

**TOWN OF ULSTER TOWN BOARD MEETINGS (12)**

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JULY 16, 2020

**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:04 PM**

**SALUTE TO THE FLAG**

**ROLL CALL by Town Clerk, Suzanne Reavy:**

TOWN COUNCILMAN ERIC KITCHEN - *Excused*

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

TOWN COUNCILMAN CLAYTON VAN KLEECK

SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Frank Petramale, Highway Superintendent
2. Jason Kovacs, Town Attorney
3. Kyle Berardi, Police Chief
4. Warren Tutt, Building Inspector

**ADDITIONS OR CHANGES TO AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

**APPROVAL OF MINUTES – June 4<sup>th</sup> and 18<sup>th</sup> (2020-M-185)**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen -*Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

***CARRIED***

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**COMMUNICATIONS** – None

**ABSTRACT OF CLAIMS (2020-M-186)**

*Presented by Councilman Van Kleeck*

*July, 2020*

Prepaid Bills:	\$ 181,648.75
Abstract Bills:	\$ 558,627.08
Escrow Bills:	\$ 1,500.00
Reserve:	\$ 105.00
<b>TOTAL:</b>	<b>\$ 741,880.83</b>

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MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

**BUDGET MODIFICATIONS:** None

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***New Business:***

**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of June 2020 (2020-M-187)**

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

Town Councilman Kitchen- *Excused*  
Town Councilman Morrow  
Town Councilman Secreto  
Town Councilman Van Kleeck  
Supervisor Quigley

*CARRIED*

**Motion to approve the replacement of the front door at Town Hall (2020-M-188)**

*Supervisor:* Justice Court obtained \$17,000 grant for upgrades to Town Hall. Proposal to replace front doors with automatic accessible doors.

*Councilman Morrow:* This is long overdue.

*Councilman Secreto:* Agrees.

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*  
Town Councilman Morrow  
Town Councilman Secreto  
Town Councilman Van Kleeck  
Supervisor Quigley

*CARRIED*

JULY 16, 2020

### **Discussion on Water and Sewer Bill penalties**

*Supervisor:* Refers to an overdue water bill from area business affected by COVID-19. Recommendation from water department to change the penalty schedule from 5% to 5% or a maximum of \$250 per bill per period.

*Councilman Secreto:* That is a fair amount.

### **MOTION to change the delinquent fee policy on water and sewer bills to 5% with a cap at \$250 (2020-M-189)**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

### **Motion to Authorize the Supervisor to replace the Emergency Electrical Generator at Town Hall under OGS Bid Contract# PC69013 not to exceed \$65,000.00. Installation by Licensed Electrician is not to exceed \$10,000.00. Highway Dept. to construct foundation not to exceed \$10,000.00. Engineering not to exceed \$5,000.00, Contingency \$10,000. Total \$100,000. (2020-M-190)**

*Supervisor:* Recent storm power outage and trees down, taking out Town hall electric. Problems with our standby electric generator (50 years old and small amount of power for computer room and police dept dispatch area). Caused problems to air conditioning and computer system. Generator has been on capital list since 2016. Asking for a motion for the Supervisor to spend \$100K spread out through price of generator, licensed electrician, highway department site work, and contingency of \$10k and \$5k in engineering.

*Councilman Secreto:* With recent discussion, is this generator able to be moved if town hall moves?

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*Supervisor:* This is investment that can be reused at another facility.

*Councilman Van Kleeck:* Thorough work researching this investment.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

ROLL CALL VOTE:

Town Councilman Kitchen	- <i>Excused</i>
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to appropriate \$100,000.00 from General Fund, A.0881 Capital Reserve – Building (2020-M-191)**

*Supervisor:* In conjunction with previous motion. This Town Board has set money aside to provide for such actions in an emergency situation.

MOTION: Councilman Secreto

SECOND: Councilman Morrow

ROLL CALL VOTE:

Town Councilman Kitchen	- <i>Excused</i>
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**Motion to authorize the hiring of one Part Time Police Officer (2020-M-192)**

*Presented by Councilman Van Kleeck*

Javier Castaneda: PBA; \$21.61/hour; start date 6/22/2020; currently in UC Police Academy; recommended by Chief Berardi

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

**Resolution reaffirming Town of Ulster as lead agency for Bryant's Towing (aka JASS Holdings, James Lewis), 625 Route 28, Kingston, SBL 47.2-3-22 (2020-R-193)**

*Supervisor:* Application reviewed by Planning Board on 7/14/20 for project to require Town Board approval, since the building is in excess of 2,500 square feet. Town Board to serve as lead agency in environmental review and Town Clerk to coordinate SEQR review circulation.

JULY 16, 2020

**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Designating Town Board as Lead Agency for Bryant's**  
**Towing, 625 Route 28, SBL: 47.2-3-22**

WHEREAS, the applicant – Bryant's Towing (aka JASS Holdings, James Lewis) – seeks site plan approval proposing on tax parcel 47.2-3-22 located at 625 Route 28 to renovate an existing commercial structure and site by adding an office addition and constructing a new 40' x 80' warehouse plus delineation of new parking space; and,

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was an Unlisted Action pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, the Town of Ulster Planning Board recommended at its regularly scheduled meeting on July 14, 2020 that the Town Board initiate SEQRA procedures by determining that the subject application is an Unlisted Action, and to designate the Town Board as Lead Agency; and

WHEREAS, Unlisted Action Review is recommended with the Town Board so designated as the Lead Agency; now, therefore, be it

RESOLVED, that the Town of Ulster Town Board determines that as per the requirements of Part 617 of the State Environmental Review Act (SEQRA), the Bryant's Towing (aka JASS Holdings, James Lewis) site plan application is an Unlisted Action under SEQRA; and be it further

RESOLVED, that the Town Board affirms that it is Lead Agency for such application.

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MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

**Discussion on NYS Executive Order #203 – New York State Police Reform and Reinvention Collaborative. Establishment of Citizens Committee**

*Supervisor:* Executive Order issued by Gov. Cuomo to every municipality that maintains a police department to convene a citizens committee to review policy, procedures, regulations, laws, operations, necessary to make to make recommendations to reform and reinvent the Police Department. Town Board required to create a Citizens Committee. Discussion on how we will select/identify individuals for this committee.

*Councilman Morrow:* We should advertise and ask for resumes to be submitted and reviewed.

*Councilman Van Kleeck:* Advertise on Town Website.

**MOTION to authorize the Town of Ulster Town Clerk to publish a request for candidates on the Town of Ulster Website requesting they submit resumes or letters of interest citing background information and experience, so that the Town of Ulster Town Board can make an evaluation and select appropriate candidates (2020-M-194)**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*



JULY 16, 2020

**Discussion on Kingsvale Water Co. – Whittier and Deer Run Developments in the Town of Ulster Acquisition of New York American Water Company, Inc. owned Kingsvale Water Co. by Liberty Utilities Corp.**

*Supervisor:* Water currently owned by NY American Water Co. and they are under contract to sell assets of water utility to Liberty Utilities subject to review and approval by NYS Public Service Commission (PSC). Last week, Supervisor received email from an engineer in Long Island dealing with NY American Water and other municipalities, seeking to acquire assets and turn into municipal water. Town of Ulster has opportunity to acquire the assets [from NY American Water] and turn into municipal utility. Tonight is first step on long journey in process to complete transaction if residents indicate this is an action they wish the Town Board to undertake. Received notification from PSC that the public comment period and municipality response has been extended to October 15. Town must contact residents to determine their desires. If residents are pro-town takeover, there is a long road including engineering, bonding, public hearings, referendum, ultimate taxation.

*Councilman Secreto:* First get notices out to all residents via mail and the Town Board can walk the neighborhoods.

*Councilman Morrow:* Will walk

*Supervisor:* Will put together a letter for initial feedback, returnable before August 6 meeting. Gives the Town Board ability to respond in times of crisis.

*Councilman Van Kleeck:* Understanding is that there has been a water problem for quite some time.

*Councilman Secreto:* Residents have come before Town Board before. Some residents are here tonight. We are behind them.

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**MOTION to have the Supervisor's office to prepare and distribute letter to residents in Deer Run and Whittier (2020-M-195)**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen- *Excused*

Town Councilman Morrow

Town Councilman Secreto

Town Councilman Van Kleeck

Supervisor Quigley

*CARRIED*

***Old business:***

**Resolution Granting Conditional Site Plan Amendment Approval - Kingwood Park Plaza, 1204 Ulster Avenue, Kingston, SBL: 48.8-1-36 (2020-R-196)**

*Supervisor:* Previous application for two story building, then one story building. Now 1 ½ story building. Recommends granting this approval.

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**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Granting Conditional Site Plan Amendment Approval -**  
**Kingwood Park Plaza, 1204 Ulster Avenue, SBL: 48.8-1-36**

WHEREAS, the applicant – Paquale Iovieno with CGD Properties, LLC (owner) has submitted a revised, amended and complete site plan application for the proposed Kingwood Park Plaza project, 1204 Ulster Avenue, tax parcel 48.8-1-36; and,

WHEREAS, Paul B. Jankovitz, RA representing the applicant appeared at the July 14, 2020 Town of Ulster Planning Board meeting; and,

WHEREAS, based on an amended site plan application and site plan map with building elevations prepared and stamped by Paul B. Jankovitz, RA , provided and filed to said Planning Board, the Planning Board has agreed that the proposed amendments are consistent with prior Town of Ulster approvals from August 13, 2019 (see below and attached) and that these amendments consist of only three (3) changes as follows:

- 1) addition of 3000 square feet of second floor retail space from the 2019 approval of 7,200 square feet of total space but a decrease from the 14,400 square feet of total space approved in 2017;
- 2) relocation of an approved pedestrian walkway; and
- 3) clearer designation of specific, identified ADA compliant handicap parking spaces; and,

WHEREAS, at their July 14, 2020 meeting the Town of Ulster Planning Board unanimously voted to recommend that the Town Board, at their next available meeting, make final approval of this amended site plan as described here and as consistent with all prior approvals of Kingwood Park Plaza as well as consistent with all applicable zoning code requirements and site plan review procedures of the Town of Ulster; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster approves such amended site plan based on the Planning Board’s unanimous recommendation noted above as well as consistent with the complete application filed with the Town of Ulster Planning Board and reviewed and recommended for approval by said Planning Board at their July 14, 2020 meeting; and be it further

RESOLVED, that all elements, conditions, limitations and restrictions set forth in the August 13, 2019 Resolution by the Town Board, attached here below and applicable to

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Kingwood Park Plaza and property located at 1204 Ulster Avenue, tax parcel 48.8-1-36, remain in place and applicable to any amended site plan for Kingwood Park Plaza.

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

Town Councilman Kitchen- *Excused*  
Town Councilman Morrow  
Town Councilman Secreto  
Town Councilman Van Kleeck  
Supervisor Quigley

*CARRIED*

**PUBLIC COMMENT** - None

**MOTION to adjourn: 7:25 pm (2020-M-197)**

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

Town Councilman Kitchen- *Excused*  
Town Councilman Morrow  
Town Councilman Secreto  
Town Councilman Van Kleeck  
Supervisor Quigley

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk