

**TOWN OF ULSTER TOWN BOARD MEETING (20)**

NOVEMBER 19, 2020

**~PUBLIC HEARING: 7:10 PM - Spring Lake Sewer District Performance Hearing**

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**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 (via Zoom)  
TOWN COUNCILMAN JOHN MORROW (via Zoom)  
TOWN COUNCILMAN ROCCO SECRETO - Excused  
TOWN COUNCILMAN CLAYTON VAN KLEECK  
SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Jason Kovacs, Town Attorney
2. Warren Tutt, Building Inspector
3. Kyle Berardi, Police Chief
4. Frank Petramale, Highway Superintendent
5. Vincent Maggiore, Wastewater Superintendent
6. Bill Kemble, Daily Freeman (via Zoom)
7. Mark Blauer, Grant Writer (via Zoom)
8. Lauren Hommel, Deputy Town Clerk
9. Five town residents

**~~ ALL AGENDA ITEMS (MOTIONS AND RESOLUTIONS) ARE MADE VIA ROLL CALL VOTE ~~**

**ADDITIONS OR CHANGES TO AGENDA –**

*Supervisor:* Addition of Motion regarding cleanup of 21 Stephan Road

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

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**APPROVAL OF MINUTES – October 1<sup>st</sup> and 15<sup>th</sup> (2020-M-288)**

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

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

*CARRIED*

**COMMUNICATIONS –**

1. Letter read from Katrine Lane resident, Charles J. Lay, outstanding job that Vincent Maggiore, Josh Brink, Mike Difiore and sewer department did on Katrine Lane, as well as Bill Williams water department. Hopes that the Town of Ulster recognizes the valuable professional and personal employees.

**ABSTRACT OF CLAIMS (2020-M-289)**

*Presented by Councilman Van Kleeck*

November, 2020

Prepaid Bills:	\$ 173,121.63
Abstract Bills:	\$ 528,650.90
Escrow Bills:	\$ 1,125.00
Reserve:	\$ 696.81
<b>TOTAL:</b>	<b>\$ 703,594.34</b>

MOTION: Councilman Kitchen  
SECOND: Supervisor Quigley

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

*CARRIED*

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**BUDGET MODIFICATIONS** None at this time

**New Business:**

**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of October 2020 (2020-M-290)**

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

**Presentation and Acceptance of the Supervisor's Monthly Report for the month of October 2020 (2020-M-291)**

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

*CARRIED*

NOVEMBER 19, 2020

**Resolution authorizing Supervisor to retain Real Estate Appraiser for Tax Certiorari Matters (2020-R-292)**

*Supervisor:* Tax certiorari actions on town -- adjustment to assessment values, primarily on commercial properties. Legal process requires that the town obtain appraisers to give professional opinions on assessment values for arguments in the courts.

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution to Retain Appraisers for Tax Certiorari Matters**

WHEREAS, the Town of Ulster regularly defends upwards of ten to fifteen tax certiorari matters on an annual basis; and

WHEREAS, a certified appraisal prepared by a licensed New York State appraiser is typically required for the successful defense of a tax certiorari matter; now therefore, be it

RESOLVED, that the Town Board of the Town of Ulster, hereby authorizes the Town Supervisor to retain an appropriate and qualified licensed New York State appraiser to assist the Town of Ulster in its various tax certiorari matters, said fees being capped at \$10,000.00 per tax certiorari matter.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

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**Motion to Authorize the Supervisor to sign the Range Agreement with UC Sheriff's Office for 2021 (2020-M-293)**

*Chief Berardi:* Regular agreement every two years. They (UC) provide insurance coverage copy.

MOTION: Councilman Morrow  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**Motion to Authorize the Supervisor to sign the MOA by and between the Town of Ulster and Laborers International Union Local 17 for vacation buyout (2020-M-294)**

*Supervisor:* One-time buyout of vacation time; different than what is stated in the contract. Due to inability to take vacation during COVID.

MOTION: Councilman Van Kleeck  
SECOND: Councilman Kitchen

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

*CARRIED*

NOVEMBER 19, 2020

**Resolution Approving Site Plan and Lot Line Adjustment with Use and Area Variances for Albany 7 LLC, 721 & 723 Ulster Avenue, Kingston, SBL 48.58-5-37 & 48.58-5-21.210 (2020-R-295)**

*[to convert to a laundromat with apartments]*

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution Designating the Ulster Town Board as SEQRA Lead Agency for Albany 7 LLC, 721 & 723 Ulster Avenue, Kingston, SBL 48.58-5-37 & 48.58-5-21.210**

WHEREAS, the applicant – Albany 7 LLC, seeks Site Plan approval and a Lot Line Adjustment for construction of a new mixed-use building and reuse of an existing commercial building (application); and,

WHEREAS, this Application as submitted will require a Use Variance approval for multi-family dwellings (apartments), an Area Variance for front setback, as well as Site Plan approval and a Lot Line Adjustment merging two lots into one; and,

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

WHEREAS, the applicant has submitted a complete application to the Town of Ulster Zoning Board of Appeals for a Use Variance for multiple family dwellings and for an Area Variance for front yard setback; and,

WHEREAS, the Ulster Town Board has final Site Plan review and approval authority for this application.

NOW THEREFORE BE IT RESOLVED, based on a review of the applications and a recommendation from the Planning Board, the Town Board resolves that the applications referenced above are directly related and should be subject to coordinated review; and,

BE IT FURTHER RESOLVED, The Town Board of the Town of Ulster determines that the Site Plan application and Use Variance application are Unlisted Actions under the New York State Environmental Quality Review Act (SEQRA), while the Lot Line Adjustment application

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and the Area Variance application are Type II Actions under SEQRA not recurring further analysis; and, therefore the Town Board of the Town of Ulster declares to be the Lead Agency for coordinated review with the Town of Ulster Planning Board and Town of Ulster Zoning Board as Involved Parties; and,

NOW BE IT FURTHER RESOLVED, the Town Board formally refers the Site Plan application and the Use Variance application, as well as the Lot Line Adjustment application and the Area Variance application as background information, to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

**Resolution to Establish the Position of Town of Ulster Assistant Building Inspector (2020-R-296)**

*Supervisor:* At the request of the building inspector, for the purposes of civil service. Currently, Warren Tutt carrying exterior/outside work of department.

*Councilman Morrow:* It is imperative that he has help.

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution to Establish Position of Assistant Building Inspector**

**WHEREAS**, the Town of Ulster Building/Planning Department has the need for one additional building inspector due to increase in the volume of Planning & Building Department activities, personnel absences, and timely customer service requirements; and

**WHEREAS**, in order to attract the most qualified candidates for the position of building inspector, it is imperative to create a building inspector position that corresponds with the Ulster County Personnel Department and civil service requirements; now, therefore, be it

**RESOLVED**, that the Town of Ulster Town Board hereby creates the Building Department position of “Assistant Building Inspector,” and be it further

**RESOLVED**, that a certified copy of this resolution be forwarded to the Ulster County Personnel Department, and be it further

**RESOLVED**, that the Budget Officer position's responsibilities shall include:

1. Inspect Buildings and structures in the process of construction or repair. Complete Inspection reports;
2. May check permit applications for compliance with zoning regulations and building code regulations;
3. Perform fire inspections, issue violation notices;
4. Perform stormwater inspections and confirm capacity with SWPPP’s



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MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

**Motion to authorize the Town Attorney to take any actions necessary to compel cleanup of property at 21 Stephan Road in the Town of Ulster (2020-M-297)**

*Supervisor:* Aqua (mortgage servicer) communication is “less than stellar”; servicing organization non-responsive; neighbors are complaining

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

*CARRIED*

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## Public Hearing – Spring Lake Sewer District Performance Hearing

### Opening

Mark Blauer,

Low pressure system similar to Katrine Lane. Small cities grant through Office of Community Renewal for \$750,000, with no local share. Phase 1 sewer mains are largely completed in original area. Residents request expansion of phase 1, originally intended for phase 2. Residents will be able to connect once sewer main completed. Pump station provided by town and residents hire own contractor. Today, town discussed an extension with Albany, to June 30, 2021 (instead of Dec. 31, 2020), to give residents addition time to connect to system. Would improve efficiency. Project very successful thus far. Tonight, public to express their views and suggestions.

Vincent Maggiore, Would like to thank his crew and highway crew, both worked and made progress through rain and cold. Completed all original construction of phase 1 sewer main constructed today. Highway to blacktop tomorrow. Spring Lake Drive and Saccoman will be included in phase 1 (were to be in phase 2). Response from neighborhood is good; residents are happy. Dropped off six pump stations today and those will begin hooking up immediately.

### MOTION to Open Public Hearing (7:19 PM) (2020-M-298)

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

### Public Hearing Attendees

1. Regis Obijiski, 170 Ledge Road
2. Eileen Murphy, 114 Quail Drive
3. Vince Carpino, 420 Lucas Ave (resident)
4. Kimberly Williams, 420 Lucas Ave (owner)

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5. Pat Baker (Zoom)
6. Gunda Schorr, 19 Golf Terrace (Zoom)
7. Marie Barnes, 1 Merilina Avenue (Zoom)

### **Public Comment**

#### Regis Obijiski,

Reads material written by Laura Hartmann, Catskill Ave (Handout attached)

Laura could not make it tonight. Summary: Citizens of Spring Lake are happy that access to public sewer system is finally becoming a reality. Hoping for an extension of the hookup deadline so that residents have more time to connect.

#### Randall Okey, 9 Golf Terrace

Written comment read by Town Clerk

Undue burden on homeowner to connect by December 31. Trying to work with contractor, Joe Joy. Spoke with Vincent and hoping he gets an extension on the hookup. Hoping for the best.

#### Marie Barnes – 1 Merelina Avenue

Written comment read by Town Clerk

Appreciation for town highway and sewer. Vincent has been accessible and helpful since onset of project. Many residents were ready to connect before Dec. 31 deadline, now it is becoming impossible due to many factors. Should not be an additional burden on residents. Hoping that there is good news after the meeting with Albany today.

#### Marie Barnes – via Zoom

Any news after the Albany meeting, as far as an extension?

*Supervisor:* Meeting at 2: 30 this afternoon. Presented information that Vincent Maggiore collected during canvassing, to the grant agency in Albany, showing many residents were unprepared to connect by December 31, along with several other issues. Albany made suggestion that the town submit a letter with supervisor's signature, requesting an extension of the grant deadline from Dec. 31, 2020 to June 30, 2021. Verbal assurances that our request will be looked upon favorably. By Monday (11/23) we will know if time pressure will be relaxed.

*Barnes:* Good news. That will take away anxiety in the neighborhood. Today, Vincent was delivering pumps. Currently has an 8'tank and a pump. May be #4 on Joe Joy's list. What will happen to that pump if Joe Joy cannot install in time frame, Mother Nature involved?

*Supervisor:* Vincent will monitor and be in contact if any issues.

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**MOTION to Close the Public Hearing (7:30 PM) (2020-M-299)**

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

*CARRIED*

*Supervisor:* One final comment. In our discussions with grant agency in Albany, we are aware of a financial assistance for those unable to afford connections. We will be discussing with RUPCO, a town sponsored grant to aid those. Income-based evaluation. In 2005-06, at completion of East Kingston water project, we had excess funds and US Dept of Agriculture, town provided grants to residents of East Kingston to fix their houses and residents took advantage of it. This program would cater to Spring Lake and Katrine Lane.

*Councilman Van Kleeck:* When we find out on Monday, can we be proactive and send out a mailer?

*Maggiore:* Will mail out a letter.

*Councilman Kitchen:* We can also post on town's website.

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**Old business:**

**Resolution Adopting Town Budget for 2021 (2020-R-300)**

*Supervisor:* Past four months, difficult time preparing a 2021 budget. Presented preliminary budget on 11/5/2020, held public hearing, received public comment.

*Councilman Kitchen:* Makes a motion that we accept the budget as presented.

**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Adopting Town Budget for 2021**

**WHEREAS**, this Board having, on November 5, 2020, commencing at 7:10 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2021, including the fire protection district budget and light district budgets for 2021, and having heard all persons desiring to be heard in the matter and the matter of the budget for this Town for such fiscal year having been fully discussed and considered,

**NOW, THEREFORE, BE IT RESOLVED** that said Preliminary Budget approved and filed as aforesaid including the fire protection district budget and the light district budgets for 2021 is hereby approved, as revised by the Town Board at its meeting held on November 5, 2020 and established as the annual budget for this Town for the fiscal year beginning January 1, 2021, and that such annual budget be so adopted in detail in the minutes of the proceedings of this Town Board, and be it further

**RESOLVED**, that the Town Clerk of the Town shall prepare and certify as provided by law, duplicate copies of the said annual budget hereby adopted, shall attach thereto an exemption report in compliance with the requirements of Chapter 258 of the Laws of 2008, and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislators of the County of Ulster as required by law.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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**Discussion**

*Councilman Kitchen:* Asks the Supervisor to inform public that this is a less than 1% increase.

*Supervisor:* Net effect has resulted in a general fund tax increase of less than 1%. Decrease in highway tax levy and most of water and sewer districts, except East Kingston. East Kingston affected by large area of district purchased by Scenic Hudson, taken off tax roll, and which resulted in a 7% reduction in assessment base. We were able to keep the tax increase to approximately 1% in East Kingston. Town wide – between general fund and highway fund – the net effect is 0.6% tax increase for the two funds in 2021, which is approximately \$56-\$58,000 on a \$12M budget. Pension contributions, health care and salaries increased.

*Councilman Van Kleeck:* Appreciates all work that went into this. Appreciates Mr. Obijiski's comments at last meeting. Accepts this budget as is.

*Councilman Morrow:* This is the 11<sup>th</sup> budget with the supervisor that he and Councilman Kitchen sat through. Gives supervisor an A+. Councilman Kitchen concurs.

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

*CARRIED*

**TOWN OF ULSTER TOWN BOARD MEETING (20)**

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**PUBLIC COMMENT -**

Vince Carpino, 420 Lucas Ave

Time frame of extending sewer past Spring Lake trailer park?

*Supervisor:* In 2018, town made application for grant for Spring Lake sewer, and town was unsuccessful, due to two projects already in motion (Katrine Lane and Spring Lake Phase 1). Program was shut down for 2020 due to COVID-19. Intent is to put grant application for Phase 2 as soon as program opens. Hopeful that spring, 2021, program reopens. We would install mains using highway and sewer departments and provide town-owned pump to homeowners. Homeowners would be responsible for hookup. Advise to speak to Mr. Maggiore for list of contractors and more information.

~~End of Public Comment~~

**MOTION to adjourn: 7:40 pm (2020-M-301)**

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk