

TOWN OF ULSTER TOWN BOARD MEETING (14)  
JULY 21, 2022

***Public Hearing Scheduled: 7:10 pm***

Special Use Permit for FALA Technologies Employee Residences, 430 Old Neighborhood Road,  
Kingston, SBL 48.17-1-9

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**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 - *Excused*

TOWN COUNCILWOMAN ANNA HAYNER

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

**ALSO IN ATTENDANCE:**

1. Frank Petramale, Highway Superintendent
2. Warren Tutt, Building Inspector
3. J.A. Seyfarth, Police Lieutenant
4. Bill Kemble, Daily Freeman
5. Mark Blauer, Town Grant Consultant (via Zoom)
6. Several virtual attendees
7. Twenty two attendees

**ADDITIONS OR CHANGES TO AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

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**APPROVAL OF MINUTES – June 2<sup>nd</sup> and 16<sup>th</sup> (2022-M-170)**

MOTION: Councilwoman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

**COMMUNICATIONS –**

Three pieces of communication:

1. Marie & Bob Barnes, 1 Merilina Ave, commending highway department for excellent storm cleanup.
2. Mark D. Morano, NYSDOT Asst. Engineer, letter determining that it is appropriate to establish a 30 MPH regulatory speed limit on Quail Drive in the Town of Ulster.
3. Barbara Gill, Glenerie Blvd, asking town to address conditions at 338 Glenerie Blvd.

**ABSTRACT OF CLAIMS**

*Presented by Councilwoman Hayner*

July, 2022 (2022-M-171)

Prepaid Bills:	\$ 905,243.50
Abstract Bills:	\$ 442,608.61
Escrow Bills:	\$ 6,862.50
Reserve:	\$ 445.17
<b>TOTAL:</b>	<b>\$ 1,355,159.78</b>

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MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

**BUDGET TRANSFERS AND MODIFICATIONS (2022-M-172)**

*Supervisor:* Increased expenses due to an increase in revenues.

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

***New Business:***

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**Presentation and Acceptance of the Town Clerk's Monthly Report for the month of June 2022 (2022-M-173)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

**Presentation and Acceptance of the Supervisor's Report for the six-month period of January 1, 2022, to June 30, 2022 (2022-M-174)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

**Presentation of the Statement of Annual Financial and Operating Information ("SEC") for the fiscal year ending December 31, 2021 (2022-M-175)**

*Filed with SEC 6/28/22*

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Presentation and Acceptance of the final 2021 Financial Reports for the  
Town Clerk's Office and the Justice Court (2022-M-176)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

**Presentation and Acceptance of the final 2021 Audited Financial Reports for  
the Town (2022-M-177)**

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Motion to hire one Full Time Temporary Police Officer (2022-M-178)**  
Presented by Councilman Secreto & Lt. Seyfarth

Noah Kight: 90-day temporary; \$25.53/hour; start date 8/14/2022

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MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Resolution authorizing Tax Certiorari Settlement with ShopRite Supermarkets, Inc. – CR Kingston Associates LLC for the property at Miron Lane (2022-R-179)**

*Supervisor:* Town hired appraisers and it was determined that town's assessed value was in excess of the current appraised value. Settlement negotiated prior to a trial.

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**RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT  
WITH PETITIONER SHOPRITE SUPERMARKETS, INC. – CR  
KINGSTON ASSOCIATES/DEVELOPMENTS LLC  
FOR PROPERTY  
LOCATED AT MIRON LANE**

**WHEREAS**, petitions have been filed by the property owner below challenging real property tax assessments on the Town's assessment roll; and

**WHEREAS**, petitioner's court challenges are now pending in Supreme Court, Ulster County; and

**WHEREAS**, the Town and property owner have reached a mutually agreeable resolution; and

**WHEREAS**, Special Town Attorney William F. Ryan, Esq., after reviewing information on comparable properties from the Town Attorney and Assessor's office files, believe that this settlement is reasonable and advantageous to the Town; and

**WHEREAS**, the Town Board has had an opportunity to review the Special Town Attorney's file on this matter and has been satisfied that the proposed settlement is deemed to be just, reasonable and in the interest of the Town of Ulster;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Ulster hereby authorizes Special Town Attorney William F. Ryan, Esq. to execute for the property listed below the following settlement on behalf of the Town and all Special Districts at revised assessments of no less than the following amounts:

<u>Petitioner</u>	<u>Address/Description</u>	<u>Year</u>
CR Kingston Associates, LLC	1-801 Miron Lane SBL 48.42-3-25.110	2020 2021

<u>Tax Year</u> <u>Assessment</u>	<u>Current Assessment</u>	<u>Amount of Reduction</u>	<u>Revised</u>
2020	\$9,500,000	\$0	\$9,500,000
2021	\$9,500,000	\$2,356,250	\$7,143,750

<u>Petitioner</u>	<u>Address/Description</u>	<u>Year</u>
CR Kingston Associates, LLC	Miron Lane SBL 48.42-3-25.120	2020 2021

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<u>Tax Year</u>	<u>Current Assessment</u>	<u>Amount of Reduction</u>	<u>Revised</u>
<u>Assessment</u>			
2020	\$354,200	\$0	\$354,200
2021	\$354,200	\$0	\$354,200

<u>Petitioner</u>	<u>Address/Description</u>	<u>Year</u>
CR Kingston Associates, LLC	2 Miron Lane SBL 48.42-3-25.300	2020 2021

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Amount of Reduction</u>	<u>Revised</u>
<u>Assessment</u>			
2020	\$574,100	\$0	\$574,100
2021	\$574,100	\$0	\$574,100

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

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***Public Hearing Scheduled: 7:10 pm***  
**Special Use Permit for FALA Technologies Employee Residences, 430 Old Neighborhood Road, Kingston, SBL 48.17-1-9**

*Supervisor:* Requires a special use permit from the town board.



TOWN OF ULSTER TOWN BOARD MEETING (14)  
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**MOTION to Open Public Hearing:** 7:13 pm (2022-M-180)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

**Public Comment**

1. Frank Falatyn, Owner

Grateful to the town for changing zoning codes in 2020, allowing him to legally convert three offices to employee residences. Yesterday was a work force summit in Ulster County. Trying to improve the environment to get good workers in all types of jobs, and this was mentioned. This was strategic for his company. County very much liked this concept. Will be interviewed on Monday, 7/25, by New York Times.

**MOTION to Close Public Hearing :** 7:16 pm (2022-M-181)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

*Supervisor:* Will move on this at the August 4, 2022 meeting

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**Resolution to open Capital Reserve Bank Account and to Appropriate Funds for the Spring Lake Sewer District Capital Reserve Account (2022-R-182)**

**Resolution to Open Capital Reserve Bank Account and Appropriate Funds from the Spring Lake Sewer District**

**Whereas**, on March 3, 2022, the Town Board authorized by Resolution the establishment of a Capital Reserve Fund under GML Section 6-c for the Spring Lake Sewer District; and

**Whereas**, the Town Board now wishes to open a Bank Account with the Bank of Greene County for the purposes of depositing funds into the Capital Reserve in the amount of \$5,000: and, therefore, be it

**Resolved**, that the Town Board of the Town of Ulster hereby authorizes the Supervisor to open said bank account with the Bank of Greene County titled “Spring Lake Sewer District Capital Reserve Account,” and be it further

**Resolved**, that the Town Board authorizes an appropriation from the Spring Lake Sewer District 2022 Budget in the amount of \$5,000 and directs that this sum be deposited into the Spring Lake Sewer District Capital Reserve Account at the Bank of Greene County.

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

*CARRIED*

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**Discussion on City of Kingston Water Department Drought Alert issued July 14, 2022**

*Supervisor:* Attended a City of Kingston water board meeting on 7/13 and matter of drought discussed. City of Kingston issued drought alert to customers. City of Kingston cut Town of Ulster off at the Dogwood St. pump station (600 K gal/day use); we are producing water at Fording Place Rd. plant at about 800K gal/day, running 12 hours per day. Closely monitoring wells. Will talk with water dept superintendent to possibly discuss a voluntary conservation of water. City of Kingston directly supplies Spring Lake, East Kingston and Hillside Acres water districts.

*Councilman Secreto:* Will follow what Kingston sent us.

**Motion to Authorize Town of Ulster Water Department to notify customers in East Kingston, Rolling Meadows Water Co., and Spring Lake Water Districts of the Notice from City of Kingston and that there be a Voluntary Conservation of Water (2022-M-183)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

**Discussion on Report from Town Building Department concerning 338 Glenerie Blvd., Saugerties, SBL 39.11-4-11**

*Warren Tutt:* His office drafter an order to remedy, reflecting every town and state code on the upkeep, storage, and drainage issues. At the is point, Viviani (owner) has 30 days to respond before we can proceed. Not the first conversation with him.

*Supervisor:* Prepare groundwork for action in state Supreme Court. Incidents in other parts of town where we have had unsuccessful attempts in the local court, but success in supreme court.

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Tear down and remedy the issues at the owner's expense, ultimately added to tax bill if necessary. Have exercised this right in other parts of the town and recovered the monies.

*Councilman Secreto*: Long process with this. Have been talking about it with Warren for months.

Supervisor Reads Entire Resolution Scheduling a Public Hearing (below)

**Resolution to set a Public Hearing for August 4, 2022, at 7:10PM concerning  
338 Glenerie Blvd., Saugerties, SBL 39.11-4-11 (2022-R-184)**

**Resolution Scheduling Public Hearing Re Correction of Structure Owned by  
Catello Viviani**

WHEREAS, that the code enforcement officer of the Town of Ulster, Ulster County, has filed a written report with the Town Board of the Town of Ulster pursuant to the provisions of the Unsafe Buildings Law [Chapter 64 of the Town Code of the Town of Ulster] regarding a structure situate on premises reputedly owned by Catello Viviani at 338 Glenerie Blvd., Saugerties, in the Town of Ulster, designated by Tax Map No. 39.11-4-11, deeming the same to be unsafe to the public in that there is a potential for injury, damage, or possible arson, and that it is open at the doorways and windows and there are debris, garbage and combustible materials in the structure and the doors and windows should be secured against unauthorized entry.

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

1. After considering said report, and pursuant to the provisions of said Local Law, does hereby schedule a public hearing on August 4, 2022 at 7:10 p.m. at Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449, to determine whether said structure is unsafe and dangerous and if so to order that such structure be secured against unauthorized entry and/or demolished.

2. This resolution shall take effect immediately.

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

*CARRIED*

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**Motion to set a Public Hearing for Mobile Home placement at 294 Glenerie Blvd., Saugerties, NY, SBL#39.11-4-3 for August 4, 2022, at 7:20pm (2022-M-185)**

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

**Old Business:**

**Resolution declaring that the Spring Lake Sewer Project Phase 2 will not have a Significant Impact on the Environment and that a Determination of Non-Significance (Negative Declaration) be adopted (2022-R-186)**

**TOWN BOARD RESOLUTION**  
**Town of Ulster, Ulster County, New York**

**Whereas**, the Town of Ulster intends to install a Low-Pressure Sewer conveyance system including approximately 1780 lineal feet of 3” diameter HDPE force main, 1000 lineal feet of 2” diameter HDPE force main, terminal and intermediate flushing connections, valve assemblies and appurtenances as its Spring Lake Sewer District Phase 2 project, and;

**Whereas**, funding for the project will be requested in July 2022 in the form of a \$709,401 grant from the New York State Office of Community Renewal Small Cities Program (CFA 2022 submission) and \$204,786 in committed Town funds, and;

**Whereas**, the Action requires that an Environmental Review be conducted pursuant to Article 8 of the Environmental Conservation Law, Part 617 of NYCRR (SEQRA), and;

**Whereas**, a preliminary engineering report and conceptual map was prepared by the project engineer, Brinnier and Larios, P.C., Professional Engineers, of Kingston, New York, and;

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**Whereas**, by Town Board Resolution dated May 19, 2022, a Lead Agency Coordination Form, Short Environmental Assessment Form, and supporting documents were distributed to involved parties, declaring the Town Board=s intention to be Lead Agency, and;

**Whereas**, none of the involved agencies had any objection to the Town Board of the Town of Ulster being Lead Agency; now, therefore, be it

**Resolved**, that the Town Board of the Town of Ulster declares itself to be the Lead Agency for coordinated review with all Involved Parties; and be it further

**Resolved**, that after careful consideration, analysis and review, the Town Board, as Lead Agency, determines that the Action will not have a Significant Impact on the Environment and that a Determination of Non-Significance (Negative Declaration) shall be adopted and that an Environmental Impact Statement will not be required; and be it further

**Resolved**, that the Town Clerk is hereby authorized and directed to file the Negative Declaration and any appropriate notices of this determination in accordance with 6 NYCRR Part 617.12(b).

A copy of the Negative Declaration shall be filed with:

- < Ulster County Health Department
- < NYS Department of Environmental Conservation - Region 3
- < The Environmental Notice Bulletin (ENB)

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

TOWN OF ULSTER TOWN BOARD MEETING (14)  
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**Presentation of Schedule of ARPA Funding Commitments as of July 21, 2022**

*Supervisor:* The town received \$1,292,098.68 from the federal government through NYS stimulus program for Covid relief, a program signed by the president in March, 2021. First allocation of \$646,049 dedicated to premium pay to certain employees – first responders – and infrastructure.

SCHEDULE FOR ARPA FUNDS:

Spring Lake Phase 2 requires a town commitment of \$197,000. We are currently attempting to receive a grant in excess of \$900,00 from NYS.

Spring Lake Phase 1 funded with \$111,000.

Other item on the agenda (SCADA system) is \$50,000

Halcyon Park water tank expansion project (town received \$454,000 EFC grant requires \$41,243, which will be paid out of the first phase.

Last item – allocation \$40,000 Katrine Lane stormwater project

**Resolution to Appropriate Funds and Funds Transfer from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Spring Lake Sewer Project Phase I (2022-R-187)**

**Resolution to Appropriate Funds from the Town's ARPA Coronavirus Local Fiscal Recovery Fund to the Spring Lake Sewer Project Phase I**

**Whereas**, on July 1, 2021, the Town of Ulster was notified by the NYS Division of the Budget of its eligibility for funding of \$1,286,845 under the ARPA Coronavirus Local Fiscal Recovery Fund; and

**Whereas**, the NYS Division of the Budget has advised the Town that the NYS Office of the Comptroller will be making two payments of equal amounts of \$643,422.50 to the Town, with one payment being made in the summer of 2021 and one payment being made in the summer of 2022; and

**Whereas**, In January 2022 the U.S. Department of the Treasury published the Final Rules on the use and application of the Coronavirus State & Local Fiscal Recovery Funds effective April 1, 2022; and

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**Whereas**, the Final Rule provides for allowable expenditures to include projects involving Infrastructure – Clean Water: Centralized Wastewater Collection and Conveyance where expenditures are incurred subsequent to March 2021: and

**Whereas**, the Spring Lake Sewer Project Phase will meet the conditions set forth in the Final Rules as an allowable use of ARPA Coronavirus Local Fiscal Recovery Funds; therefore, be it

**Resolved**, that the Town Board of the Town of Ulster hereby appropriates the sum of \$111,002.85 from the \$643,422.50 received by the Town of Ulster in 2021; and be it further

**Resolved**, that the Town Supervisor is hereby authorized to transfer said funds to the Spring Lake Project Phase 1 Checking Account at the Bank of Greene County.

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*



**Resolution to Appropriate Funds and Funds Transfer from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Spring Lake Sewer Project Phase II (2022-R-188)**

**Resolution to Appropriate Funds from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Spring Lake Sewer Project Phase II**

**Whereas**, on July 8, 2022, the Town of Ulster was notified by the NYS Division of the Budget of its eligibility for funding of \$1,292,098.68 under the ARPA Coronavirus Local Fiscal Recovery Fund; and

**Whereas**, the NYS Division of the Budget has made payments to the Town in the amount of \$646,049.35 in July 2021 and has advised the Town that the NYS Office of the Comptroller will be making another payment of \$646,049.35 in the July of 2022: and

**Whereas**, In January 2022 the U.S. Department of the Treasury published the Final Rules on the use and application of the Coronavirus State & Local Fiscal Recovery Funds effective April 1, 2022; and

**Whereas**, the Final Rule provides for allowable expenditures to include projects involving Infrastructure – Clean Water: Centralized Wastewater Collection and Conveyance where expenditures are incurred subsequent to March 11, 2021: and

**Whereas**, the Spring Lake Sewer Project Phase will meet the conditions set forth in the Final Rules as an allowable use of ARPA Coronavirus Local Fiscal Recovery Funds; therefore, be it

**Resolved**, that the Town Board of the Town of Ulster hereby appropriates the sum of \$197,000 from the \$646,049.35 received by the Town of Ulster in 2021 for the Town of Ulster Cost Contribution towards the engineering and design (\$87,000), construction inspection (\$42,000), administration (\$48,000) and an allowance (\$20,000) towards resident's connections for the Spring Lake Sewer Project Phase II; and be it further

**Resolved**, that the Town Supervisor is hereby directed to deposit the appropriated sum to the Spring Lake Sewer Project Phase II Checking Account maintained with the Bank of Greene County for the payment of eligible project expenses.

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

Town Councilman Van Kleeck

-Excused

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

*CARRIED*

**Resolution to Appropriate Funds and Funds Transfer from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Katrine Lane Stormwater Project and to authorize the opening of a Checking Account with the Bank of Greene County (2022-R-189)**

**Resolution to Appropriate Funds from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Katrine Lane Stormwater Project**

**Whereas**, on July 8, 2022, the Town of Ulster was notified by the NYS Division of the Budget of its eligibility for funding of \$1,292,098.68 under the ARPA Coronavirus Local Fiscal Recovery Fund; and

**Whereas**, the NYS Division of the Budget has made payments to the Town in the amount of \$646,049.35 in July 2021 and has advised the Town that the NYS Office of the Comptroller will be making another payment of \$646,049.35 in the July of 2022; and

**Whereas**, In January 2022 the U.S. Department of the Treasury published the Final Rules on the use and application of the Coronavirus State & Local Fiscal Recovery Funds effective April 1, 2022; and

**Whereas**, the Final Rule provides for allowable expenditures to include projects involving Infrastructure – Clean Water: Stormwater where expenditures are incurred subsequent to March 11, 2021; and

**Whereas**, the Katrine Lane Stormwater Project will meet the conditions set forth in the Final Rules as an allowable use of ARPA Coronavirus Local Fiscal Recovery Funds; therefor be it

**Resolved**, that the Town Board of the Town of Ulster hereby appropriates the sum of \$40,000 from the \$646,049.35 received by the Town of Ulster in 2021 for the Town of Ulster Cost Contribution towards the engineering and design, construction inspection, administration for the Katrine Lane Stormwater Project; and be it further

**Resolved**, that the Supervisor is hereby directed to open a checking account for the Katrine Lane Stormwater Project with the Bank of Greene; and be it further

**Resolved**, that the Supervisor is hereby directed to deposit the appropriated sum to the Katrine Lane Stormwater Project Checking Account maintained with the Bank of Greene County for the payment of eligible project expenses.

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MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Resolution to Appropriate Funds and Funds Transfer from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Halcyon Park Water Tank Replacement Project (2022-R-190)**

*Supervisor:* Completed, ready to be put in service. Waiting on Department of Health approvals.

**Resolution to Appropriate Funds from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Halcyon Park Water Tank Replacement Project**

**Whereas**, on July 8, 2022, the Town of Ulster was notified by the NYS Division of the Budget of its eligibility for funding of \$1,292,098.68 under the ARPA Coronavirus Local Fiscal Recovery Fund; and

**Whereas**, the NYS Division of the Budget has made payments to the Town in the amount of \$646,049.35 in July 2021 and has advised the Town that the NYS Office of the Comptroller will be making another payment of \$646,049.35 in the July of 2022: and

**Whereas**, In January 2022 the U.S. Department of the Treasury published the Final Rules on the use and application of the Coronavirus State & Local Fiscal Recovery Funds effective April 1, 2022; and

**Whereas**, the Final Rule provides for allowable expenditures to include projects involving Infrastructure – Drinking Water: Storage where expenditures are incurred subsequent to March 11, 2021: and

**Whereas**, the Halcyon Park Water Tank Replacement Project will meet the conditions set forth in the Final Rules as an allowable use of ARPA Coronavirus Local Fiscal Recovery Funds; therefore, be it

**Resolved**, that the Town Board of the Town of Ulster hereby appropriates the sum of \$43,241.37 from the \$646,049.35 received by the Town of Ulster in 2021 for the Town of Ulster Cost Contribution towards the engineering and design, construction inspection, administration for the Halcyon Park Water Tank Replacement Project; and it be it further

**Resolved**, that the Supervisor is hereby directed to deposit the appropriated sum to the Halcyon Park Water Tank Replacement Project Checking Account maintained with the Bank of Greene County for the payment of eligible project expenses.

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

**Resolution to Appropriate Funds and Funds Transfer from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Ulster Water Districts – SCADA Upgrade Phase 2 Project (2022-R-191)**

**Resolution to Appropriate Funds from the Town's ARPA Coronavirus Local Fiscal Recovery Fund for the Ulster Water Districts – SCADA Upgrade Phase**

**2**

**Whereas**, on July 8, 2022, the Town of Ulster was notified by the NYS Division of the Budget of its eligibility for funding of \$1,292,098.68 under the ARPA Coronavirus Local Fiscal Recovery Fund; and

**Whereas**, the NYS Division of the Budget has made payments to the Town in the amount of \$646,049.35 in July 2021 and has advised the Town that the NYS Office of the Comptroller will be making another payment of \$646,049.35 in the July of 2022: and

**Whereas**, In January 2022 the U.S. Department of the Treasury published the Final Rules on the use and application of the Coronavirus State & Local Fiscal Recovery Funds effective April 1, 2022; and

**Whereas**, the Final Rule provides for allowable expenditures to include projects involving Infrastructure – Drinking Water: Other Water Infrastructure where expenditures are incurred subsequent to March 11, 2021: and

**Whereas**, the Ulster Water Districts – SCADA Upgrade Phase 2 Project will meet the conditions set forth in the Final Rules as an allowable use of ARPA Coronavirus Local Fiscal Recovery Funds; therefore be it

**Resolved**, that the Town Board of the Town of Ulster hereby appropriates the sum of \$50,000. from the \$646,049.35 received by the Town of Ulster in 2021 for the Town of Ulster Cost Contribution towards the engineering and design, construction inspection, administration for the Ulster Water Districts – SCADA Upgrade Phase 2 Project; therefore be it further

**Resolved**, that the Supervisor is hereby directed to deposit the appropriated sum to the Ulster Water Districts – SCADA Upgrade Phase 2 Project Checking Account maintained with the Bank of Greene County for the payment of eligible project expenses.

TOWN OF ULSTER TOWN BOARD MEETING (14)  
JULY 21, 2022

MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Motion to authorize payment of Payment Application #5 (Final) for Contract TU-211, Replacement of Potable Water Storage Tank in the amount of \$27,418.60, Statewide Aqua Store, Inc. (2022-M-192)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Secreto

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

*CARRIED*

**Report to the Board on the Conversion of Street Lights to LED Fixtures**

*Supervisor:* Initiative that town board authorized last year. Central Hudson advised town that conversion of all street lights in the town to all LED fixtures is complete. Using less electric at night and will be reflective in cost to taxpayers.



**Resolution Authorizing the Supervisor to sign a Payment In Lieu of Taxes Agreement (PILOT) with Professional Commercial Group, LLC for a Solar Development located along Wood Road, Town of Ulster, SBL 48.14-1-1-112 (2022-R-193)**

*Supervisor:* Under NYS Real Property Assessment Law, when constructed, these properties as of right do not pay taxes. State legislature policy. Allowed local communities to enter into voluntary agreements with developers can receive some type of compensation in lieu of real estate taxes.

**Resolution Authorizing Payment in Lieu of Taxes Agreement (PILOT) with Professional Commercial Group, LLC**

WHEREAS, Professional Commercial Group, LLC has submitted a Notice of Intent to the Town of Ulster that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately five (5) Megawatts AC on a parcel of land located within the physical boundaries of the Town of Ulster along Wood Road, SBL: 48.14-1-1-112 (herein the "Property"); and;

WHEREAS, the Town of Ulster has not opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the Town of Ulster has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with Professional Commercial Group, LLC, under which Professional Commercial Group, LLC (or any successor owner of the Project) will be required to make annual payments to the Town of Ulster for each year during the term of this Agreement; and

WHEREAS, Professional Commercial Group, LLC has submitted or will submit to the assessor of the Town a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, Professional Commercial Group, LLC and the Town of Ulster intend that, during the term of this Agreement, the Solar Energy System will be placed on an exempt portion of the assessment roll and Professional Commercial Group, LLC will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York law with respect to the Solar Energy System.

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter contained, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

TOWN OF ULSTER TOWN BOARD MEETING (14)  
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THEREFORE, BE IT FURTHER RESOLVED, the Town Board of the Town of Ulster authorizes Supervisor Quigley to sign said agreement.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

**END OF SCHEDULED MEETING AGENDA**

**PUBLIC COMMENT**

1. Sayed Vahedi: Gas station business for 20 years. Subject to police harassment to this day. Was on parole. Went away for 18 months.

Supervisor: Suggests he file a written complaint with the town of Ulster supervisor's office.

2. Linda Fallon & Joyann Simmons , 318 Glenerie Blvd.  
Lives next door to 338 Glenerie Blvd  
Reads from prepared written material (ATTACHED)  
Photos of before and after of property when it was purchased by Viviani.  
APPLAUSE

*Supervisor*: Attend public hearing on 8/4 to offer public testimony. We will be diligent in moving forward.

Joyann provides the photos to the town clerk.

3. Caylin Sanders, Glenerie Blvd resident  
Here to support her neighbors. 338 Glenerie is a blight on the neighborhood. Safety issues.

TOWN OF ULSTER TOWN BOARD MEETING (14)  
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Represents 50+ Esopus Creek Neighbors, that live around the Central Hudson site.

[esopuscreekneighbors@gmail.com](mailto:esopuscreekneighbors@gmail.com)

Noise, light, stormwater pollution, quality of life, enumerable impacts.

Wrote a letter to board on 5/4/22 and have not received a response. Would like a formal response. Copy of letter sent to town board (ATTACHED)

4. Linda Fallon  
Large tree fell during storm and sits on another tree. Not doing anything about that tree.
5. Richard Flouton  
Contractor by trade, and he cannot even fix the eyesore at 338 Glenerie Blvd.  
  
Supervisor has been down there and knows.
6. Mary Jo Frederich, Glenerie Blvd resident  
The condition at 338 Glenerie Blvd is embarrassing and sad.
7. Bob Lewis, Glenerie Blvd resident  
First came to Glenerie as a young boy. Cannot expect anyone to want to buy property around 338 Glenerie Blvd. Appreciates all town is doing. Tears up when he drives by there. It is critical.
8. Supervisor: Ulster County Legislature approved additional sales tax allocations to the towns at the meeting held 7/19/22. In September, 2022, town expects an additional \$100,000 in sales tax related to the year 2021.

**MOTION to adjourn (7:55 pm) (2022-M-194)**

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk