

TOWN OF ULSTER TOWN BOARD MEETING (06)
MARCH 16, 2023

**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 – *Excused*

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. Frank Petramale, Highway Superintendent
4. Jason Kovacs, Town Attorney
5. Bill Kemble, Daily Freeman
6. One Zoom Attendee
7. Ten In-Person Attendees

ADDITIONS OR CHANGES TO AGENDA – Addition of new business: a motion to purchase electric.

PUBLIC DISCUSSION ON AGENDA ITEMS –

Laura Hartmann, Town Resident

Re: Hybrid vehicle discussion from previous meeting.

Last meeting there was discussion regarding the police department having issues with hybrid vehicles. The UC Sheriff Dept. is having the same issues; hybrid vehicles not ideal for police use. The UCSO utilizes hybrid vehicles in other ways. The town could also use hybrid vehicles for such purposes as the building inspector and/or police chief.

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APPROVAL OF MINUTES – February 2nd and 16th (2023-M-094)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

ANNOUNCEMENTS –

Letter read from NYSDOT: paving will take place on Route 28 from Hurley Mountain Road to Waughkonk Rd. in the town of Kingston in 2023.

ABSTRACT OF CLAIMS

Presented by Councilwoman Hayner

March, 2023 (2023-M-095)

Prepaid Bills:	\$ 375,784.30
Abstract Bills:	\$ 176,103.91
Escrow Bills:	\$ 1,687.50
Reserve:	\$ 100.00
TOTAL:	\$ 553,675.71

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

COMMITTEE REPORT

Buildings and Grounds, Councilman Kitchen

- Property on Fording Place Road will be prepared for a parking lot for sporting events.
- In conversation with his co-chair and staff at town hall to give the inside of town hall a facelift. Will have to receive different quotes.

Councilwoman Hayner: Parking lot will contain gravel and shrubs.

New Business:

Presentation and Acceptance of the Town Clerk’s Monthly Report for the month of February 2023 (2023-M-096)

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

CARRIED

Motion to authorize the Town Clerk to sign the 2023 Poll Site Agreement (2023-M-097)

Reavy: Annual agreement allowing Board of Elections to hold primary and general elections in our senior center.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

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Motion to authorize the hiring of six seasonal employees for the Highway Department

Presented by Councilman Secreto

The following at \$15/hour; start date 6/20/2023: (2023-M-098)

1. Ezra Cafaldo
2. Jacob Freer
3. Vincent Perpetua
4. Kelsie Kohler
5. Riley Dachenhausen

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

John Petramale: \$20/hour; start date 4/15/23 (2023-M-099)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

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Motion to authorize the Highway Superintendent to purchase 1 John Deere 5075M Tractor from Deere Co. through NYS AG tractors and implements PC69378 in the amount of \$56,158.52 (2023-M-100)

Petramale: This is the green tractor you see on the side of the road. Will receive in the next 12 months.

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the Highway Superintendent to purchase 1 Alamo Interstater Mower Attachment and installation for the new John Deere 5075M tractor from United AG & Turf/Keil Equipment through Sourcewell Contract #00821 in the amount of \$45,126.25 (2023-M-101)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

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Motion to authorize the Highway Superintendent to purchase 1 Dodge Ram 3500 upfitted with a Duramag service body from Begnal Motors for the cost of \$71,184.99 through NYS OGS Bid #PC69047 (2023-M-102)

Petramale: Local but had to do an OGS mini-bid. Higher bid had aluminum body.

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

Motion to authorize the Highway Superintendent to purchase 1 Dodge Ram 3500 upfitted with a Reading service body from Dutchess Dodge for the cost of \$66,466.36 through NYS OGS Bid #PC68980 (2023-M-103)

MOTION: Councilwoman Hayner
SECOND: Councilman Secreto

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

CARRIED

Old Business:

Motion to authorize the Police Chief to purchase (2) two 2023 Dodge Durango Pursuit patrol vehicles under NYS Contract #PC-69047SB from Begnal Motors for \$39,946.00 each (2023-M-104)

Berardi: To replace two hybrid vehicles. Guaranteed production within three months.

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

Resolution authorizing the Supervisor to sign the Municipal Agreement by and between the City of Kingston and the Town of Ulster for the Treatment of Sewage from the Washington Ave. Sewer District (2023-R-105)

Supervisor: Rupco proposed project and Ulster County offered to finance the extension of the sewer agreement. Rupco became concerned at the commercial billing rate, approached the city of Kingston and Kingston consented to modify the agreement with the town of Ulster to include a residential billing rate, which is the same as the Spring Lake sewer rate.

Resolution of the Town Board

TOWN OF ULSTER

Resolution Authorizing the Town Supervisor to Sign an Amended and Restated Municipal Agreement with the City of Kingston

WHEREAS, the City of Kingston (“City”) owns and operates a sewage treatment facility and from time to time, the City permits nearby property owners outside City limits to hook-up to the system at special rates; and

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WHEREAS, the Town wishes to provide municipal sewer services to the Washington Avenue Sewer District which encompasses certain properties located along Washington Avenue and surrounding areas, west of City Corporate limits; and

WHEREAS, the Town has requested a connection to the City's municipal sewer system for the Washington Avenue Sewer District; and

WHEREAS, the Town has formed the Washington Avenue Sewer District for the purpose of providing sewer facilities within said area; and

WHEREAS, the City sewage treatment facility has the capacity to handle this request for the estimated need of 75,000 gallons per day; and

WHEREAS, the Town agrees to compensate the City for accepting and treating the Washington Avenue Sewer District sewage; and

WHEREAS, the Town and the City have entered into a formal agreement for accepting and treating sewage in 2002; and said agreement needs to be updated regarding sewer capacity and pricing; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster does hereby authorize the Town Supervisor to sign an Amended and Restated Municipal Agreement on behalf of the Town of Ulster with the City of Kingston.

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

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

CARRIED

Resolution modifying Town of Ulster 2023 Fee Schedule to provide for a new billing rate for Residential users in the Washington Avenue Sewer District (2023-R-106)

Resolution of the Town Board
TOWN OF ULSTER
Resolution of Town Board of the Town of Ulster Modifying the 2023 Fee Schedule to Take Effect Immediately

WHEREAS, the Town Board of the Town of Ulster is authorized to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted local law;

WHEREAS, the Town Board of the Town of Ulster adopted the Fee Schedule for the 2023 calendar year at the Town Board Meeting held January 3, 2023;

WHEREAS, the Town of Ulster recently modified the contract for sewage disposal with the City of Kingston to allow for Residential users at a new rate in the Washington Ave Sewer District;

WHEREAS, the Town Board is required to set certain usage fees for the remainder of 2023 in order to properly bill the customers for service;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the schedule of fees set forth below is hereby added to Section I of the Adopted Fee Schedule Dated March 17, 2023:

Washington Ave Sewer District: Residential Rates: Five thousand (5,000) gallons or any portion thereof in each quarter: \$80.00. For over five thousand (5,000) gallons: \$10.77 per one thousand (1,000) gallons or any portion thereof

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the Supervisor to sign the Out of District Sewer User Agreements for properties on Sandy Road (2023-M-107)

Supervisor: Presented at the last meeting. Two properties that were not originally part of the sewer district. Sewer dept connected them through a manhole.

Resolution of the Town Board TOWN OF ULSTER
Resolution Authorizing the Town Supervisor to Sign Out-of-District Sewer Use Agreements

WHEREAS, the Town of Ulster, as governing body of the Washington Avenue Sewer District, does occasionally, upon request from property owners, enter into Out-of-District Sewer Use Agreements to provide sewer use services to parcels that are outside of the Town’s sewer districts; and

WHEREAS, a property owner, Mushfiqul Latif, who owns two (2) parcels on Sandy Road, has requested sewer use services for his parcels that are not located in the Washington Avenue Sewer District; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster does hereby authorize Mushfiqul Latif to connect to and continue a connection to the Washington Avenue Sewer District as an “out of district user” for his premises known as 13-19 Sandy Road, Kingston, NY 12401, tax account number 48.18-1-25; and be it further

RESOLVED, that the Town Board of the Town of Ulster does hereby authorize Mushfiqul Latif to connect to and continue a connection to the Washington Avenue Sewer District as an “out of district user” for his premises known as 23-27 Sandy Road, Kingston, NY 12401, tax account number 48.18-1-26; and be it further

RESOLVED, that the Town Board of the Town of Ulster does hereby authorize the Town Supervisor to sign Out-of-District Sewer Use Agreements as set forth above, on behalf of the Washington Avenue Sewer District, upon Mushfiqul Latif signing said Agreement, in a form acceptable to the Town Attorney and the Sewer Department Superintendent.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

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Resolution Requesting New York State Legislature Enact Legislation Pursuant to Section 40 of the Municipal Home Rule Law Declaring the Town of Ulster to be a Town of the First Class (2023-R-108)

Reavy: Town Board passed this same resolution in July, 2022. It never went through due to changes in elected officials. Towns of the first class are all of Westchester County, and all towns with a population of 10,000 residents or more except Suffolk & Broome counties and towns of Potsdam and Ulster. Towns of first class have more powers and obligations than second class towns. If passed, will send this resolution and forms to Senator Hinchey and Assemblywoman Shresthra to present to state legislature.

Supervisor: In the 1970s, based on census, we would have become a town of the first class. Town board at that time made a request to assembly to have town of Ulster continue as town of the second class. This is to reclassify the town as is state law.

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Requesting New York State Legislature Enact Legislation Pursuant to Section 40 of the Municipal Home Rule Law Declaring the Town of Ulster to be a Town of the First Class

WHEREAS, pursuant to Town Law Section 10, towns containing a population of ten thousand or more are generally considered a Town of the “First Class,” with the explicit exception of the Town of Ulster, which is, pursuant to Town Law Section 10, a town of the “Second Class;” and

WHEREAS, New York State towns of the “First Class” have more powers, obligations, and privileges under Municipal Home Rule than towns of the “Second Class;” and

WHEREAS, the only way to have the Town of Ulster declared a town of the “First Class” is by state law revising that portion of Town Law Section 10 which explicitly declares the Town of Ulster to be a town of the “Second Class;” and

WHEREAS, on December 2, 2021 and on July 5, 2022, the Town Board passed a resolution authorizing the Town Supervisor to submit one or more Home Rule Requests to the New York State Legislature pursuant hereto; and

WHEREAS, special legislation has been drafted for submission to the New York State Legislature, known as Bill # A. 4672 and Bill # S. 1794; and now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster hereby requests and approves the submission of a Home Rule Request for the enactment of special state legislation, in the form

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of Senate Bill # S. 1794 and Assembly Bill # A. 4672, entitled “Relates to the classification of the town of Ulster in the county of Ulster” and be it further

RESOLVED, that the Town Supervisor and Town Clerk are authorized to execute and transmit all documents that may be necessary to effectuate this home rule request.

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Motion to Authorize the Supervisor to Enter into a Contract to Purchase Electricity for the Term 4/1/2023 – 3/31/2025, a Two Year Contract, Fixed Price, Through NY Municipal Energy Program, Administered by Good Energy (2023-M-109)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

END OF SCHEDULED AGENDA

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PUBLIC COMMENT:

1. Keith Gurgui, town resident via Zoom
Asks the town board to be mindful of those at home, regarding the audio. Cannot hear those that do not use the microphones.

2. Regis Obijiski, town resident
Reads from prepared material
Asking the town board to consider a local law to protect residents from unwarranted video surveillance from neighbors. Cites a current situation in his neighborhood wherein one resident's privacy is in question due to another resident's camera positions.
Not proposing the elimination of "Ring" type cameras.

Supervisor will send this correspondence to the town attorney's email.

3. Laura Hartmann, town resident
On behalf of Vicki Lucarini, town resident, who cannot be here tonight.
Reads prepared material.
Supports a town law relating to the violation of privacy and harassment through video surveillance devices. This is a serious matter, with the loss of privacy and increase in anxiety and stress.

MOTION to adjourn (7:30 pm) (2023-M-110)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk