGES TO AGENDA – Addition –Motion for Supervisor to Sign the
2021 Range Agreement with the Ulster County Sheriff Department

PUBLIC DISCUSSION ON AGENDA ITEMS - None

COMMUNICATIONS –

Town Clerk reads letter from Town resident, Chris Doyle, 55 Alder Court, thanking Frank Petramale and Vincent Maggiore in Deer Run neighborhood near Alder Court, for quick response to flooding concern. Hoping there is something that can be done about the drainage.

DECEMBER 3, 2020

New Business:

Presentation of the Town Fee Schedule for 2021

Supervisor: Will present to the Town Clerk tomorrow morning. Water and sewer rate increases approx. 3%. Water increases are due to City of Kingston water cost increase per purchase agreement. Sewer increase is general increase. Will post to Website.

Motion to set fee for Annual Permits at the Transfer Station (2020-M-302)

Supervisor: Based upon an email sent to all earlier. Town Clerk may have opportunity to sell 2021 permits tomorrow under new proposed fee schedule. Proposing resident fee at \$60/half year post-July 1 \$45; Seniors 62+ will be \$45/ half year \$37.50

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Presentation of the Resolution Adopting the 2021 Town Fee Schedule

To be considered at the next meeting

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Motion to set the 2021 Organizational Meeting for Thursday, January 7, 2021 at 7:00pm (2020-M-303)

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

Motion to authorize the Supervisor to sign the 2021 Tax Collection Agreement with the Bank of Greene County for collection of 2021 Real Estate Taxes

(2020-M-304)

Supervisor: Annual agreement allowing Bank to collect taxes via their PO Box.

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

Motion to authorize the Supervisor to sign the Intermunicipal Agreement for Police Services with the City of Kingston for 2021 (2020-M-305)

Chief Berardi: Third year in this agreement. Alleviates issue with backup and assisting in emergency situation. This year violence increase in City of Kingston. They could use our assistance. Request from them directly for assistance. No issues for the Board to differentiate this agreement from prior agreements. City of Kingston supplies 12 officers to Ulster; Ulster supplies four to Kingston.

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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

THE NEXT FOUR ACTIONS ARE MOTION INVOLVING POLICE DEPARTMENT AND THE OPERATION OF TOWN OF ULSTER FIRING RANGE:

Chief Berardi: No issues with these agreements as these are standard, we have been using for years. Use of range in years past, over usage complaints made. These are the only standing agencies with permission to use our range. Total number of days 2019, range was used under 100 times.

Motion to authorize the Supervisor to sign the 2021 Range Agreement with the Kingston Police Department (2020-M-306)

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

DECEMBER 3, 2020

Motion to authorize the Supervisor to sign the 2021 Range Agreement with the NYS DEC (2020-M-307)

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

Motion to authorize the Supervisor to sign the 2021 Range Agreement with the Ulster County Sheriff Department (2020-M-308)

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

DECEMBER 3, 2020

Motion to authorize the Supervisor to sign the 2021 Range Agreement with the Ulster County Law Enforcement Training Group (2020-M-309)

[this is the Police Academy operating through the college]

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

Motion to authorize the Supervisor to sign the O&W Signage and Wayfinding Support letter (2020-M-310)

Councilman Morrow: Sits on the O & W Rail Trail Committee, and they are looking for permission for signage.

Supervisor: The town does not currently have an operating portion of the O & W Rail Trail in the community. This action is in support of the towns that do have operating portions of that trail.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

DECEMBER 3, 2020

Motion approving the payments to the Town Registrar and Deputy Registrar of Vital Statistics for the twelve-month period ending November 30, 2020 in accordance with Town Policy (2020-M-311)

Supervisor: Policy for the last five years that the Town Board authorizes this distribution. The dollar amount may seem high, which is reflected by increase of deaths in the Town due to Covid.
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

Resolution authorizing the Supervisor to sign the Ulster County Fire Mutual Aid Plan on behalf of East Kingston Fire Protection District (2020-R-312)

Supervisor: Other districts have Commissioner, who sign their plans. The Town Board is functionally the governing board for the fire protection district.

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Adopting Ulster County Fire Mutual Aid Plan o/b/o East Kingston Fire Protection District

RESOLVED that the Town of Ulster Town Board, as the governing body of the East Kingston Fire Protection District, hereby elects to participate in the Ulster County Fire Mutual Aid Plan in form as on file in the Office of the Town Supervisor, and will agree to recognize a call for assistance through the Ulster County 911 Center and will comply with the provisions of such Plan as now in force and as amended from time to time, and certified by the Ulster County Department of Emergency Services; and that no restrictions exist against "Outside Service" by such EMS Agency/Provider named herein with meaning of § 209 of the New York General Municipal Law which would affect the power of such Agency/EMS provider to participate in such plan.

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MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Resolution Authorizing the Town Board of the Town of Ulster to Sell Surplus Property to Jeri A. Oates as Trustee of the Roosa Living Trust dated April 14, 2016 (2020-R-313)

Supervisor: At a prior meeting, the town board considered the matter of the town's acquisition in mid-1990s right of way at the intersection of John Clark Drive. A portion of the right of way which constituted the back yard of a house on the west corner of Old Neighborhood Road, which was under the use agreement with owner at that time, was the land acquired by the town. That owner passed away, agreement ceased, and current owner asked the Town to sell her the property. Town previously declared the property surplus and completed the permissive referendum period. Sum of \$5000.

Kovacs: Drew the contract of sale. This adequately addresses the town's needs in this matter.

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RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing the Town Board of the Town of Ulster to Sell Surplus Property to Jeri A. Oates as Trustee of the Roosa Living Trust dated April 14, 2016

WHEREAS, the Town of Ulster (“Town”) owns a 0.204 acre vacant parcel of real property adjacent to John Clark Drive, Town of Ulster, County of Ulster; and

WHEREAS, when real property is no longer needed for Town purposes, the Town Board, upon adoption of a resolution subject to permissive referendum, may convey real property in accordance with Town Law Section 64(2); and

WHEREAS, the Town Board of the Town of Ulster has previously declared said parcel to be surplus and no longer needed for Town purposes; and

WHEREAS, under Town Law Section 64(2), when selling unneeded real property, the Town Board has a fiduciary duty to secure the best price obtainable for the most beneficial terms in the public interest. The method of sale chosen is within the Town Board's discretion, but such method should be one which the Board believes will yield the best price or maximum financial benefit; and

WHEREAS, the Town Attorney has drafted a contract of sale, which has been signed by the purchaser, and is attached hereto as Exhibit A; and

WHEREAS, the proposed action consists of a sale of real property consisting of a parcel less than 100 acres in size, thus making it an Unlisted action as set forth in 6 NYCRR Part 617 for which the Town is the sole involved agency, and

WHEREAS, the Town has prepared and considered a Short Environmental Assessment Form pertaining to the proposed action, in which no issues of environmental significance were identified;

NOW THEREFORE, BE IT RESOLVED, that pursuant to the provisions of SEQR 6 NYCRR Part 617, the Town hereby determines that it is the sole involved agency with jurisdiction over the proposed action and further hereby confirms its status as lead agency for the environmental review of this Unlisted action; and

BE IT FURTHER RESOLVED, that the Town does hereby issue a SEQR Negative Declaration, relying upon the following reasons for making its determination of non-significance:

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- a) The proposed action will not affect existing air-quality, surface or groundwater quality or quantity, noise levels, traffic, erosion, drainage or flooding conditions.
- b) The proposed action will not affect aesthetic, agricultural, archeological, historical or other natural or cultural resources.
- c) The proposed action will not affect vegetation, fauna, fish or wildlife species or significant habitats, or threatened or endangered species.
- d) The proposed action does not involve any construction or land alteration activities; and

BE IT FURTHER RESOLVED, that the Town Board has determined that this Property is not needed by the Town for any purpose and that the purchase price of \$5,000.00 is the best price attainable; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to execute the attached contract of sale, and other documents as necessary, to sell the Property to Jeri A. Oates, as Trustee for the sum of \$5,000.00; and

BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum in the manner provided in Town Law Section 64(2) and Section 90.

BE IT FURTHER RESOLVED, after passing such a resolution and within 10 days of its adoption, the Town Clerk shall post and publish a notice, in the same manner as provided for a notice of a special election, which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof. The notice shall specify that such resolution was adopted subject to permissive referendum in accordance with Town Law Section 90. Any such resolution shall take effect 30 days after its adoption unless the Town Clerk received a petition signed and acknowledged within 30 days after the adoption of the resolution seeking a permissive referendum.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

Old Business:

Update on Police Reform Committee

Councilman Van Kleeck: Met last with conclusion of sub-committee meetings. Plan to meet next Thursday to bring together the four sub-committees to make one document to be reviewed by all board members, and to make available to the public for review in January. Good participation thus far. Committees submitted reports. Looking to work with Suzy (town clerk) to place on Website. Will have to accept comments via email, text. Public forum may have to be a Zoom-type forum.

Reavy: Easy to place on website wherever you'd like.

Chief Berardi: Distributed reports. Looking forward to January. Town-wide community meeting in January will most likely be virtual.

Supervisor: Any issues that you would like to make us aware of?

Berardi: No issues with us. Has heard from other police chiefs having their committees "go sideways". For the most part our committees are focused strictly on Town of Ulster.

Van Kleeck: We have had a very little need to keep our groups focused on local issues. By far our committees have kept their focus. Reports submitted focus on local issues.

Update on Spring Lake Sewer District Project

Vincent Maggiore: Going well. Thanks to sewer and highway department crews, we worked in rough conditions – rock and ground water. We should be wrapping up Spring Lake Dr. tomorrow. Saccoman next week. Completed and pressure tested Golf, Catskill and Lucas. Two units are live on Golf and a third tomorrow.

Frank Petramale: Highway involvement everything going good. Hopefully this time next week we can say we are done and start wrap up for winter.

Update on 21 Stephan Road

Kovacs: Contacted attorneys for bank which hold first mortgage. They have judgement of foreclosure of sale dated February, 2020. Reached out today and discussed matter. They will get back to him tomorrow.

Supervisor: If they fail to act, is there an alternative path to the town? Building department has been working on this for two years.

Kovacs: Can get the Supreme Court involved. If no resolution by next week, will ask Judge Mott for a court conference.

Supervisor: Due to timeliness of next town board meeting, would like to authorize Kovacs to escalate the matter to the next level if he is not satisfied with the bank's actions.

Motion to Authorize the Town Attorney to Escalate the 21 Stephan Road Matter Next Week to the Next Level if not Satisfied with the Bank's Actions (2020-M-314)

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

Update on Illegal Dumping in East Kingston (East Devils Lake Road heading toward City of Kingston)

Supervisor: Addresses Warren Tutt -- Continued complaints on town dumping. Any problems with property owners in Town of Ulster, keeping area clean?

Tutt: Any time he approaches Scenic Hudson they have property responded. Callanan not responsive but calls in to them and checking on tomorrow if mattresses are still there.

Councilman Secreto: Most garbage right now is in the Town of Ulster heading toward City of Kingston: tv's, couches. He cleaned entrance to Rider Park today. Orlando Street illegal dumping as well, mostly furniture.

Supervisor: Recurring issue at Orlando Street. Highway department cleaned a few weeks ago. First time hears about dumping at Rider Park.

Secreto: Yes. Today threw everything into his trailer today. Been an ongoing problem, but today first instance at Rider.

Supervisor: Chief Berardi in process and discussion on license plate readers, and hoping to start monitoring these locations.

Berardi: Discussion recently with company and early next year they have a user-friendly mobile device coming home; we should hold off for a month or two to see what they offer. Adaptable to mobile placement.

Secreto: Maybe we should bring Kingston on board with this too.

Supervisor: Asks Berardi to follow up with Chief Tinti for any complaints on the City side, and would they be interested in this.

Berardi: Will follow up. Is aware that Kingston installing license plate readers and interested to learn where they will be placed.

Councilman Van Kleeck: Would there be a benefit to set up lighting?

~~Discussion on driving down there and use of gate in the past~~

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~~Public Comment not Available Tonight~~

MOTION to adjourn: 7:34 pm (2020-M-315)

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

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk