

TOWN OF ULSTER TOWN BOARD MEETING (02)  
JANUARY 18, 2024

**MEETING HELD IN PERSON and VIRTUALLY THROUGH ZOOM  
BROADCAST VIA FACEBOOK LIVE**

**CALLED TO ORDER BY SUPERVISOR, JAMES E QUIGLEY 3<sup>RD</sup> , at 7:00 PM**

**SALUTE TO OUR FLAG**

**ROLL CALL by Town Clerk, Suzanne Reavy:**

TOWN COUNCILMAN CLAYTON VAN KLEECK  
TOWN COUNCILMAN ROCCO SECRETO  
TOWN COUNCILWOMAN ANNA HAYNER  
TOWN COUNCILWOMAN MARYANN DEGROODT  
SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Warren Tutt, Building Inspector
2. Frank Petramale, Highway Superintendent
3. Kyle Berardi, Police Chief
4. Tosca Sweeney, Comptroller
5. Jason Kovacs, Town Attorney
6. Vincent Maggiore, Wastewater Superintendent
7. Miranda Bernholz, Assessor
8. Eight in-person attendees

**ADDITIONS OR CHANGES TO AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS**

Laura Hartmann, town resident: Hoping that the item regarding timber harvest can be better explained. Supervisor will explain

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**APPROVAL OF MINUTES – December 7<sup>th</sup> and 21<sup>st</sup> (2023-M-021)**

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**COMMUNICATIONS** – Four pieces of correspondence

1. Eileen Murphy, town resident, thanking the supervisor and town planner for meeting with her and Regis Obijiski, presenting details and guidelines of how a business receives permission from the planning board and town board to break ground in our town. Gratitude to officials when they actively respond to their citizens.
2. Diane Gulnick, town resident, requesting something be done about the lack of lighting in town hall parking lot. Supervisor asks Warren Tutt to look at the lighting situation.
3. Letter from Christopher Korba, Kingston City School District’s safety and security advisor (1/11/2024) requesting Fairdale Avenue in the area of Crosby School be transitioned to a school zone with a reduced speed limit.

Supervisor makes a **Motion to authorize the town clerk to write a letter to NYS Department of Transportation engineer, region 8, requesting a reduction in speed limit and declaration of a school zone on Fairdale Avenue and Fording Place Road, in the town of Ulster.** (2024-M-022)

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MOTION: Councilman Secreto  
SECOND: Councilman Van Kleeck

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

4. Correspondence for a virtual meeting regarding Route 28 Asphalt Material Supplies, Inc. on January 31 at 11am. More information about how to attend is on our town website and available in the town clerk's office.

**ABSTRACT OF CLAIMS** (2024-M-023)

January, 2024

**TOTAL:** \$ 1,196,303.25

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**BUDGET TRANSFERS** None

**DEPARTMENT HEAD YEAR END REPORTS**

1. Police Department, Chief Kyle Berardi  
Thanks the town board, supervisor, and community. Thanks men and women in the department for hard work. 2023 was successful but trying with manpower constraints. Three retirements in 2022, two in 2023 of active members. Two promotions, two new hires, now three Spanish speaking members. Up one percent in accidents; up 56% in arrests; 89% in DWI arrests; 34% in traffic tickets. Detectives: 151 cases (80 cases involved the special investigative unit). Both decreased in 2023 due to manpower constraints. Decrease 29% overdoses. Total of nine fatal overdoses. Average: 41 calls per day. Minimum of three officers on each shift.
2. Highway Department, Frank Petramale:  
Entire crew is healthy. Two retirees: Steve Dachenhausen over 40 years; Bill Goldpaugh over 20 years. Two to retire this year. Thanks all for commitment. 2023: 23.5" of snow and 10 winter storms. Cleaning and maintenance of stormwater drainage. Worked with sewer department with the install of Spring Lake sewer. Not much paving as usual due to other projects. Rolled over CHIPS and federal funding (\$700K); with the \$200K in budget to be spent on roads this year. Using a 4x4 plow truck and two more on order (single axel). New mower to arrive soon. Ordered 10-wheeler to arrive by early 2025. Completed street sweeping, leaf pickup and brush. Transfer station, parks, and shared services working well. Appreciates dedication of highway employees, they are the best. Thanks Vincent (Maggiore) and John (Rose), supervisor and town board.
3. Wastewater Department, Vincent Maggiore  
Thanks the sewer department staff. They are now fully staffed with six new employees; a lot of effort and training. In 2023, the UV project was completed before the May 1 disinfection season. Manufacturing and installation was professional. Does not work the way it was intended. In Spring Lake, installed low pressure sewer system. Secured grant for asset management program. Will replace equipment before any failures. Extreme increase in rainfall in 2023.
4. Water Department, Councilman Van Kleeck for John Rose  
John Rose and crew worked overnight at a water break.

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Appreciates all of his staff and cooperation between departments. Throughout all water districts: Six water breaks, two service leaks, 564 service calls,, 269 markouts. Upgrades at Ulster treatment plant: removed hylift motor and pump #1, installed new pump and motor, removed hylift motor and pump #2, installed new pump and motor, replaced meter, replaced flow control valve, installed two soft starts. South tower: replaced Kasco mixer, demolition of small south tower completed. North tower: replaced Kasco mixer, installed new Kasco mixer. Demolished and removed old Halcyon Park water tower.

5. Assessor, Miranda Bernholz

Calendar for assessment role ends July 1 every year. Grievance day went smooth, very low turnout. Working on 2024 roll. First round of physical property inspections complete. Next few months busy season. Exemption deadline is March 1. New learning curve with state guidelines. New exemption for fire fighters and EMS. Decent amount have come in. Prepping for final round coming in.

6. Building Department, Warren Tutt

All employees healthy and get along. Two new clerks and one new inspector. Most will be state certified by April. Looking for one more inspector.

Issued: 531 permits, 56 certificates of occupancy, 470 certificates of compliance, estimated cost of construction \$23,119,326.17.

Appreciates the help from the assessor's office during time he was short staffed.

Central Hudson primary control center near completion; LL Bean – tentative opening April; 901 Grant Avenue – converting to warehouse space; RBW Lighting – now moving on to phase three; WalMart – next month major interior renovation; Romeo Chevrolet – completed their addition; Birchez – preparing upgrades to all units and site work to improve parking and sidewalks; Kingdom Hall – has approvals and breaking ground next month; Prestige Toyota – phase one expansion will begin once permit is issued; Pioneer Solar – second 5-mw solar facility, should be online next week; iPark – started cleanup of building 001, with EPA and DOL oversight. Thanks board, supervisor and other departments.

7. Town Clerk, Suzanne Reavy

In 2023, total fees collected: \$498,236.46. Issued 449 dog licenses; 46 marriage license; 183 death certificates and one birth certificate for a home birth. We ended the fourth quarter with two events: the trunk or treat and Christmas tree lighting. Thanks deputy, Melanie, and part timer, Alyssa, for successful office. Town clerk's office is the gateway for the community to the offices of the town and other governmental agencies and services. Thanks the community for reaching out and trusting us for guidance. Thanks other town departments for being so receptive.

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In 2023, town board held 26 meetings, addressed 406 motions and/or resolutions and passed four local laws.

8. Comptroller, Tosca Sweeney

Started seven months ago. The last few months, met with other departments to learn about responsibilities. Attending webinars and GFOA seminars; working on GFI certification. Implemented new pay schedule (bi-weekly). Working on taking responsibilities away from the supervisor and back to departments. Taken on accounts payable. Given some supervisor's responsibilities such as monthly supervisor reports, daily operations, bank reconciliations, preparing budget modifications and transfers. Worked with supervisor in preparing 2024 budget and mandated report. Met with financial software companies in last two months. No decision on systems yet. Meeting with supervisor daily. Funding items in 2024 budget from tax levy, will be moving on to the 2023 audit. Applauds those who attend town board meetings, showing how much care goes in to the town. Thanks the supervisor, Nancy, Peggy and town staff, working as a team and sharing information with her.

**New Business:**

**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of December 2023 (2024-M-024)**

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Presentation of Local Law \_\_ of 2024: Providing Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to New York State Real Property Tax Law Sec. 466-a**

Placed on town website

*Miranda Bernholz:* This law created because not every fire department qualified for the prior exemption.

*Supervisor:* Asks the town board to dispense of our local law policy in order to pass this law more quickly.

**Resolution authorizing the Town to proceed to Public Bid for the Replacement of the UWD Small South Tower (2024-R-025)**

*Funds spent within program rules.*

**RESOLUTION OF THE TOWN BOARD**

**Town of Ulster  
Ulster County, New York**

**Whereas**, The Town Board desires to replace an existing finished water storage tank ( Small South Tower, approximately 450,000 gallons), with related improvements, for the Ulster Water District, and;

**Whereas**, the project is being supported, in whole or in part, by federal assistance listing number 21.027 awarded to the County of Ulster by the U.S. Department of the Treasury (ARPA funds);

**Whereas**, Brinnier and Larios, P.C., Professional Engineers and Land Surveyors, Kingston, New York, has been retained to prepare engineering plans, specifications, and contract documents for the project, and;

**Whereas**, the engineering plans, specifications, and contract documents have been submitted to

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the Ulster County Department of Health (UCDOH for technical review and approval.

**Therefore**, be it resolved that the Town Board hereby authorizes the Town Clerk to Advertise for Bids in accordance with the General Municipal Law, for Contract TU-233, Replacement of Potable Water Storage Tank and Related Improvements, Ulster Water District, Town of Ulster, Ulster County, New York. The bid opening date will be determined by the Town Clerk in consultation with the Town Supervisor and Brinnier and Larios, P.C.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Resolution Scheduling a Public Hearing for Valerie & Wayne Marquino,  
SBL: 39.16-1-3, Requesting a Special Permit for Timber Harvest for February  
1, 2024, at 7:10 p.m. (2024-R-026)**

*Supervisor:* A result of last week's planning board meeting. This is a 26-acre parcel across from Bread Alone on Rt. 9W; 350 mature trees in excess of a specific diameter, marked by a forester. To thin out trees to give more sunlight to smaller trees. Presentation at public hearing from the forester.

**Resolution Scheduling a Public Hearing for Valerie & Wayne Marquino,  
SBL: 39.16-1-3, Requesting a Special Permit for Timber Harvest for February  
1, 2024 at 7:10 p.m.**

**WHEREAS**, Valerie Marquino and Wayne Marquino have submitted a Special Permit application to allow for a timber harvest on 26 acres in accordance with Section 190-25(E) of the Ulster Town Code. The location of the timber harvest is on a parcel within the R-60 and HC



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Zoning Districts on Old Stage Road and Route 9W, and is known as Ulster County SBL: 39.16-1-3; and

**WHEREAS**, the Town of Ulster Town Board, upon review of the application materials determined the Proposed Action was an *Unlisted Action* pursuant to 6 NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

**NOW THEREFORE**, the Town Board of the Town of Ulster, in regular session, duly convened resolves as follows:

1. After considering said application, and pursuant to the provisions of Chapter 190 of the Ulster Town Code, does hereby schedule a public hearing on February 1, 2024 at 7:10 p.m. at Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449, to determine whether the Town of Ulster Town Board shall grant a Special Permit for Timber Harvesting to Valerie Marquino and Wayne Marquino.
2. This application should be referred to the Town of Ulster Highway Superintendent for his review.
3. The Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby declares itself Lead Agency for an Unlisted Action; and to refer this matter to the Ulster County Planning Board.

MOTION: Councilman Secreto  
SECOND: Councilman Van Kleeck

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motions Regarding Engagement Letters are Voted on Together:** (2024-M-027)

**Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2024 to be provided by Rusk Wadlin Heppner & Martuscello**

**Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2024 to be provided by Rebecca Millouras-Lettre, PLLC**

**Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2024 to be provided by Van DeWater & Van DeWater, LLP**

**Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2024 to be provided by Tabner, Ryan & Keniry, LLP**

**Motion to authorize the Supervisor to sign the Engagement Letter for Legal Services for 2024 – 2026 to be provided by Roemer, Wallens, Gold & Mineaux, LLP**

MOTION: Councilwoman DeGroodt

SECOND: Councilwoman Hayner

Town Councilwoman DeGroodt	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**Motion authorizing the Town Clerk to go out to Public Bid for the purchase of chemicals during 2024 on behalf of the Town of Ulster Water Department and the Town of Ulster Sewer Department (2024-M-028)**

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to Authorize the Police Chief to sign Drug Screening Agreement, Physicals Agreement, EAP and SAP Agreement with Emergency One for 2024 (2024-M-029)**

MOTION: Councilwoman DeGroot  
SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**Motion to authorize the opening of a new Bank Account at the Bank of Greene County for the UWD Small Water Tank Replacement Capital Project (2024-M-030)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to accept Revised Sewer Department Fee Schedule for 2024 (2024-M-031)**

*Supervisor: Sewer fees were overlooked during the November, 2023 preparation of the fee schedule.*

MOTION: Councilwoman DeGroot  
SECOND: Councilman Secreto

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**Motion to authorize the Town Clerk to sign the 2024 Poll Site Agreement (2024-M-032)**

*Reavy:* Standard annual agreement with the Ulster County Board of Elections, allowing the senior center to be a polling site.

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to authorize the Supervisor to sign a Fixed Price Agreement for the Purchase of Natural Gas for 2024 and 2025 with Sprague Energy (2024-M-033)**

MOTION: Councilwoman DeGroot

SECOND: Councilman Van Kleeck

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**Motion to accept the Resignations of two Part-Time Police Officers**

**James Williams** – in Good Standing (2024-M-034)

*Chief Berardi:* Seventeen+ year (part time) veteran of Ulster PD. Corrections officer in Ulster County.

MOTION: Councilman Secreto  
SECOND: Councilwoman DeGrootd

Town Councilwoman DeGrootd	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**James Demshick** (2024-M-035)

*Chief Berardi:* Will seek alternate employment closer to home in Orange County.

*Supervisor:* Good standing pertains to a retired police officer obtaining a federal firearms permit.

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

Town Councilwoman DeGrootd	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

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**Old Business:**

**Motion to set a Public Hearing for Local Law 1 of 2024, A Law Repealing Local Law 1 of 2020, Grievance Day of the Town of Ulster for Thursday, February 1, 2024, at 7:05PM (2024-M-036)**

*Bernholz:* Previous assessor (Dan Baker) was also the assessor in city of Kingston. Grievance day is typically the fourth Tuesday in May. We had to move one of them. Now that Baker is no longer our assessor, we can move ours back to the fourth Tuesday.

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**Motion to authorize the Supervisor to sign Change Order #1 for the Ulster Wastewater Treatment Plant, UV Disinfection System with Koester Associates, Inc. in an amount not to exceed \$174,200. (2024-M-037)**

*Maggiore:* This changer order to procure new equipment to replace previously purchased and installed system that does not perform up to task. Proposal by the same sales rep with different technology that suits our needs. Some of the install will be performed inhouse.

*Councilman Van Kleeck:* Applauds the supplier that they will make it right. No penalty/cost to the town.

*Maggiore:* Very tight timeline by the May 1 disinfection season start time.

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

**PUBLIC COMMENT:**

Supervisor calls attention to two of our three county legislators here tonight: Jason Kovacs and Eric Kitchen. Important for the towns to work closely with the county, and that the legislature keep up with the needs of towns. Thanks them for showing up.

~ END OF PUBLIC COMMENT ~

**MOTION to adjourn (7:53 pm) (2024-M-038)**

MOTION: Councilwoman DeGroot  
SECOND: Councilwoman Hayner

Town Councilwoman DeGroot	-Yes
Town Councilwoman Hayner	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk