

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL MEETING (1)

JANUARY 8, 2018

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

SALUTE TO THE FLAG

ROLL CALL BY CLERK, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK - *EXCUSED*

TOWN COUNCILMAN ERIC KITCHEN - *EXCUSED*

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Building Inspector, Kathy Moniz
3. Wastewater Superintendent, Vincent Maggiore
4. 12 Town residents

WHEREAS, the Town Board of the Town of Ulster convened an organizational meeting for the year 2018 on January 8, 2018; and

WHEREAS, the Town is required by Town Law to make certain designations and appointments, establish salaries, paydays, schedule meetings and determine certain other matters;

NOW, THEREFORE BE IT RESOLVED:

The Town Board makes the following designations:

1. Depositories for Town Funds:

Bank of Greene County, JP Morgan Chase

2. Official Newspapers:

The Daily and Sunday Freeman, Kingston Times

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3. Pay Days:

Elected and appointed Employees - monthly
Part-time employees - bi-weekly
Full-time employees – bi-weekly

4. Salaries of Elected Officials:

Supervisor	\$44,000.00
Deputy Supervisor	\$ 1,500.00
Town Clerk	\$50,938.00
Town Justice (2 each)	\$42,448.00
Council Member (4 each)	\$10,000.00
Superintendent of Highways	\$ 75,000.00

5. Appointments:

Secretary to the Supervisor – Peggy King
Deputy Supervisor – John Morrow
Attorney to the Town of Ulster and Special Prosecutor: Jason J. Kovacs, Esq.
Assistant Special Prosecutors- Catherine Stefanik, Esq., Matthew Jankowski, Esq.
Special Attorney to the Town – Rebecca Milouras-Lettre, Esq.
Bond Counsel – Thomas E. Myers, Esq. of Orrick, Herrington & Sutcliff LLP
PILOT Counsel – John N. Vagianelis, Esq. of Mazzotia, Siegel & Vagianelis, PC
Financial Advisor – Michael J. Loguerico of Munistat Services, Inc.
Director of Emergency Management – TBD
Director of Recreation – Jeffrey Hayner
Confidential Bookkeeper - Ann Mitchell
Registrar of Vital Statistics – Suzanne Reavy
Deputy Registrar of Vital Statistics – Lauren Hommel
FOIL Officer –Suzanne Reavy
Deputy Town Clerk – Lauren Hommel
Clerk to Justice Weiss – Patti Ilgner
Clerk to Justice Kesick – Karen Gorski
Building Inspector – Kathryn Moniz
Animal Control Officer – TBD
GIS Coordinator - James Maloney
Ulster County Planning Board Member – Frank Almquist, Anna Hayner (alternate)
Ulster County Transportation Council – Joel B. Brink (voting member)
Empire Zone Council Member – Joel B. Brink
Public Access Cable Commission – TBD
Assistant Superintendent of Water – Ryan Weishaupt
Assistant Superintendent of Wastewater Treatment – Josh Brink
Assistant Superintendent of Highways – Charles Freer

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6. Town Board:

Workshop Meetings: First Thursday of each month at 7:00 p.m.

Regular Monthly Meetings: Third Thursday of each month at 7:00 p.m.

Any meeting on a holiday will be rescheduled by the Town Supervisor

7. Town Board Agenda:

The Tuesday prior to the meeting at 4 pm is the deadline for submitting agenda items.

8. Mileage:

Mileage will be reimbursed at the rate of Federal Mileage Rate of \$.535 per mile (or as adjusted by the IRS) for use of personal vehicle for town business.

9. Legal Holidays:

New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving Day and Christmas Day

10. Work Days:

Monday through Friday or per negotiated contracts

11. Vacation:

As per negotiated contracts
All non-union employees per town code

12. Insurance Buyout:

Appointed Officials and non-union employees \$1,000.00 per year
All others per negotiated contracts.
Elected Officials are not eligible for the Insurance Buyout

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13. Petty Cash:

Supervisor	\$ 100.00
Town Clerk	100.00
Tax Collector	150.00
Police Department	100.00
Water Dept. Cash Drawer	75.00
Court	75.00
Assessor	50.00
Building Department	50.00
Rider Park	50.00
Highway Department	100.00
Whittier Sewer	25.00
Sewer Department	50.00
Water Department	25.00

14. Highway Budget:

\$2,984,231.00

15. Appointment of Town Planner:

Alan Sorensen, Planit Main Street

16. Planning Board Meeting:

Second Tuesday of each month at 7:00 pm

17. Zoning Board of Appeals Meeting:

First Wednesday of each month at 7:00 pm

18. Police Matters Meeting:

First Thursday of each month at 4:00 pm

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19. All Authority for the daily operations of the Town and its districts:

Is hereby delegated to Town Supervisor James (Jim) E. Quigley 3rd, per Town Law Section 29 (16)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	<i>-Excused</i>
Town Councilman Kitchen	<i>-Excused</i>
Town Councilman Morrow	<i>-Aye</i>
Town Councilman Secreto	<i>-Aye</i>
Supervisor Quigley	<i>-Aye</i>

CARRIED

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The following appointment will be voted on individually:

Planning Board Members:

<u>Name</u>	<u>Term Ends</u>
Karl Allison	2018
Gary Mulligan	2019
Anna Hayner	2020
Frank Almquist	2021
Larry Decker	2022*

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

Alternates:

Troy Ashdown	2018*
Andrew Stavropoulos	2018*

*current appointments

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

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Appointment of Chair of the Planning Board:

Gary Mulligan

Zoning Board of Appeals Members:

<u>Name</u>	<u>Term Ends</u>
Fredrick Wadnola	2018
Bryan Ilgner	2019
Geoffrey Ring	2020
Renato DiBella	2021
Lois Smith	2022*

*Current appointment

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Appointment of Chair of the Zoning Board of Appeals:

Geoffrey Ring

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Assessment Board of Review:

<u>Name</u>	<u>Term Ends</u>
Anna Hayner	2018
Larry Decker	2019
John Crispell	2020*

*Current appointment

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	<i>-Excused</i>
Town Councilman Kitchen	<i>-Excused</i>
Town Councilman Morrow	<i>-Aye</i>
Town Councilman Secreto	<i>-Aye</i>
Supervisor Quigley	<i>-Aye</i>

CARRIED

Town Historian: (remains same)

Robert Sweeney

Police Matters Members: (remains same)

Town Board

Recreation Committee Members:

Erma Francello
John Niles
Andrew Stavropoulos
Rory Lee
Mike Norton

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MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

Economic Development Committee: (remains same)

Michael Berardi
Clayton VanKleeck
John Iannotti
James F. Maloney
Patrick Sheehan

Board of Ethics: (remains same)

Joel B. Brink – Chairman
Bryan Ilgner
John Iannotti

Association of Town’s Annual Meeting: (remains same)

Delegate – James F. Maloney
Alternate Delegate – Eric Kitchen

Committee Assignments: (remains same)

Building and Grounds – Eric Kitchen (C), John Morrow (M)
Recreation – Joel B. Brink (M), Eric Kitchen (C)
Highway – John Morrow (C), Rocco Secreto (M)
Finance – Rocco Secreto (M), Joel B. Brink (C)
Water and Waste Water Treatment – Rocco Secreto (C), Eric Kitchen (M)
Personnel – John Morrow (C), Joel B. Brink (M)
Planning, Assessor and Building Dept. – Eric Kitchen (M), Joel B. Brink (C)
Constituent Services – Rocco Secreto (C) John Morrow (M)

THE SUPERVISOR IS AN EX OFFICIO MEMBER OF ALL COMMITTEES

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MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

The following Policies/Rules remain the same as 2017, unless otherwise noted:

Resolution Regarding Overtime Pay to Town Employees

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Regarding Overtime Pay to Town Employees

Be it resolved by the Town Board of the Town of Ulster as follows:

1. The Town Board of the Town of Ulster does hereby approve overtime payments to Town employees only with the prior written approval of the department head or Town Supervisor and/or his designees except in the case of an emergency involving the health, safety, and welfare of the public for the year 2018.
2. This resolution shall become effective January 1, 2018.

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

JANUARY 8, 2018

Motion to adopt Policy Regarding Adoption of Local Laws

Previous policy required that a matter be voted on within 90 days of a public hearing; current policy – the vote must be within 120 days.

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Policy Regarding Adoption of Local Laws

Be it resolved by the Town Board of the Town of Ulster as follows:

A proposed local law may be introduced only by a member of the Town Board at a meeting of such Board. **(MEETING #1)**

At the next regularly scheduled meeting of the Town Board, **(MEETING #2)** the Town Board shall schedule a public hearing on the local law. Notice of the public hearing must be given at least five (5) days prior to hearing.

At the public hearing, interested parties may be allowed to speak either for or against the local law. **(MEETING #3)**

It is the policy of the Town Board that the Board shall delay the vote on the proposed local law until the next meeting after the 30 day period has expired to receive written comments. **(MEETING #4)** A majority of the full Board is necessary to approve the local law, and the names and votes must be entered in the minutes.

If a vote on the matter has not been taken within 90 days of the Public Hearing **(Meeting #4)** the matter must start the process over again.

If a mandatory or permissive referendum is required, the procedures of the Municipal Home Rule Law must be followed.

The adoption of the local law must be certified by the Town Clerk after passage, as to accuracy and procedure by the Town Attorney. The certified copy shall contain only the text of the local law and shall be on the forms prescribed by the Department of State.

Local laws shall be numbered consecutively, beginning with No. 1 in each calendar year. Laws subject to referendum should not be numbered until filed.

A local law becomes effective twenty (20) days after adoption and fili

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

Resolution Adopting Rules of Conduct for Town Board Meetings and Public Hearings per Town Law Section 63

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Adopting Rules of Conduct for Town Board Meetings
and Public Hearings

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat members of the public equally, and

Whereas, the Committee on Open Government has stated that any such rules could serve as a basis for preventing verbal interruptions, shouting or other outbursts, as well as slanderous or obscene language or signs, and that a town board could regulate actions of the public attending meetings so as not to interfere with meetings or prevent others in attendance from observing or hearing the deliberative process, and

Whereas, a town board has a responsibility to ensure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and

Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment.

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Now, therefore, be it resolved by the Town Board of the Town of Ulster hereby adopts the following rules for public participation at meetings of the Town Board:

1. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings.
2. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.
3. Any individual wishing to speak during the public participation segment or during a public hearing shall raise his or her hand. When recognized by the Supervisor or the presiding officer, the individual must stand and state his or her name and, if appropriate, group affiliation and must state the subject he or she will be addressing.
4. Comments must relate to the purpose of the public hearing or to legitimate town business.
5. The Supervisor or the presiding officer shall act as timekeeper or shall designate another elected official as timekeeper.
6. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the public.
7. The Supervisor or the presiding officer shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.
8. It is inappropriate to utilize a public meeting for making political speeches, including threats of political action and the same will not be allowed.

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9. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or the presiding officer.
10. Discussion between speakers and attendees of the public meeting or hearing is prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.
11. Banners, flyers, or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.
12. Any person who disregards the directives of the Supervisor or the presiding officer in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for his or her comments.
13. If a speaker who has violated these rules refuses to step down, the Supervisor or the presiding officer may ask for the individual to be removed from the meeting room and charged with disorderly conduct as per the Penal law.
14. The above rules shall take effect immediately.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

JANUARY 8, 2018

Resolution Authorizing the Town Supervisor to Submit to the Town Clerk a Copy of the Report to the State Comptroller Required by General Municipal Law § 30

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Authorizing the Town Supervisor to Submit to the Town Clerk a Copy of the Report to the State Comptroller Required by General Municipal Law § 30

WHEREAS, Town Law § 29(10-a) states as follows:

In lieu of preparing the report required by subdivision ten of this section, the town board may determine, by resolution, that the supervisor shall submit to the town clerk, within the time period prescribed in section thirty of the general municipal law, a copy of the report to the state comptroller required by section thirty of the general municipal law, providing, however, that if the time for the filing of the annual report has been extended by the state comptroller as provided in the said statute, then the time for submitting a copy of the report to the town clerk similarly shall be extended. The town clerk shall cause either a summary of such report to be published within ten days after receipt thereof in a form approved by the state comptroller or a notice that a copy of such report is on file in the town clerk's office and is available for public inspection and copying, in the official newspaper and in such other newspapers as the town board may direct; and

WHEREAS, General Municipal Law § 30 states in part as follows:

Each town or village having a population, as shown by the latest preceding decennial federal census, between five thousand to nineteen thousand nine hundred ninety-nine, shall file their respective reports with the comptroller within ninety (90) days after the close of the fiscal year of such town or village; and

WHEREAS, the Town of Ulster's fiscal year closes on December 31; and

WHEREAS, the Town Board of the Town of Ulster has determined that it is in the best interest of the Town of Ulster to authorize the Town Supervisor adequate time to prepare a copy of the report to the state comptroller required by section thirty of the general municipal law;

NOW, THEREFORE Be It Resolved by the Town Board of the Town of Ulster that:

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- 1. A copy of the supervisor's annual financial report for 2018 to the State Comptroller be filed with the town clerk within the first 90 days of 2019, unless the Comptroller extends the filing date by 30 days, in which case the same extension shall apply to the filing with the town clerk.**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

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

CARRIED

Resolution Authorizing Supervisor to Sign Checks Using Facsimile Signature for Payroll Account

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Supervisor to Sign Payroll Checks
Using Facsimile Signature

WHEREAS, Town Law Section 29(3) authorizes a Town Supervisor to sign checks by a facsimile signature provided that authorization is given by the Town Board; and

WHEREAS, the Supervisor signs a large number of payroll checks on behalf of the Town of Ulster on a regular basis and he has requested the authority to affix a facsimile signature to checks rather than sign his autograph to each check; and

WHEREAS, the Supervisor must maintain the check signer in his possession and control; and

WHEREAS, the check signer may only be affixed to payroll checks by the Supervisor or under his direct supervision

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NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Ulster hereby authorizes the Town Supervisor to use his facsimile signature to sign payroll checks pursuant to Town Law Section 29(3); and

BE IT FURTHER RESOLVED, that the facsimile signature may only be affixed by the Town Supervisor or under his direct supervision.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Motion to adopt Procurement Policy for 2018

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

Motion to adopt Investment Policy for 2018

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

Motion to adopt FOIL Policy for 2018

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

Motion to adopt Fund Balance Policy for 2018

MOTION: Councilman Morrow
SECOND: Councilman Secreto

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

CARRIED

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Motion to adopt Records Management Policy for 2018

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	<i>-Excused</i>
Town Councilman Kitchen	<i>-Excused</i>
Town Councilman Morrow	<i>-Aye</i>
Town Councilman Secreto	<i>-Aye</i>
Supervisor Quigley	<i>-Aye</i>

CARRIED

MOTION to adjourn (7:09 pm):

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	<i>-Excused</i>
Town Councilman Kitchen	<i>-Excused</i>
Town Councilman Morrow	<i>-Aye</i>
Town Councilman Secreto	<i>-Aye</i>
Supervisor Quigley	<i>-Aye</i>

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk