

**TOWN OF ULSTER 2016 ORGANIZATIONAL MEETING (1)**

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January 7, 2016

**CALLED TO ORDER BY SUPERVISOR QUIGLEY 7:00 PM**

**SALUTE TO FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

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

**WHEREAS**, the Town Board of the Town of Ulster convened an organizational meeting for the year 2016 on January 7, 2016; 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:**

Bank of Greene County, JP Morgan Chase

**2. Official Newspapers:**

The Daily and 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	\$49,939.20

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Town Justice (2 each)	\$41,616.00
Council Member (4 each)	\$10,000.00
Superintendent of Highways	\$62,424.00

### **5. Appointments:**

Secretary to 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 Millouras-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: Suzanne Reavy

FOIL Officer: Suzanne Reavy

Deputy Registrar of Vital Statistics: Lauren Hommel

Deputy Town Clerk: Lauren Hommel

Clerk to Justice Weiss: Patti Ilgner

Clerk to Justice Kesick: Ann Raskoskie

Building Inspector: Kathy Moniz

Animal Control Officer: Jennifer Dunlap

GIS Coordinator: James Maloney

Ulster County Planning Board Member: Frank Almquist

Ulster County Transportation Council Member: 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: Josh Brink

Assistant Superintendent of Highways: Charles Freer

### **6. Town Board:**

Workshop Meetings: First Thursday of each month at 7:00 pm

Regular Monthly Meetings: Third Thursday of each month at 7:00 pm

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Any meeting 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 rate of Federal Mileage Rate of \$0.54 per mile (or as adjusted by the IRS) for use of personal vehicle for town business.

**9. Legal Holidays:**

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; 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	200.00
Highway Department	100.00
Police Department	100.00
Water Department	50.00
Water Dept. Cash Drawer	25.00
Court	75.00

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Sewer Department	50.00
Whittier Sewer	25.00
Assessor	50.00
Building Department	50.00
Ryder Park	50.00

**14. Highway Budget:**

\$ 3,181,998.00

**15. Appointment of Town Planner:**

Alan Sorensen, Planit Main Street

**16. Planning Board Meeting:**

Second Tuesday of each month at 7:00 pm

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

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>, per Town Law Section 29 (16)

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*

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**Planning Board Members:**

<b><u>Name:</u></b>	<b><u>Term Ends:</u></b>
Frank Almquist	2016
Lawrence Decker	2017
Karl Allison	2018
Gary Mulligan	2019
Anna Hayner	2020*

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

*CARRIED*

**Alternates:**

Troy Ashdown	2016*
Andrew Stavropoulos	2016*

\*current appointments

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*

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

Gary Mulligan

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:**

<b><u>Name:</u></b>	<b><u>Term Ends:</u></b>
John Crispell	2016
George Carlson	2017
Fredrick Wadnola	2018
Bryan Ilgner	2019
Geoffrey Ring	2020*

\*current appointment

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

DISCUSSION: Councilman Morrow & Councilman Kitchen briefly discuss if length of term is correct for new appointment. Settled.

*CARRIED*

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

George Carlson

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

*CARRIED*

**Assessment Board of Review:**

<b><u>Name:</u></b>	<b><u>Term Ends:</u></b>
Larry Decker	2016
John Crispell	2017
Anna Hayner	2018

*NO NEW APPOINTMENTS/NO EXPIRING TERMS – NO ACTION NECESSARY*

**Town Historian:**

Robert Sweeney

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*

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**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 (Ret.)

Erma Francello

Sean Feeney

John Niles

Andrew Stavropoulos

*(All previously reviewed by Recreation Director Jeffrey Hayner; Members will join committee already consisting of Jeffrey Hayner and two Town Board Members Kitchen & Brink )*

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*



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**Economic Development Committee:**

Michael Berardi  
Clayton VanKleeck  
John Iannotti  
James F. Maloney  
Patrick Sheehan

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

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 Kitchen  
SECOND: Councilman Secreto

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

*CARRIED*

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

Delegate: James F. Maloney

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Alternate Delegate: Eric Kitchen

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*

**Committee Assignments:**

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

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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**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 2016.
2. This resolution shall become effective January 1, 2016.

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*

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

**Be it resolved by the Town Board of the Town of Ulster as follows:**

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.

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.

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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.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

*CARRIED*

**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

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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 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 by 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.

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7. The Supervisor or the presiding officer shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the general public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.
8. It is inappropriate to utilize a public meeting for the purpose of making political speeches, including threats of political action and the same will not be allowed.
9. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or presiding officer.
10. Discussion between speakers and attendees of the public meeting or hearing is prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.
11. Banners, flyers, or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.
12. Any person who disregards the directives of the Supervisor or the presiding officer in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for his or her comments.
13. If a speaker who has violated these rules refuses to step down, the Supervisor or the presiding officer may ask for the individual to be removed from the meeting room and charged with Disorderly Conduct as per the Penal Law.
14. The above rules shall take effect immediately.

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*

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**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 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 2015 to the State Comptroller be filed with the town clerk within the first 90 days of 2016, 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.**

MOTION: Councilman Brink

SECOND: Councilman Morrow

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

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Town Councilman Secreto -Aye  
Supervisor Quigley -Aye

*CARRIED*

**RESOLUTION Authorizing Supervisor to Sign Checks Using Facsimile Signature for Payroll Account**

**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

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

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*

**MOTION to adopt Procurement Policy or 2016**

[Document on file in the Town Clerk's Office and available on Town Website]



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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*

**MOTION to adopt Investment Policy for 2016**

[Document on file in the Town Clerk's Office and available on Town Website]

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*

**MOTION to adopt FOIL Policy for 2016**

[Document on file in the Town Clerk's Office and available on Town Website]

MOTION: Councilman Morrow  
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*

**MOTION to adopt Fund Balance Policy for 2016**

[Document on file in the Town Clerk's Office and available on Town Website]

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*

**MOTION TO ADJOURN ORGANIZATIONAL MEETING: Councilman Kitchen  
2<sup>nd</sup> by Councilman Brink**

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

*CARRIED*

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Respectfully Submitted  
Suzanne Reavy  
Ulster Town Clerk