

**ULSTER ORGANIZATIONAL TOWN BOARD MEETING**

January 8, 2015 AT 7:00 PM

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

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN JOEL B. BRINK  
TOWN COUNCILMAN ERIC KITCHEN  
TOWN COUNCILMAN JOHN MORROW  
TOWN COUNCILMAN ROCCO SECRETO  
SUPERVISOR JAMES QUIGLEY 3<sup>rd</sup>

**2015 ORGANIZATION RESOLUTION**

**WHEREAS, the Town Board of the Town of Ulster convened an organizational meeting for the year 2015 on January 8, 2015; 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:**

Key Bank, JP Morgan Chase

**2. Official Newspapers:**

*The Daily Freeman, Sunday Freeman, Kingston Times*

**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	\$48,960.00
Town Justice (2 each)	\$40,800.00
Council Member (4 each)	\$10,000.00
Superintendent of Highways	\$61,200.00

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## **5. Appointments:**

Secretary to the Supervisor – Peggy King  
Deputy Supervisor – Eric Kitchen  
Attorney to the Town of Ulster and Special Prosecutor: Jason J. Kovacs, Esq.  
Assistant Special Prosecutors- Catherine Stefanik, Esq. and Matthew M. 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 - Jason Cosenza  
FOIL Officer – Jason Cosenza  
Deputy Registrar of Vital Statistics – TBD  
Deputy Town Clerk – TBD  
Clerk to Justice Weiss – Patti Ilgner  
Clerk to Justice Kesick - Ann Raskoskie  
Building Inspector – Kathryn Moniz  
Animal Control Officer – Jennifer Dunlap  
GIS Coordinator - James Maloney  
Ulster County Planning Board Member – Frank Almquist  
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 – William Williams  
Assistant Superintendent of Wastewater Treatment – Vincent Maggiore  
Assistant Superintendent of Highways – Charles Freer

## **6. Town Board:**

Workshop Meetings: First Thursday of each month at 7:00 p.m. except for January 8, 2015

Regular Monthly Meetings: Third Thursday of each month at 7:00 p.m. except for January 22, 2015

Any meetings scheduled on a holiday will be rescheduled by the Town Supervisor

## **7. Town Board Agenda:**

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

## **8. Mileage:**

Mileage will be reimbursed at the Federal Mileage rate of \$.57 per mile for use of personal vehicle for town business.

## **9. Legal Holidays:**

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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.

## **13. Petty Cash:**

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

## **14. Highway Budget:**

\$3,258,404.00

## **15. Appointment of Town Planner:**

Alan Sorensen, Planit Main Street

## **16. Planning Board Meeting:**

Third Tuesday of each month at 7:00 pm

## **17. Zoning Board of Appeals Meeting:**

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First Wednesday of each month at 7:00 pm

**18. Police Matters Meeting:**

First Thursday of each month at 4:00 pm

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

Is hereby delegated to Town Supervisor James (Jim) E. Quigley 3<sup>rd</sup>

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

CARRIED

**Planning Board Members:**

<u>Name</u>	<u>Term Ends</u>
Anna Hayner	2015
Frank Almquist	2016
Lawrence Decker	2017
Karl Allison	2018
Gary Mulligan	2019*

\* current appointment

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

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

CARRIED

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**Alternates:**

Tim O'Brien 2015  
Andrew Stavopoulos 2015

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

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

CARRIED

**Appointment of Chair of the Planning Board:**

Gary Mulligan 2019\*

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

**Zoning Board of Appeals Members:**

**Name**                      **Term Ends**

Arnold Jacobson 2015  
John Crispell 2016  
George Carlson 2017  
Frederick Wadnola 2018  
Bryan Illgner 2019\*

\*Current appointment

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink - Aye  
Town Councilman Kitchen - Aye  
Town Councilman Morrow - Aye

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Town Councilman Secreto - Aye  
Supervisor Quigley - Aye

CARRIED

**Appointment of Chair of the Zoning Board of Appeals:**

George Carlson

MOTION: Councilman Brink  
SECOND: Councilman Morrow

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

CARRIED

**Assessment Board of Review: Name**

**Term Ends**

Larry Decker	2016
John Crispell	2017
Anna Hayner	2018

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

CARRIED

**Town Historian:**

Robert Sweeney

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

CARRIED

**Police Matters Members:**

Town Board

MOTION: Councilman Brink  
SECOND: Councilman Kitchen

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

CARRIED

**Recreation Committee Members:**

Chief Anthony Cruise  
Erma Francello  
Sean Feeney  
John Niles  
Andrew Stravropoulos

MOTION: Councilman Secreto  
SECOND: Councilman Brink

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

CARRIED

**Economic Development Committee:**

Michael Berardi  
Clayton VanKleeck  
John Iannotti  
James F. Maloney

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Patrick Sheehan

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

**Board of Ethics:**

Joel B. Brink – Chairman

Bryan Ilgner

John Iannotti

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

**Association of Town’s Annual Meeting:**

Delegate – Eric Kitchen

Alternate Delegate – James F. Maloney

MOTION: Councilman Brink

SECOND: Councilman Secreto

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

CARRIED

**Committee Assignments:**



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

**THE SUPERVISOR IS AN EX OFFICIO MEMBER OF ALL COMMITTEES**

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

CARRIED

All of the following resolutions were adopted in one motion - -----

**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 situation involving the health, safety, and welfare of the general public for the year 2014.
2. This resolution shall become effective January 1, 2015.

**Motion to adopt Policy Regarding Adoption of Local Laws**

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.

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At the 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. (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 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, and 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 filing, unless otherwise provided in the local law, and no local law shall take effect before it is filed.

All local laws filed in the Clerk's office shall be recorded in a separate book or books, which are to be indexed.

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

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 insure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of

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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.

Now, therefore, be it resolved that 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 general 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 general public.

### **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**

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

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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:

1. A copy of the supervisor's annual financial report for 2014 to the State Comptroller be filed with the town clerk within the first 90 days of 2015, 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.

### **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 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 checksigner in his possession and control; and

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

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 checks pursuant to Town Law Section 29(3); and

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

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

**Motion to adopt Procurement Policy for 2015**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

**Motion to adopt Investment Policy for 2015**

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

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

CARRIED

Councilman Morrow motioned to adjourn the meeting at 7:06 PM  
2<sup>nd</sup> by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Aye

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Town Councilman Secreto                   - Aye  
Supervisor Quigley                         - Aye  
CARRIED

Respectfully Submitted by  
Jason Cosenza, RMC FHCO  
Ulster Town Clerk