

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)
JUNE 28, 2024

MEETING HELD IN PERSON

CALLED TO ORDER BY DEPUTY SUPERVISOR VAN KLEECK, at 12:00 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 3rd - EXCUSED

ALSO IN ATTENDANCE:

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

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS –

1. Laura Hartmann, town resident and townofulstercitizens.org
Researched the power of the town board. It has been underutilized. Cited the New York State local government handbook, particularly elected officials of a town of the first class. One of the distinguishing features of a town government is the lack of a strong executive branch. Town's discretionary authority rests with the town board. What little executive power the supervisor has is granted by specific statute or by the town board. Town board exercises legislative and executive functions. Supervisor is more of an administrator than an executive. Supervisor acts as treasurer. Supervisor's power lies in traditional leadership and holder's ability to use leadership. Hope you all realize how much power you really do have.

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)

JUNE 28, 2024

2. Eileen Murphy, town resident
Recognizes elected officials representing the interests of its citizens. It has been revealed that interests of citizens could become secondary to political machinations of some officials. Reviewed two newspaper articles recently, from 6/26/24 and 6/28/24, reporting on the June 20 meeting. Local town of Ulster mirroring national chaos, we are at risk of losing sights of needs. Applauds Councilman VanKleeck for transparency for revealing struggle during transition, and Councilman Secreto, who openly disagreed in how Van Kleeck's leadership was undermined. The board should continue to write procedures that should have been transparent, but controlled by a single member, and citizen concerns and needs should continue to be worked on, such as: 1. Traffic on Quail Drive; 2. Becoming a climate smart town; and 3. Reviewing the outdated comprehensive plan. Good luck in this transition.
3. Caylin Sanders, town resident
Commends all for holding meeting in the first place. Commitment to transparency; courage to question your role; looks forward to new era where everyone can engage with you with respect, and protocol being followed.
4. Regis Obijiski, town resident and townofulstercitizens.org
Reads from prepared material – ATTACHED

Discussion with the Town's Attorney

1. **Discussion with the town's attorney about the board's options regarding the "Resolution Delegating All Authority for the Daily Operations of the Town and Its Districts"**

Jason Kovacs: Recap – January 4, 2024 meeting, as every January for the last 9,10 years, town board delegated daily operations of the town board to the supervisor. April, 2024 town board voted to delegate to the deputy supervisor and rescind the January decision, with the intent that the supervisor would resign later this year. Since that time, supervisor has withdrawn his intent to resign, and now a conundrum. We have a deputy supervisor tasked with the daily operations, given to him solely in preparation for the supervisor's resignation. Last week, we had a resolution of the town board that would have rescinded the transfer of authority to the deputy supervisor and given it back to the supervisor, and said resolution was defeated. New resolution before you. Record should reflect that I have spoken to the supervisor and deputy supervisor in the past week on several occasions; my understanding is that there is a rapprochement (resumption of harmonious

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)

JUNE 28, 2024

relationship), both have agreed on current resolution. This resolution would rescind January and April resolutions, and grant authority for the day-to-day operations to the town board This is how most towns in New York operate, and how this board operated prior to 10 years ago. Supervisor is not the executive or CEO – he is de facto administrator and chief financial officer. This is a way to resolve current situation.

Councilman Secreto: Each council person will be on committees? Supervisor took on departments himself. Decisions made by Jim for water and wastewater.

Kovacs: Policy question for the board to consider. That has worked well. It is something you would be able to do.

Councilwoman DeGroot: This resolution does not address that.

Kovacs: No, it would be a separate resolution.

Councilwoman DeGroot: I have been trying to research resolutions and there is no numbering system like the county legislature has. As a new council person, wants to look up former resolutions and background information on different topics. Tried to reach Kovacs recently but did not receive a reply.

Councilman Van Kleeck: We know from going to different conferences that our town is highly regarded financially. We attend classes, ask questions, we are a board that is involved and wants committee assignments. No desire to slow this operation down: employees, citizens, vendors. Most towns are set up in the way this town board is about to vote on.

Kovacs: to DeGroot – did not get the message. He is happy to talk to her at any time.

Councilwoman DeGroot: Discussion on obtaining information. Wants to ask questions, but does not think her requests and the fact she has questions, should be shared with the rest of the town board. Asks what is the policy on that?

Town Clerk Reavy: If DeGroot ever reaches out with questions, that request is not shared with the board. No one ever directed sharing of these types of requests. Even if directed, town clerk does not have to take that direction.

New Business:

1. “Resolution Delegating All Authority for the Daily Operations of the Town and Its Districts” Dated June 20, 2024

Councilman Van Kleeck calls for a Motion

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

IMMEDIATE DISCUSSION:

Councilman Secreto: I need what I asked for about the committees being formed.

Discussion on Amending the Resolution

Kovacs: Amend that the supervisor shall form committees as done in the past subject to town board approval.

AMENDMENT: Resolved that the town of Ulster supervisor shall appoint various committees of the town board, subject to approval of the town board

Vote on Amendment Only (2024-M-203)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

ROLL CALL VOTE

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

CARRIED

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)
JUNE 28, 2024

Vote on the Entire Resolution Including the Amendment (2024-R-204)

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

ROLL CALL VOTE

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

CARRIED

Kovacs reads entire resolution with amendment

Resolution Delegating All Authority for the Daily Operations of the Town of Ulster and Its Districts to the Town Board of the Town of Ulster

WHEREAS, by resolution dated January 4, 2024, the Town Board of the Town of Ulster delegated all authority for the daily operations of the Town of Ulster and its Districts to Town Supervisor James E. Quigley 3rd, pursuant to Town Law Section 29; And

WHEREAS, by resolution dated April 4, 2024, the Town Board of the Town of Ulster rescinded the resolution dated January 4, 2024 and delegated all authority for the daily operations of the Town of Ulster and its Districts to Deputy Town Supervisor / Town Councilman Clayton Van Kleeck, pursuant to Town Law Section 29; and

WHEREAS, Town Supervisor James E. Quigley 3rd has stated that he has withdrawn and rescinded his intent to resign the office of Town Supervisor that was scheduled to take place at some point in August or September 2024; and

WHEREAS, Deputy Town Supervisor / Town Councilman Clayton Van Kleeck has indicated that he will not accept the sole authority for the daily operations of the Town of Ulster and its Districts after Town Supervisor James E. Quigley 3rd's rescission of his anticipated resignation; and

WHEREAS, it is in the best interest of the Town of Ulster to have any legal

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)
JUNE 28, 2024

authority that was previously delegated solely to Deputy Town Supervisor / Town Councilman Clayton Van Kleeck, pursuant to Town Law Section 29, to be formally withdrawn and/or rescinded; now, therefore be it

RESOLVED, that all authority for the daily operations of the Town of Ulster and its Districts is hereby delegated to the duly constituted Town Board of the Town of Ulster, pursuant to Town Law Section 64; and be it further

RESOLVED, that the Town Board resolutions dated January 4, 2024 and April 4, 2024, delegating all authority for the daily operations of the Town of Ulster and its Districts are hereby rescinded in full; and be it further

RESOLVED, that the Town Supervisor shall reconstitute the committee system of the town board, subject to approval of committee assignments by the town board.

2. Consideration and/or action on other related resolutions – None

Old Business – None

End of Agenda

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)
JUNE 28, 2024

Public Comment:

1. Brian Cahill, town resident (and Councilman Van Kleeck’s cousin)
Hearing similar things that he heard 25 years ago, specifically about back-room dealings.
To avoid that, suggests creating a town charter. Town board can develop with citizen input. Charter can designate who oversees what.
2. Laura Hartmann: Thank you for having this meeting. We are all learning a lot.
3. Councilman Secreto: Wants to personally thank Jason Kovacs for doing all of this.
4. Vicki Lucarini, town resident
Thank you. Now feels part of her town, and comfortable coming forward with concerns.

Executive Session: to discuss a personnel matter

Motion to Enter Executive Session at 12:37 pm (2024-M-204)

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	-Excused

CARRIED

RETURN FROM EXECUTIVE SESSION – NO ACTION/NOTHING TO REPORT

TOWN OF ULSTER SPECIAL TOWN BOARD MEETING (13)
JUNE 28, 2024

MOTION to adjourn 12:56 pm (2024-M-205)

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	-Excused

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk