

TOWN OF ULSTER TOWN BOARD MEETINGS (02)

JANUARY 16, 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
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. Frank Petramale, Highway Superintendent
3. Kyle Berardi, Police Chief
4. Warren Tutt, Building Inspector
5. Ulster Hose 1st Asst Chief John Kelly
6. Legislator Brian Cahill
7. Bill Kemble, Daily Freeman
8. Six Town residents

ADDITIONS OR CHANGES TO AGENDA – John Kelly (Ulster Hose) Presentation and Addition of Police Matters Item Regarding Acquiring an Intern

PUBLIC DISCUSSION ON AGENDA ITEMS – None

APPROVAL OF MINUTES – December 5th and 19th (2020-M-28)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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COMMUNICATIONS – None

ABSTRACT OF CLAIMS (2020-M-29 and 2020-M-30)

2019

MOTION: Councilman Morrow
SECOND: Councilman Van Kleeck

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

2020

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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BUDGET MODIFICATIONS (2020-M-31)

| | | |
|----------------------|--|----------|
| General Fund: | Modify Revenue A1289 (Oth.Dept.Income) and Appropriation A3120.109 (Police Services Rendered Full Time) check from Allied Universal for Best Buy - Police services for Black Friday on Nov. 28th & Nov. 29th | 2,683.62 |
| | Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Biddy Basketball) returned money for Ty Rios - sign up fee from Supervisor Petty Cash | 20.00 |
| Highway Fund: | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb.-Oper.Funds | 6,513.86 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb.-Oper.Funds | 6,469.89 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Ruby Fire District) | 77.99 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb. (Ruby Fire District) | 115.86 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Ul.Fire Dist.#1) | 71.82 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb. (Ul.Fire Dist.#1) | 89.04 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Town of Kng.Hwy.Dept.) | 300.38 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Dec. Gas Reimb. (Town of Kng.Hwy.Dept.) | 765.32 |

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|----------------------|--|-----------|
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Dec. Gas Reimb. (E.Kng.Vol.Fire Co.) | 388.56 |
| | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Nov. Gas Reimb. (Ul.Fire Dist.#5) | 115.63 |
| Highway Fund: | Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Oil) Dec. Gas Reimb. (Ul.Fire Dist.#5) | 36.48 |
| | Modify Revenue D3501 (CHIPS Aid) and Appropriation D5112.200 (CHIP Program) Additional State Aid - PAVENY \$34,143.14 & Extreme Winter Recovery Program \$27,517.39 (WIRP) \$27,517.39 | 61,660.53 |

BUDGET TRANSFERS

| | | | |
|----------------------|-------------------------------|----------------------|------------|
| General Fund: | Transfer From | Transfer To | |
| | A3001 St.Aid, Revenue Sharing | A2750 State Aid, AIM | 66,814.00 |
| Highway Fund: | Transfer From | Transfer To | |
| | D.9710.600 Serial Bond/Prin. | D.5110.440 Blacktop | 114.840.74 |

MOTION: Councilman Secreto
 SECOND: Councilman Morrow

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

CARRIED

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New Business

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of December 2019 (2020-M-32)

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Presentation and Acceptance of the Supervisor's Monthly Report for the month of December 2019 (2020-M-33)

Supervisor: Pleased to report satisfactory year. Revenue exceeds expenses for most accounts.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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JANUARY 16, 2020

Review and Approval of Agreement for the Expenditure of Highway Monies per Section 284 of the New York State Highway Law (2020-M-34)

Petramale: Annual and standard required by Highway Law. Can be amended.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion to authorize the Supervisor to sign the 2020 DWI Agreement with Ulster County Task Force (2020-M-35)

Berardi: Standard agreement for additional funding for DWI enforcement; terms and conditions same as prior years

Councilman Van Kleeck: This is revenue neutral.

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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Motion to authorize the Supervisor to sign the Municipal Advisor Services Agreement for 2020 with Munistat Services, Inc. (2020-M-36)

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2020 to be provided by Rusk Wadlin Heppner & Martuscello (2020-M-37)

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2020 to be provided by Rebecca Millouras-Lettre, PLLC (2020-M-38)

MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2020 to be provided by Van DeWater & Van DeWater, LLP (2020-M-39)

[represents Town for tax certiorari actions]

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2020 to be provided by Tabner, Ryan & Keniry, LLP (2020-M-40)

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion authorizing the Town Clerk to go out to Public Bid for the purchase of chemicals during 2020 on behalf of the Town of Ulster Water Department and the Town of Ulster Sewer Department (2020-M-41)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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Motion to Appoint Lauren Hommel to the Recreation Committee to replace Andrew Stavropoulos (2020-M-42)

Councilman Secreto: Will work out very well; highly recommended

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion to Authorize Deputy Assessor Bernholz to attend the Association of Towns Training School, February 16th-18th in NYC (2020-M-43)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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Motion to Authorize the hiring of one Part Time Police Dispatcher (2020-M-44)

Presented by Councilman Kitchen, Personnel

Ryan Drosdowich: \$15.91/hour; start date 1-20-2020

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Motion to Authorize the hiring of a Part Time Sole Appointed Assessor

Presented by Councilman Kitchen, Personnel

Daniel Baker: \$27,500 salary; part time; start date 1-21-2020; non-union

Supervisor: Full time assessor in City of Kingston, overseeing Town of Ulster to assist with commercial properties. ***First wants to present the Resolution***

JANUARY 16, 2020

RESOLUTION Appointing Sole Town Assessor (2020-R-45)

RESOLUTION OF THE TOWN BOARD TOWN OF ULSTER
Resolution Appointing Sole Town Assessor

WHEREAS, the office of Town Assessor is vacant due to the passing of the Town's Assessor, the late James F. Maloney; and

WHEREAS, the Town Board has recommended appointing Daniel Baker as part-time Sole Assessor to complete the unexpired term of James Maloney at a salary of \$27,500.00 per annum,

NOW THEREFORE, BE IT

RESOLVED, that Daniel Baker be appointed as part-time Sole Assessor of the Town of Ulster for a term that beginning January 21, 2020 and expires on September 30, 2025, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the NYS Office of Real Property Tax Service.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

REVISITED: Motion to Authorize the hiring of a Part Time Sole Appointed Assessor (2020-M-46)

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

JANUARY 16, 2020

Resolution granting a Right of Way to Derek Spada (2020-R-47)

RESOLUTION OF THE TOWN BOARD TOWN OF ULSTER
RESOLUTION AUTHORIZING TRANSFER OF NON-
EXCLUSIVE PERMANENT EASEMENT TO DEREK J. SPADA
AND RANA SPADA, SUBJECT TO PERMISSIVE
REFERENDUM

WHEREAS, DEREK J. SPADA AND RANA SPADA have requested the Town of Ulster to convey to DEREK J. SPADA AND RANA SPADA a non-exclusive permanent easement consisting of a parcel of land as described in Schedule "A", annexed hereto, constituting a portion of the undeveloped Scudder Avenue, and

WHEREAS, DEREK J. SPADA AND RANA SPADA intend to construct on such non-exclusive permanent easement area a roadway leading from the paved portion of Scudder Avenue to real property owned by DEREK J. SPADA AND RANA SPADA, identified as Ulster County SBL: 56.30-3-4, and

WHEREAS, the location of such proposed roadway is suitable for the non-exclusive easement as it will allow DEREK J. SPADA AND RANA SPADA to gain ingress and egress to the real property at Ulster County SBL: 56.30-3-4;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster, in regular session duly convened, does hereby authorize and direct the Supervisor of said Town to execute and deliver to DEREK J. SPADA AND RANA SPADA a non-exclusive permanent easement as described in Schedule "A", annexed hereto, for the purpose of constructing a roadway, subject to permissive referendum as permitted by law.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF ULSTER, NEW YORK.

SCHEDULE A

BEGINNING at a point at the Northeasterly corner of the parcel identified as Ulster County SBL: 56.30-3-4, said point also being at the Northwesterly corner of lands now or formerly of Bhitiyakul, and at the Southeasterly corner of the herein described parcel of land; and running thence along parcel identified as Ulster County SBL: 56.30-3-4, and along lands now or formerly of Davis, S54°, 26', 30" W 190.00' (feet) to a point;

Thence, continuing along said lands of Davis, S41°, 06', 47" W 38.63' (feet) to a point; thence, through an undeveloped road known as Scudder Avenue, N48°, 42', 32" W 30.50' (feet) to a point on the Southerly line of said public road known as Scudder Avenue;

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Thence along said Scudder Avenue N26° 42' 44" E 25.83' (feet) to a point; thence S48° 42' 32" E 8.02' (feet) to a point on the approximate centerline of aforesaid undeveloped Scudder Avenue; then, along the approximate centerline of said undeveloped road known as Scudder Avenue, N54° 26' 30" E 210.27' (feet) to a point;

Thence, through said Scudder Avenue, S35° 33' 26" E 25.00' (feet) to the point or place of beginning.

Petramale: Landlocked paper road, never developed; working with town attorney.

Supervisor: Town has made it a practice to help landlocked properties or those without right of way. Example – indoor tennis courts on Old Neighborhood Rd. Town Board initiative transferred the maintenance of the driveway to business over the obligation of the town to maintain a public road.

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

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JANUARY 16, 2020

AGENDA ADDITION: ULSTER HOSE PRESENTATION – July 25, 2020 Event

1. John Kelly, 1st Assistant Chief, Ulster Hose and President of Association
July 25, 2020 – Ulster Hose 75th Anniversary hosting volunteer firemen’s convention with a parade, country band and fireworks. Working close with Ulster Highway Department and Police. They have three day, \$1M insurance policy. No rain dates.

Supervisor: Recommends reaching out to people on the Avenue.

Kelly: Plans on it. Reaching out to as many people as possible. Billy Williams is Grand Marshall. Appreciates cooperation and help. Another meeting set for February 4.
[Councilman Secreto can attend]

Supervisor:

MOTION to Authorize the Supervisor to Take Any Actions Necessary and Provide Documentation to Support Ulster Hose to Use Ulster Avenue (2020-M-48)

MOTION: Councilman Kitchen
SECOND: Councilman Van Kleeck

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|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

ADDITION TO AGENDA: POLICE DEPARTMENT INTERNSHIP

Supervisor: Chief Berardi approached Town Board regarding acquiring an intern on a part time basis for the Police Department – not a hiring

Councilman Kitchen: Extensive conversation with Chief Berardi regarding details of an internship. Young intern’s resume is impressive; very good student; hours are limited. Asks Town Attorney to review the waiver when it comes in. Makes motion to move ahead with internship for this young gentleman.

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MOTION to Allow Police Department to Retain the Services of an Intern (2020-M-49)

Discussion:

Councilman Secreto: Is this a one-time thing?

Supervisor: 15-20 years ago, cadet programed petered out. Police Department reception is not always great. Report in six months to see how this one intern program goes and maybe more candidates and other interested individuals.

Councilman Morrow: Suggests bringing this before the Police Committee before bringing to the Town Board.

Supervisor: This is the Police Matters Committee.

Councilman Kitchen: Chairman of Personnel, feels comfortable with this program; this is a curriculum-based program. Very confident with Chief Berardi

Supervisor: One time acquisition of an intern at this point.

Councilman Van Kleeck: Make sure it is clear that this is one individual.

Supervisor: One individual only.

Councilman Kitchen: Applauds this young individual.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

~End of Scheduled Agenda ~

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PUBLIC COMMENT

~ No Public Comment ~

MOTION to go to Executive Session (7:34 pm) to Discuss PBA Contract: (2020-M-50)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

RETURN FROM EXECUTIVE SESSION – No Action Taken/Nothing to Report

MOTION to adjourn: 7:55 pm (2020-M-51)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

| | |
|----------------------------|------|
| Town Councilman Kitchen | -Aye |
| Town Councilman Morrow | -Aye |
| Town Councilman Secreto | -Aye |
| Town Councilman Van Kleeck | -Aye |
| Supervisor Quigley | -Aye |

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk