

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 07:03 PM

SALUTE TO THE FLAG

ROLL CALL BY TOWN CLERK, SUZANNE REAVY:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
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. Town Assessor, James Maloney
4. 12 Town residents

ADDITIONS OR CHANGES TO THE AGENDA – * To be added at the end of the agenda:
Late request from Building Department requesting removal of noxious vegetation from a residence.

PUBLIC DISCUSSION ON AGENDA ITEMS – None

APPROVAL OF MINUTES – July 6th, 10th, and 20th

MOTION: Councilman Secreto
SECOND: Councilman Morrow

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

CARRIED

COMMUNICATIONS - None

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

ABSTRACT OF CLAIMS

Presented by Councilman Secreto (reviewed by Secreto & Councilman Brink)

Prepaid Bills: \$ 248,222.39
Abstract Bills: \$ 292,393.74
Escrow Bills: \$ 4,962.50
Reserve: \$ 903.61

TOTAL: \$ 546,482.24

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

BUDGET MODIFICATIONS

Presented by Councilman Secreto (reviewed by Secreto & Councilman Brink)

General Fund:

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric - Orlando St. Ballfield	411.53
Modify Revenue A2680 (Insur.Recovery) and Appropriation A3120.421 (Veh.Maint.) damage to 2012 Dodge Charger-police vehicle- date loss 3/10/17 from U.S.Specialty Insur. Co. - deductible reimb.	1,000.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) insurance pyt. For Cheer Program to Pop warner Little scholars K&K Insurance Group	492.08

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

Highway Fund:	Modify Appropriation A9950.900 (Transfer,Cap.Proj.) to be funded through A5110 (Approp.Reserve-Building) transfer town funds from Landfill Closure for town funding of Brigham Lane Water Cap.Proj. (Constr.) Sutton Electric	582.80
	Modify Appropriation A9950.900 (Transfer,Cap.Proj.) to be funded through A5110 (Approp.Reserve-Building) transfer town funds from Landfill Closure for town funding of Brigham Lane Water Cap.Proj. (Constr.) HZ Electric Supply	59.92
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb.-Oper.Funds	6,153.00
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Gas) June Reimb. (Ruby Fire Dist.)	101.08
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (Ulster Fire Dist.#1)	69.97
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (E.Kng.Vol.Fire Co.)	178.11
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) July Gas Reimb. (Town of Kng. Hwy. Fund)	588.57
Ulster Water:	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Gas Reimb. (Ulster Fire Dist.#5)	
	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants) purchase of meter & parts from Willy's Landscaping	261.00
Brigham Lane Wtr Cap.Project:	Modify Budget - Town Funding from Landfill Closure	
	Revenue HBL.5031 Interfund Transfer	642.72
	Appropriation HBL.8310.200 Construction (Sutton Electric, HZ Electric Supply) Sutton Electric \$582.80 - HZ Electric Supply \$59.92	642.72

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

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

NEW BUSINESS

PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK'S MONTHLY REPORT FOR THE MONTH OF JULY 2017

MOTION: Councilman Brink
SECOND: Councilman Kitchen

Councilman Brink:	Aye
Councilman Kitchen:	Aye
Councilman Morrow:	Aye
Councilman Secreto:	Aye
Supervisor Quigley:	Aye

CARRIED

PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S MONTHLY REPORT FOR THE MONTH OF JULY 2017

MOTION: Councilman Secreto
SECOND: Councilman Brink

Councilman Brink:	Aye
Councilman Kitchen:	Aye
Councilman Morrow:	Aye
Councilman Secreto:	Aye
Supervisor Quigley:	Aye

CARRIED

AUGUST 17, 2017

MOTION TO ADVANCE \$25,000 FROM ULSTER SEWER FUND TO KATRINE LANE SEWER PROJECT

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

CARRIED

MOTION TO AUTHORIZE THE TOWN COURT TO MAKE APPLICATION FOR THE 2018 COURT GRANT WITH JUDGE SUSAN KESICK AND SUPERVISOR QUIGLEY BEING AUTHORIZED TO SIGN THE GRANT PAPERWORK

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

CARRIED

MOTION TO AUTHORIZE THE TOWN CLERK TO REQUEST A TRAFFIC STUDY FROM NYSDOT REGIONAL TRAFFIC ENGINEER TO REDUCE THE SPEED LIMIT ON LUCAS AVENUE FROM 45 MPH TO 35 MPH FROM MAXWELL LANE TO THE HURLEY TOWN LINE

REWORDED – This MOTION now will become a RESOLUTION to be sent to the Ulster County Legislature, since Lucas Avenue is a County Road. Resolution presented by Jason Kovacs.

RESOLUTION Authorizing Ulster County and/or the NYSDOT to Reduce the Speed Limit on Lucas Avenue from 45 MPH to 30 MPH

AUGUST 17, 2017

**Resolution Authorizing Ulster County and/or the NYSDOT to
Reduce the Speed Limit on Lucas Avenue from 45 MPH to 30
MPH**

WHEREAS, the Town Board has been advised by residents of the Lucas Avenue area that there is a public safety need to reduce the speed limit on Lucas Avenue in the Town of Ulster, now, therefore, be it

RESOLVED that the Town of Ulster Town Board hereby requests a speed limit reduction on Lucas Avenue from Maxwell Lane to the Town of Hurley Town line, from 45 MPH to 30 MPH, and

be it further RESOLVED that the Town Clerk of the Town of Ulster send certified copies of this resolution to the Clerk of the Ulster County Legislature and to the New York State Department of Transportation.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Councilman Brink:	Aye
Councilman Kitchen:	Aye
Councilman Morrow:	Aye
Councilman Secreto:	Aye
Supervisor Quigley:	Aye

CARRIED

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

MOTION AUTHORIZING THE SUPERVISOR TO SIGN THE RENEWAL FOR TOWN'S CDPHP HEALTH INSURANCE PROGRAM FOR THE PERIOD DECEMBER 1, 2017 TO NOVEMBER 30, 2018

Supervisor: Slightly over a 12% increase. The original quote was over 16%. This is an alternate health care provider.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

Councilman Brink: Aye
Councilman Kitchen: Aye
Councilman Morrow: Aye
Councilman Secreto: Aye
Supervisor Quigley: Aye

CARRIED

PRESENTATION OF RESOLUTION FOR REFERRAL TO TOWN BOARD INITIATION OF SEQR UNLISTED ACTION – COORDINATED REVIEW 5TH ELEMENT PROPERTIES WAREHOUSE, 950 OLD ROUTE 9W, KINGSTON, NY, SBL: 48.50-5-11.110

Supervisor: Referral from the Town Planning Board.

AUGUST 17, 2017

RESOLUTION
TOWN OF ULSTER TOWN BOARD

Initiation of SEQR Unlisted Action-Coordinated Review
5th Element Properties Warehouse

S-B-L: 48.50-5-11.110

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by 5th Element Properties, LLC seeking a Site Plan approval to construct a 5,000 square-foot (sf) warehouse/workshop along with associated parking, access, landscaped areas and utility infrastructure on the subject site and to convert an existing house into an office to be leased to All About Construction; and

WHEREAS, the Town of Ulster Planning Board has determined the Town Board has the authority to approve the Site Plan application since more than 2,500 SF of new gross floor area is proposed; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Consent Form* signed by Carl Sumliner – 5th Element Properties, LLC., dated August 2, 2017
- *Application for Site Plan Approval* by Carl Sumliner dated August 2, 2017;
- *SEQR Short EAF* prepared by Carl Sumliner dated July 18, 2017;
- *Sketch Map for Site Plan* by [unknown] dated August 1, 2017;
- *Building Elevations* by Star Building Systems dated June 26, 2017; and
- *Site Plan* prepared by [unknown] dated August 2, 2017.

WHEREAS, the Town of Ulster Planning Board and Town Board, upon review of the SEQR Short EAF Part 1 determined the Proposed Action was an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law since it involves more than 4,000 square feet of new commercial construction; and

WHEREAS, the Planning Board determined other Interested Agencies include: Ulster County Planning Board (NYSGML 239 l and m reviews), Town of Ulster Highway Superintendent (site access); and Town of Ulster Water and Sewer Departments; and

WHEREAS, the Planning Board referred the Proposed Action to the Town Board for the purpose of initiating a SEQR *Unlisted Action-Coordinated Review* with the Town Board so named as Lead Agency and recommended the Town Board refer this matter to the Ulster County Planning Board.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby declares its intent to be Lead Agency for an Unlisted Action-Coordinated Review and directs the Town Clerk to circulate a Notice of Intent to all Involved Agencies;

AUGUST 17, 2017

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby refers this matter to the Ulster County Planning Board for NYSGML 239 review.

MOTION: Councilman Secreto

SECOND: Councilman Brink

Councilman Brink: Aye
Councilman Kitchen: Aye
Councilman Morrow: Aye
Councilman Secreto: Aye
Supervisor Quigley: Aye

CARRIED

RESOLUTION AUTHORIZING PLACEMENT OF A “STOP SIGN AHEAD” SIGN BEFORE THE INTERSECTION OF POTTER HILL ROAD AND ROUTE 32

Supervisor: Requested by residents on Potter Hill Road.

Resolution Authorizing Placement of “Stop Sign Ahead” before Intersection of Potter Hill Road and Route 32

WHEREAS, the Town Board has been advised by residents of the Potter Hill area that there is a public safety need to install a stop sign ahead of the intersection of Potter Hill Road and Route 32, now, therefore, be it

RESOLVED that the Town of Ulster Highway Department install a stop sign ahead of the intersection of Potter Hill Road and Route 32.

MOTION: Councilman Brink

SECOND: Councilman Secreto

Councilman Brink: Aye
Councilman Kitchen: Aye
Councilman Morrow: Aye
Councilman Secreto: Aye
Supervisor Quigley: Aye

CARRIED

AUGUST 17, 2017

RESOLUTION AUTHORIZING THE OPENING OF TWO (2) NEW CHECKING ACCOUNTS FOR THE GENERAL FUND AND HIGHWAY FUND AT THE BANK OF GREENE COUNTY

RESOLUTION AUTHORIZING THE TOWN OF ULSTER SUPERVISOR TO OPEN NEW CHECKING ACCOUNTS AT THE BANK OF GREENE COUNTY

WHEREAS, the Town of Ulster Town Board determines it is in the best interest of the Town of Ulster to open two (2) new checking accounts at the Bank of Greene County

BE IT RESOLVED by the Town Board of the Town of Ulster, Ulster County, as follows:

1. That the Town Board of the Town of Ulster hereby declares the Bank of Greene County an official depository for town funds.
2. That the Town Board of the Town of Ulster authorizes the Supervisor to open the following checking accounts at the Bank of Greene County according to the terms and conditions of the authorizations granted in this resolution:
 - A. General Fund Account
 - B. Highway Fund Account
3. That the Bank of Greene County is hereby authorized to pay and charge to any account of the Town of Ulster on their books, all such checks, drafts, or other orders when signed with mechanically affixed facsimile signatures of Town Supervisor James E. Quigley 3rd, Town Clerk Suzanne Reavy, Town Bookkeeper Ann Mitchell, regardless of by whom the facsimile signatures may have been affixed thereon, if the signature resembles the facsimile specimens furnished to the Bank of Greene County. Either of these three may act individually; this is not intended as solely a joint authorization.
4. That the Town Clerk is hereby authorized to file with the Bank of Greene County a duly certified copy of this resolution

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

MOTION: Councilman Morrow

SECOND: Councilman Brink

Councilman Brink: Aye
Councilman Kitchen: Aye
Councilman Morrow: Aye
Councilman Secreto: Aye
Supervisor Quigley: Aye

CARRIED

OLD BUSINESS

RESOLUTION AUTHORIZING THE SETTLEMENT OF TAX CERTIORARI WITH TECH CITY, 22, 23, & 2 LLC, TECH CITY 42 & 43, LLC, TECH CITY 52, LLC AND ULSTER BUSINESS COMPLEX, LLC

RESOLUTION

Whereas, AG Properties of Kingston, LLC, TechCity 22, 23 & 24, LLC, TechCity 42 & 43, LLC, TechCity 52, LLC, and Ulster Business Complex, LLC initiated tax certiorari proceedings for 2016 on certain real property owned by the Petitioners located in the Town of Ulster; and

Whereas, the tax certiorari proceedings initiated by AG Properties of Kingston, LLC, TechCity 22, 23 & 24, LLC, TechCity 42 & 43, LLC, TechCity 52, LLC, and Ulster Business Complex, LLC pertain to those parcels of real property set forth on the attached Consent Order; and

Whereas, the Appellate Division, Third Department, granted certain petitions to reduce the assessments on some of the subject property's parcels for the 2010, 2011 and 2012 assessment years, as set forth in the certain Memorandum and Order of the Appellate Division, Third Department, dated April 14, 2014 (the "AD Order"); and

Whereas, Supreme Court Ulster County issued a Judgment and an Amended Judgment dated June 21, 2016 and February 4, 2017, respectively (collectively, the "Prior Judgment"), pursuant to the AD Order, reducing those assessments for the 2010, 2011, and 2012 assessment years, and applying RPTL §727 for the 2013, 2014 and 2015 assessment years; and

Whereas, certain of those assessments that were reduced pursuant to the AD Order and the Prior Judgment for the 2010-2015 assessment years were increased in the 2016

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

assessment year to the level of original assessments prior to the Appellate Division's ordered reductions; and

Whereas, Petitioners moved for an order granting summary judgment, seeking corrections of the 2016 assessment roll and reductions in assessment consistent with the reduced assessments awarded by the AD Order and Prior Judgment for the 2015 assessment year, as set forth within the attached Consent Judgment; and

Whereas, the parties have agreed to a settlement of the proceedings relating to those tax parcels set forth on the attached Consent Judgment.

NOW, THEREFORE, IT IS:

RESOLVED, that the town board of the Town of Ulster consents to and authorizes the settlement of the tax certiorari proceeding presently venued in Supreme Court, County of Ulster bearing index number 16-1810 according to the terms of the Consent Order attached hereto and made a part hereof, and it is further

RESOLVED, that special counsel for the Town of Ulster is authorized to execute the Consent Order attached hereto and made a part hereof

Supervisor: In 2016 when tax bills were in preparation process the Tech City Tax Cert was not finalized; therefore, values used in the 2016-2017 school tax bill and 2017 Town tax bill were ultimately the values that were reduced by Tech City certiorari actions. To correct those values, the Town Board is required to authorize a settlement for this specific year.

MOTION: Councilman Secreto
SECOND: Councilman Morrow

Councilman Brink: Aye
Councilman Kitchen: Aye
Councilman Morrow: Aye
Councilman Secreto: Aye
Supervisor Quigley: Aye

CARRIED

AUGUST 17, 2017

***MOTION FOR THE TOWN BOARD TO AUTHORIZE THE HIGHWAY DEPARTMENT TO CUT THE GRASS AT 1020 COLUMBIA STREET, KINGSTON, NY, AND COSTS INCURRED TO BE ADDED TO THE 2018 TAX BILL**

Supervisor: Request of Town Building Dept; foreclosed house; violation of Town Code.

MOTION: Councilman Morrow
SECOND: Councilman Secreto

Councilman Brink: Aye
Councilman Kitchen: Aye
Councilman Morrow: Aye
Councilman Secreto: Aye
Supervisor Quigley: Aye

CARRIED

PUBLIC COMMENT

1. Margaret Fish, Deer Run Road:

Speed limit in her community is 30 MPH. No sidewalks. 30 MPH is too fast for residential. Those that walk dogs; baby strollers; walk. People traveling from Kukuk Lane to Route 32 cut through her neighborhood. Would like to lower the speed limit and install a “No thru traffic” sign.

Supervisor: First request will not be easy. Calls for MOTION for Town Clerk to send a request to NYSDOT for a traffic study to reduce the speed limits in the neighborhoods.

Councilman Morrow: 30 is the minimum speed limit except for school zone.

Supervisor: Yes, does not think we will be successful.

Councilman Kitchen: 30 is lowest allowable speed limit by law.

Supervisor Quigley: Your second request is a sign, if the residents are requesting that we will look into that.

Kitchen: That is a tough one.

Morrow: It is a public road and everyone pays taxes on the roads.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

Fish: People cutting through for a shortcut to Route 32. This is safety precaution.

Supervisor: Will confer with the Town Highway Superintendent, who is not here. Leave contact information with Town Clerk.

2. Teri Quarantino, Route 32/Flatbush Rd.

If state cannot reduce speed limit on Route 32, she wishes they would stripe the shoulder so that no one can pass on the right. Had a 30' boat with a truck pass her on the right. Illegally passing; dangerous.

Secreto: In the past, we authorized no passing on the right signs on Route 9W. They were installed. Runs into the same problem. This is an ongoing issue – cars passing on the solid white line.

Supervisor: Ask for **MOTION to have the Town Clerk send request to NYSDOT to place a “No Passing on Shoulder” sign and to stripe the road on Route 32, Town of Ulster – from the intersection of Route 32/199 South to the intersection of Route 32/Ulster Landing Road.**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Councilman Brink:	Aye
Councilman Kitchen:	Aye
Councilman Morrow:	Aye
Councilman Secreto:	Aye
Supervisor Quigley:	Aye

CARRIED

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (20)

AUGUST 17, 2017

MOTION TO ADJOURN (7:20 PM)

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk