

TOWN OF ULSTER TOWN BOARD MEETING (3)

February 7, 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
DEPUTY SUPERVISOR JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Kathy Moniz, Building Inspector
2. Kyle Berardi, Police Chief
3. Frank Petramale, Highway Superintendent

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS –

Kathleen Nolan, Town of Shandaken Re: Closing of Route 209

- Regional impact
- Try to encourage film
- Inconveniences we can live with.
- Encourage Board to pass this road closure.

APPROVAL OF MINUTES – December 4

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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ANNOUNCEMENTS –

1. Letter read from NY American Water Kingsvale Water to Supervisor Quigley – year end update. Water system improvements.

Supervisor Quigley asks for MOTION to post this correspondence to the Town Website:

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

2. Letter read from Kristen Williams, Property Manager at Skytop Village Apartments, requesting that the Town designate Skytop Drive to be declared a snow emergency route, implementing alternate side of the street parking during the winter months.

Supervisor Quigley asks for MOTION for the Town Attorney to draft a Resolution in accordance with

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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COMMITTEE REPORTS

1. Water Department, Councilman Secreto:
Department is busy. Eight water breaks this winter; all monthly testing done. Thanks sewer and highway departments for working together on water breaks.
2. Sewer Department, Councilman Kitchen:
Department working on cleaning and painting; Katrine Lane Sewer Project; vac truck replacement – seeking quotes.
3. Buildings and Grounds, Councilman Morrow:
Starting to look at the Police Department to get them out of trailers and back in offices. Roof repair here and in the highway department.
4. Recreation, Councilman Kitchen:
Upcoming meeting with director and committee on 2/20/19. Discussion regarding pavilion at Rider Park.
5. Highway, Councilman Secreto:
Frank is restocking salt and has had a few breakdowns. He thanks his crew.
6. Personnel, Councilman Brink: Nothing to report.

New business:

Presentation and Acceptance of the Supervisor’s Monthly Report for the month of December 2018

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

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Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2019 to be provided by Rusk Wadlin Heppner & Martuscello

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2019 to be provided by Rebecca Millouras-Lettre, PLLC

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2019 to be provided by Van DeWater & Van DeWater, LLP

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2019 to be provided by Tabner, Ryan & Keniry, LLP

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 authorizing the Town Clerk to go out to Public Bid for the purchase of chemicals during 2019 on behalf of the Town of Ulster Water Department and the Town of Ulster Sewer Department

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

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 Intermunicipal Cooperation Agreement between the Ulster No. 5 Fire District and the Town of Ulster

Chief Berardi: Same as last year for mutual aid services.

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 Highway Superintendent to purchase one Volvo DD110C Roller from Vantage Equipment for the sum of \$125,448.00 (Town portion \$41,816.00) under NJPA contract # 03215-VCE for shared services with Towns of Woodstock and Hurley

Petramale: Shared service purchase. Actual total cost per town: \$41,816. 60-90 day delivery.

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

Presentation of a Shared Services Agreement between the Towns of Ulster, Hurley and Woodstock for the Volvo DD110C Roller to be voted on at the next Town Board Meeting

Supervisor: Referred to Town attorney for review and vote at next meeting.

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Discussion on request by NYSDOT for Town Input on Closure of Route 209 between Sawkill Road and Route 28 and a detour to Sawkill Road for the purpose of filming an HBO production in late March 2019

Councilman Morrow: Ensure Town gets movie credits and crews stay at local hotels.

Councilman Secreto: There are no houses on this stretch of road.

Supervisor asks for MOTION to authorize the Town Clerk to distribute this information and dates via email and Facebook:

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 authorizing the Town Supervisor to enter into an Agreement with Arcadis of New York, Inc. for Engineering Services to prepare a Study of the Ulster WWTP in the amount not to exceed \$67,000 and to authorize the preparation of a grant application to NYSERDA in the amount of \$22,300 to offset the Town's cost

Supervisor: There are three focuses of the study: energy conservation; process improvement; and capacity improvement.

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 promotion of Sergeant Robert Sykes to Detective Sergeant effective 4/1/19

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 promotion of Officer Garvila to Sergeant effective 4/1/19

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

February 7, 2019

Old Business:

Resolution authorizing the Issuance of \$3,480,000.00 Serial Bonds of the Town of Ulster, Ulster County, New York, to pay the cost of the increase and improvement of the Facilities of the Ulster Water District, in the Town of Ulster, Ulster County, New York (Roll Call Revote)

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER
A RESOLUTION AUTHORIZING THE ISSUANCE OF
\$3,480,000 SERIAL BONDS OF THE TOWN OF
ULSTER, ULSTER COUNTY, NEW YORK, TO PAY
THE COST OF THE INCREASE AND
IMPROVEMENT OF THE FACILITIES OF THE
ULSTER WATER DISTRICT IN THE TOWN OF
ULSTER, ULSTER COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated September 20, 2018, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Ulster Water District in the Town of Ulster, Ulster County, New York, at a maximum estimated cost of \$3,480,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Ulster Water District in the Town of Ulster, Ulster County, New York, consisting of the replacement of a water storage tank, there are hereby authorized to be issued \$3,480,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$3,480,000 and that the plan for the financing thereof is by the issuance of \$3,480,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution; provided, however, the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of

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Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Ulster, Ulster County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon all the taxable real property within said Ulster Water District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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Section 10. This resolution which takes effect immediately shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

ROLL CALL VOTE:

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

CARRIED

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Resolution rejecting bids received January 31, 2019 for Contract TU-191 – Salt Storage Building and authorizing the Town Clerk to advertise for a rebid

Supervisor: Discrepancies found in original bids. Will rebid. Change the wording in the Resolution to read, “ Brinnier and Larios” to solicit the bids, instead of “Town Clerk”.

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Rejection of Bids Received in Response to the Request for Bids for the Highway Salt Shed Building and Reauthorizing the Request for Bids for the Highway Salt Shed Building

WHEREAS, on January 31, 2019 sealed bids for the Highway Salt Shed Building were publicly opened and read aloud pursuant to General Municipal Law § 103; and

WHEREAS, three (3) bids were received and opened by the Town for the Base Bid and five (5) bids were received and opened by the Town for the Alternate Bid; and

WHEREAS, Brinnier and Larios, P.C, the Town Engineers, recommend that it would be in the best interest of the Town to reject all bids and rebid the project; now therefore, be it

RESOLVED, that the Town Board respectfully rejects all bids received which were submitted in response to the prior request for bids; and be it further

RESOLVED, that the Town Clerk of the Town of Ulster is hereby authorized and directed to advise all bidders of the rejection of all bids timely received for the Highway Salt Shed Building; and be it further

RESOLVED, that the Town Board hereby authorizes *Brinnier and Larios* to solicit bids for the proposed salt storage shed to be constructed and installed on the Highway Garage property in accordance with the specifications provided by Brinnier & Larios, P.C.

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 Emergency Roof Repairs in the amount of \$4,750 to Titan Roofing, Inc. for the removal of (2) Roof Exhaust Fans and the replacement of roof decking and roof membrane

Supervisor: Should have been removed with original construction. Removing opportunity for water to penetrate ducts.

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

Privilege of the floor to: GlidePath Development LLC to discuss changes and modifications to the Lincoln Park Grid Support Center, Frank Sottile Blvd.

Presenting: Peter Rood, Chief Development Officer, GlidePath
David Young, Project Engineer, Chazen
Chris McKissack, Chief Operating Officer, GlidePath

Presentation made and available for download at: www.lincolnparkgridsupportcenter.com
and www.townofulster.org

Email: Lincolnpark@glidepath.net

Phone: 845-481-0030

Supervisor: This same presentation will be presented at the Town Planning Board's next meeting – a public meeting.

Rood: Public information session planned for some time in March – 11th or 14th. Exact date to be announced. Approval will be based on materials submitted and hoping for approval some time in the summer. Hope that this revised project meets the needs of those involved.

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PUBLIC COMMENT –

1. Dan Furman, Riseley St RE: GlidePath
One parcel of land divided into three. One parcel by transfer station to be gifted to the Town; one piece behind Sunrise Park to be forever green. Is that correct?

Rood: Yes, that was the plan.

2. Laura Hartmann, 45 Birch St RE: GlidePath
On behalf of townofulstercitizens.org. Commends GlidePath. Way to keep environment clean,. Smart. Commends Town Board for listening. Recommends a conditioned negative declaration with new conditions. Reads prepared statement.

3. Dean Tamburri, Newburgh RE: GlidePath
Field rep for Local 17. This project made many accommodations; hope it moves forward. Trades would like to build these projects.

Supervisor: Acknowledges and thanks the trades.

4. Stewart Dean, Ulster Landing Road RE: GlidePath
Either sign at the entrance to the old dump (that the solar project generates 1.9 MW) or GlidePath is promoting something they cannot deliver.

Supervisor: This is battery. Stores power that comes off of the grid.

Dean: No solar panels?

Supervisor: No.

5. Regis Obijiski, Ledge Rd RE: GlidePath
So pleased with this revision. Thanks Rood and Town Board.

6. Vicki Lucarini, Ledge Rd. RE: GlidePath
To Rood: Power from the grid, correct?

Rood: Yes

Lucarini: Energy from power lines and putting them into batteries, correct?

Rood: Yes

Supervisor: Thanks everyone for input and looks forward to moving forward cooperatively.

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~ End of Public Comment ~

MOTION to adjourn (8:02 pm):

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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