

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (9)**

---

May 2, 2019

**~ Public Hearing Scheduled:**

**7:10pm – Special Use Permit and Site Plan Approval for Verizon Small Cell Tower at the site of the Halcyon Park Water Storage Tank**

---

**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 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Jason Kovacs, Town Attorney
2. Kyle Berardi, Police Chief
3. Frank Petramale, Highway Superintendent
4. Town Assessor, James Maloney
5. Six town residents

**ADDITIONS OR CHANGES TO THE AGENDA—**

\*Agenda item added by Councilman Kitchen, re: Utility Company Structures and Zoning Law

**PUBLIC DISCUSSION ON AGENDA ITEMS** – None

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (9)**

---

May 2, 2019

**COMMUNICATIONS** –

1. Reread communication letter from 4/18/19 Town Board Meeting from NYS Department of Transportation regarding commercial traffic on Neighborhood Road

*Supervisor* (to Frank Petramale): Do you think the town meets conditions that NYSDOT sets forth?

*Petramale*: No

*Supervisor*: Will ask the Town Clerk to somehow alter this route as a truck route by reaching out to online map applications.

2. Letter read from Claudia Felice, 34 Jumping Brook Lane House next door (36 Jumping Brook) is sold for housing of underage pregnant women/troubled foster children. Please inquire and we don't need this in our development.

*Supervisor*: Building Department will contact the writer and investigate the occupants' compliance.

**New business:**

**Motion to authorize the SPCA use of Town property at the corner of Brabrant and Wiedy Roads for upcoming events for the term of one year**

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**

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (9)**

---

May 2, 2019

**Motion to accept the resignation of Court Officer Craig**

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*

**Presentation of Use Agreement with Charter -Spectrum Wireless for installation of Wi-Fi in Rider and Post Parks and Orlando St. Ballfield**

*[Posted on Town Website under "Meetings" tab]*

*Supervisor:* No vote tonight. This is a use agreement. Benefits citizens if they are current Spectrum customers when visiting our public facilities.

May 2, 2019

**Presentation of a Resolution Appointing Sole Town Assessor**

*[Posted on Town Website under "Meetings" tab]*

*Supervisor:* Will vote on at next meeting.

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

WHEREAS, the NYS Office of Real Property Tax Service has notified the Towns with Sole Appointed Assessors that said appointment terms are expiring on September 30, 2019, and

WHEREAS, the Town Board has recommended re-appointing James Maloney as Sole Assessor to a full-term,

NOW THEREFORE, BE IT

RESOLVED, that James Maloney be appointed as Sole Assessor of the Town of Ulster for a term that begins on October 1, 2019 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.

\*ADDITION:

**Proposal to Modify the Local Zoning Law to Change the Use of a Utility Structure in the Town Zoning Code**

*Supervisor:* Proposed law will be published on Town Website. Subject to the procedure that the Town Board follows in the adoption of new laws. Will be brought back at the next meeting to set a public hearing – will be at June meeting.

May 2, 2019

**Old Business:**

**Resolution Ratifying the Purchase, Installation, and Integration of Video Security Camera System for Town Hall Campus and Highway Complex**

*Supervisor:* Correction from last town meeting. Town Law 64 – ratifies Supervisor’s actions of authorizing the video surveillance system in various locations within the town: town hall, highway department and transfer station. Town Board has sole authority to monitor the protection of town assets.

**RESOLUTION OF THE TOWN BOARD**

**TOWN OF ULSTER**

**Resolution Ratifying the Purchase, Installation, and Integration of Video Security Camera System for Town Hall Campus and Highway Complex**

WHEREAS, the Town of Ulster has purchased and installed a video camera system in the Police Department Facilities in the Town Hall building and parking lot of the property for Police Security reasons; and

WHEREAS, the Town of Ulster has purchased and installed additional video cameras in the Main Entranceway and Court Facilities of the Town Hall in accordance with recommendations from the Office of Court Administration for the purpose of Court Security; and

WHEREAS, the Town of Ulster has purchased and installed video cameras in the Senior Center, a building located on the Town Hall Campus, but not readily observable from the Town Hall Building, for the purposes of Public Security; and

WHEREAS, the Town of Ulster has purchased and installed additional video cameras on the exterior of the Highway Garage Complex for the purpose of monitoring the Police Impound Yard and Fleet Fueling facilities for the purposes of Police and Public Security; and

WHEREAS, NYS Town Law Section 64 gives the town board control over town property; now, therefore, be it

RESOLVED that the Town Board ratifies the installation, authorized by the Town Supervisor, of the video camera system in the Town; and further

RESOLVED that a copy of this resolution be forwarded to the Town Clerk and the Town of Ulster Police Department.

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (9)**

---

May 2, 2019

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*

**Update on Brigham Lane Fire Cleanup**

*Kovacs:* Filed action v David and Lory Reynolds in UC Supreme Court. Approximately 30 – 45 days before we receive authorization to clean up.

*Supervisor:* At that time we receive authorization, we will solicit bids and brought back to Town Board for ratification.

May 2, 2019

**Resolution authorizing Supreme Court Action for DeWitt Mills Road Property Cleanup**

*Supervisor:* Tonight we were advised progress made in cleanup. Would like to pursue resolution with the following conditions:

1. Property owner allowed to continue cleanup.
2. Town Building department to monitor cleanup
3. If not in conformance with building dept expectations, town will pursue Supreme Court action.
4. Current property owner has 30 days to finish cleanup.

*Councilman Secreto:* Is this against tenant or owner?

*Kovacs:* Advised by Roy Winchell that he purchased the property and he is now the owner/occupant of the property. If that is correct he will be the only defendant.

*Councilman Kitchen:* Is the deed filed with the County?

*Kovacs:* Will inquire with the County tomorrow.

*Supervisor:* We will be proceeding with the owner of record, with caveat that the building department monitors and is then satisfied.

May 2, 2019

**RESOLUTION OF THE TOWN BOARD TOWN OF ULSTER**  
**Resolution Authorizing Attorney for the Town, Jason J. Kovacs, Esq., to**  
**Commence a Civil Action in New York State Supreme Court on behalf of the**  
**Town of Ulster against Roy Winchell**

The Town Board of the Town of Ulster, duly convened in regular session, does hereby resolve as follows:

**Section 1.** The Town Board of the Town of Ulster after due deliberation, hereby declares the property at 127 DeWitt Mills Road, SBL: 56.9-1-2.210, is a Public Nuisance pursuant to Town Code Section 64-8.

**Section 2.** The Town Board of the Town of Ulster hereby authorizes Jason J. Kovacs, Esq., Attorney for the Town of Ulster, to commence a civil action in New York State Supreme Court on behalf of the Town of Ulster and to appear as the attorney for the Town of Ulster, as Plaintiff, against Roy Winchell as Defendant. In said civil action, the Town of Ulster as the Plaintiff, shall, among other things, ask the Court: (a) for permission to clean up the grounds at 127 DeWitt Mills Road, on the grounds that it is unsafe and a threat to public safety and health, and being in violation of the Town of Ulster Town Code and the New York State Property Maintenance Code; (b) to direct that the Defendant comply with the Town Code; and (c) to permanently prohibit all other persons from using the subject premises in violation of the Town Code; (d) to enjoin and restrain the Defendant from creating and maintaining a public nuisance; and (e) to grant the Plaintiff, Town of Ulster, such other and further relief as to the Court may seem just and proper, together with the costs and disbursements of the action, and for an order allowing all costs, expenses, legal fees, and costs to dismantle the premises on the tax bill for said property.

**Section 3.** For its services hereunder, the Attorney for the Town, Jason J. Kovacs, Esq. shall be compensated at the rate of \$165.00 per hour and shall also be reimbursed for any costs and disbursements he incurs on behalf of the Town of Ulster in connection with said action.

**SECTION 4.** This Resolution shall take effect immediately.

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*



May 2, 2019

---

**~Public Hearing: 7:10pm – Special Use Permit and Site Plan Approval for Verizon Small Cell Tower at the site of the Halcyon Park Water Storage Tank**

Presentation by E. Hyde Clarke, Young/Sommer, Attorney for Project

Two small cells; two antennas; limited range. Provide service to Halcyon Park and offset need at Thruway service/rest area; space on pole for town use. Submitted and received a positive recommendation from the Town Planning Board for special use permit and site plan approval. It is a 10x10 lease area next to water tank. Macro site in this area overloaded; Identified need; small cell provides localized service 1000 foot radius; provided radio frequency (RF) report by an engineer which states compliance with safety; short EAF provided.

*Supervisor:* Will improve EMS radio system in the future; can be integrated into the controls for Halcyon Park Water system. Fundamental needs met for the Town; \$2500/year in rent. This is a commercial transaction in the Town.

**MOTION to open the Public Hearing (7:20 pm)**

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*

**~~ No Public Comment ~~**

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (9)**

---

May 2, 2019

**MOTION to close the Public Hearing (7:21 pm)**

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*

*Supervisor:* Will add this to the next Town meeting.

---

**PUBLIC COMMENT** –

1. Chief Berardi: Reminder that NYSDOT is closing Route 209 on Monday, May 6 from 5am-5pm.
2. Supervisor: Reminder that the Earth Day celebration is Saturday, 5/4 at 12pm on Buckley Street and Esopus Ave.  
Also, 5/5 is the Town of Kingston fun run that Ulster Police is assisting with.
3. Darin DeKoskie: Here to speak on behalf of Roy Winchell, DeWitt Mills Road Deed was recorded today; Winchell now the owner of the property. Built garage to store items. Thanks Town Board for the 30 days. Suggests building department contact him with any questions/concerns. Provided business card.
4. Dan Furman, Riseley St  
Thank you and wants new (proposed) zoning law clarified.

*Supervisor:* Limits the construction of any utility structure to less than 3500 sq. ft in all zones except O&M and I-zones; before as of right uses, now special uses except O&M and I-zones; 3500 sq.ft is as of right; anything over that is special use permit; Town made a statement that any structure requiring an air quality permit from NYSDEC is prohibited.

*DF:* That has been what we have been asking for the past year.

*Councilman Kitchen:* We listened

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (9)**

---

May 2, 2019

**~ End of Public Comment ~**

**MOTION to adjourn (7:26 pm):**

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*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk