

TOWN OF ULSTER TOWN BOARD MEETING (24)
DECEMBER 15, 2022

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

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

ROLL CALL by Town Clerk, Suzanne Reavy:
TOWN COUNCILMAN CLAYTON VAN KLEECK
TOWN COUNCILMAN ROCCO SECRETO
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILWOMAN ANNA HAYNER
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Warren Tutt, Building Inspector
2. Kyle Berardi, Police Chief
3. James A. Seyfarth, (Police Lieutenant)
4. Vincent Maggiore, Wastewater Superintendent
5. Frank Petramale, Highway Superintendent
6. Bill Kemble, Daily Freeman
7. Four Attendees via Zoom
8. Five In-Person Attendees

ADDITIONS OR CHANGES TO AGENDA –

Addition of Councilman Secreto's "Biddy Basketball" Report

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PUBLIC DISCUSSION ON AGENDA ITEMS –

1. Caylin Sanders, Glenerie Blvd., Town Resident
Re: Ten acres of deforestation at the airport.
Profit and environmental protection are not mutually exclusive.
If you do pass this, mandate any company do a carbon offset.
Board green lit many projects without consideration for surrounding neighborhoods.
Against taking out 10 acres.

2. Vick Lucarini, 17 Ledge Road
Would like to hear the discussion on the removal of the trees on town property.

APPROVAL OF MINUTES – November 3rd and 17th (2022-M-337)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

ANNOUNCEMENTS - None

ABSTRACT OF CLAIMS (2022-M-338)

Presented by Councilman Van Kleeck

December, 2022

Prepaid Bills:	\$ 1,287,950.20
Abstract Bills:	\$ 205,493.51
Escrow Bills:	\$ 9,405.00
Reserve:	\$ 1,472.06
TOTAL:	\$ 1,504,320.77

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MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

Supervisor: Reason why abstract is so high – pension payment made to Comptroller’s Office.

New Business:

Presentation and Acceptance of the Town Clerk’s Monthly Report for the month of November 2022 (2022-M-339)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

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Presentation and Acceptance of Supervisor’s Monthly Report for the month of November 2022 (2022-M-340)

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the Supervisor to sign the 2023 Tax Collection Agreement with the Bank of Greene County for collection of 2023 Real Estate Taxes (2022-M-341)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the Supervisor to sign the 2023 Range Agreement with the Kingston Police Department (2022-M-342)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the Supervisor to sign the 2023 Range Agreement with the NYS DEC (2022-M-343)

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the Supervisor to sign the 2023 Range Agreement with the Ulster County Law Enforcement Training Group (2022-M-344)

MOTION: Councilwoman Hayner
SECOND: Councilman Kitchen

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

CARRIED

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Motion to authorize the Supervisor to sign the 2023 Range Agreement with the County of Ulster (2022-M-345)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the purchase of one 2023 Ford F-350 XL Super Cab 4x4 for the Water Department, under Onondaga Bid #0010808, from Van Bortel Ford, not to exceed \$58,922.43 (2022-M-346)

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the hiring of three full time Police Officers as 90-day temps under special emergency conditions (2022-M-347)

Presented by Councilman Secreto

Javier Castaneda: Start date 1/1/2023. \$27.65/hour

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MOTION: Councilman Kitchen
SECOND: Councilman Van Kleeck

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

CARRIED

Noah Kight and Jacob Studt: Start date 1/1/2023; \$26.77/hour (2022-M-348)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the placement of the Town's Property and Casualty Insurance for the Year 2023 with Travelers Insurance Company (2022-M-349)

Supervisor: Premium is up 6.5%, reflecting a 47% loss ration for 2022 year. Driven by ice storm in February, 2022, and numerous types of damage across the town.

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

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

CARRIED

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Resolution to authorize the Supervisor to sign the CBA by and between the TOU and TOU PBA, Inc. for the period 1/1/23-12/31/27 (2022-R-350)

Supervisor: Approved several meetings ago, through 12/31/2022. Resolution to authorize to sign the agreement.

Resolution Approving Collective Bargaining Agreement by and between the Town of Ulster and the Town of Ulster Policemen’s Benevolent Association, Inc.

WHEREAS, the Town of Ulster (“the Town”) and the Town of Ulster Policemen’s Benevolent Association, Inc. (“the Union”) are parties to a collective bargaining agreement covering the period January 1, 2020 through December 31, 2022; and

WHEREAS, the negotiating committees for the Town and the Union have agreed upon the terms of a new collective bargaining agreement, dated August 18, 2022, which sets forth the terms of a successor agreement for the period from January 1, 2023 through December 31, 2027; and

WHEREAS, that agreement provides that it is subject to ratification by the Town Board; and

WHEREAS, the members of the negotiating committee for the Town have recommended unanimously that the collective bargaining agreement be ratified by the Town Board;

NOW, THEREFORE, BE IT RESOLVED that the Agreement between the Town and the Union dated August 18, 2022, is hereby ratified and approved and the Town Board approves the funding for such Agreement; and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to execute a collective bargaining agreement for the period from January 1, 2023 through December 31, 2027.

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

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

CARRIED

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Presentation of Local Law No. ___ of 2023: A Local Law to modify Section ___ of the Town Zoning Code, A Local Law known and cited as Parkland and Recreation Fees

Supervisor: In order to adjust these fees, town must adopt a local law. Placed on website.

Discussion on Request from Passero Associates on behalf of Kingston-Ulster Airport for permission to remove trees on Town Property in Flight Path at the Airport

Supervisor: We have heard public comments on this issue. Asks that this item be removed from the agenda, for future discussion with Passero. This issue was mandated by the FAA; town property is in the flight path.

Motion to declare K9 Castor Retired and authorize his transfer to Sergeant Garvila in exchange for \$1 (2022-M-351)

In Good Standing

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

CARRIED

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Appointment of Town Justice to replace retiring Judge Weiss (2022-M-352)

Supervisor: Puts forward the name of Kelly Flood-Myers: an attorney; former town justice town of Red Hook; to serve 2/1/2023 – 12/31/2023. Subsequent to 1/1/2024, any candidate that wishes to run for that continued term must do so at the election in November, 2023.

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

DISCUSSION:

Councilman Secreto: Named me as chairman of personnel, along with Clayton Van Kleeck. Not one person in this town gets hired without seeing us. We have been honest. The name they put forward for judge, politics got in the way. Caucus was held. I was hired as a town board member and I do my job. I vote “no”.

Councilman Kitchen: Was never at a caucus. Has spoken to colleagues of Ms. Flood and she comes highly recommended.

Councilman Van Kleeck requests a Roll Call Vote.

ROLL CALL VOTE:

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Supervisor Quigley	-Yes
Town Councilman Van Kleeck	-Abstain due to a misunderstanding
Town Councilman Secreto	-No

CARRIED 3-1-1

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Motion to authorize the hiring of one temporary part time court clerk under special emergency conditions (*Kelly Flood-Myers: from 1/1/2023 to the date she is sworn in*) (2022-M-353)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

Roll Call Vote:

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Supervisor Quigley	-Yes
Town Councilman Van Kleeck	-Abstain
Town Councilman Secreto	-No

CARRIED 3-1-1

Old Business:

Biddy Ball Basketball Report/Update by Councilman Secreto

Effect of Covid is that for the last two years, no games. Using Chambers and Crosby. We have 15 teams, 100 kids, and 30 sponsors. Games start Monday. Good to have kids playing again. Could not get Miller School, as students are using Miller since Dietz Stadium is being renovated.

Supervisor Quigley will look into the use of Coleman.

~END OF SCHEDULED AGENDA~

PUBLIC COMMENT:

1. Regis Obijiski, 170 Legde Rd.

Requests an update on Glidepath and its future. Last discussion was that there was a lithium-ion battery supply issue. Peter Rood is gone. Chris McKissack is the CEO.

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Supervisor: Two months ago, McKissack (CEO, GlidePath) promised us an update on GlidePath; has not heard from him since. Heard through the industry that an investment banker is trying to sell four parcels.

Central Hudson sent termination letter on their interconnection agreement, due to non-payment. NYSEDA has no knowledge of conditions. Town has no contact at parent company, Quinbrook.

Will update all when more information comes in.

2. Caylin Sanders, Glenerie Blvd.

On the record for the third time asking for a response to the environmental concerns on Glenerie Blvd. Central Hudson (CH) training facility project. Now that CH is in litigation with a Katrine Lane resident, CH cut off communication with our group.

Supervisor: Did you notice town construction equipment addressing the flooding issue that was in your front yard. Situation was fixed.

Sanders: Yes. Question of should CSX or town pay for that? Situation is not fixed. Runoff dumps into the pond, behind the reason for litigation.

Discussion

Supervisor: Central Hudson given permission to maintain that pond and it reduced four feet. Town has been advised by its counsel not to proceed with any work or respond to any of the litigant's concerns. Letter demanded the town to go to DEP for flood control.

Sanders: No record of extension research on this project. Asking for studies for the town to undertake. Entire situation created by town's greenlight of this project.

Supervisor: One issue you raised regarding groundwater. Ulster County Health Dept declared that water contaminated in 1980s. Town paid \$2M to install water district. .Legal obligation for all parcels to connect to that system within 90 days. Some have not, but as long as they are testing their water, we are happy.

Sanders: Actual issue – is the water safe? What are people ingesting and swimming in?

Councilman Van Kleeck: Has to interject. This is not a back and forth. Continued conversation not getting anywhere.

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MOTION to adjourn (7:37 pm) (2022-M-354)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk