

January 3, 2023

MEETING HELD IN PERSON AND VIRTUALLY

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

SALUTE TO THE FLAG

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. Frank Petramale, Highway Superintendent
4. Jason Kovacs, Town Attorney
5. Vincent Maggione, Wastewater Superintendent
6. Four in-person attendees

WHEREAS, the Town Board of the Town of Ulster convened an organizational meeting for the year 2023 on January 3, 2023, and

WHEREAS, the Town is required by Town Law to make certain designations and appointments, establish salaries, paydays, schedule meetings and determine certain other matters;

NOW, THEREFORE BE IT RESOLVED:

The Town Board makes the following designations: (2023-R-001)

1. Depositories for Town Funds:

Bank of Greene County

2. Official Newspapers:

The Daily and Sunday Freeman, Hudson Valley One

January 3, 2023

3. Pay Days:

Elected and appointed Employees - monthly

Part-time employees - bi-weekly

Full-time employees – bi-weekly

4. Salaries of Elected Officials:

Supervisor \$50,250.00

Deputy Supervisor \$ 1,500.00

Town Clerk \$59,762.63

Town Justice (2 each) \$50,157.35

Council Member (4 each) \$10,400.00

Superintendent of Highways \$86,985.60

5. Appointments:

Secretary to the Supervisor – Peggy King

Deputy Supervisor – Clayton VanKleeck

Attorney to the Town of Ulster and Special Prosecutor: Jason J. Kovacs, Esq.

Assistant Special Prosecutors: Lauren Swan, Esq., Matthew Jankowski, Esq., and David Goodge, Esq.

Special Attorney to the Town – Rebecca Milouras-Lettre, Esq.

Bond Counsel – Thomas E. Myers, Esq. of Orrick, Herrington & Sutcliff LLP

PILOT Counsel – John N. Vagianelis, Esq. of Mazzotia & Vagianelis, P.C.

Financial Advisor – Michael J. Loguerico of Munistat Services, Inc.

Director of Recreation – Vacant

Confidential Bookkeeper - Vacant

Registrar of Vital Statistics – Suzanne Reavy

Deputy Registrar of Vital Statistics – Crystal Boice

FOIL Officer –Suzanne Reavy

Handicapped Parking Permit Issuing Agent – Suzanne Reavy

Deputy Town Clerk – Crystal Boice

Clerk to Justice Weiss – Rosanne Kaznowski

Clerk to Justice Kesick – Karen Gorski

Building Inspector – Warren Tutt

Flood Plain Administer – Warren Tutt

MS4 Coordinator – Warren Tutt

Hazzard Mitigation Coordinator – Miranda Bernholz

Ulster County Planning Board Member – Frank Almquist, John Crispell (alternate)

Ulster County Transportation Council – John Morrow (voting member by delegation)

Assistant Superintendent of Water – Ryan Weishaupt

Assistant Superintendent of Wastewater Treatment – Josh Brink

Deputy Superintendent of Highways – Charles Freer

January 3, 2023

6. Town Board:

Workshop Meetings: First Thursday of each month at 7:00 p.m.

Regular Monthly Meetings: Third Thursday of each month at 7:00 p.m.

7. Town Board Agenda:

The Tuesday prior to the meeting at 4 pm is the deadline for submitting agenda items.

8. Mileage:

Mileage will be reimbursed at the rate of Federal Mileage Rate of \$.655 per mile (or as adjusted by the IRS) for use of personal vehicle for town business.

9. Legal Holidays:

New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday, Memorial Day, Juneteenth Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving Day, and Christmas Day

10. Workdays:

Monday through Friday or per negotiated contracts

11. Vacation:

As per negotiated contracts

All non-union employees per town code

12. Insurance Buyout:

Appointed Officials and non-union employees \$1,000.00 per year

All others per negotiated contracts.

Elected Officials are not eligible for the Insurance Buyout

13. Petty Cash:

Supervisor \$ 100.00

Town Clerk 100.00

Tax Collector 150.00

Water Dept. Cash Drawer 150.00

Court 100.00

Assessor 50.00

Building Department 50.00

Rider Park 50.00

Highway Department 100.00

Whittier Sewer 25.00

Sewer Department 50.00

Water Department 75.00

January 3, 2023

14. Highway Budget:

\$3,420,878.00

15. Appointment of Town Planner:

David Church, AICP

16. Planning Board Meeting:

Second Tuesday of each month at 7:00 pm

17. Zoning Board of Appeals Meeting:

Second Wednesday of each month at 7:00 pm

18. Police Matters Meeting:

First Thursday of each month at 4:00 pm

19. All Authority for the daily operations of the Town and its districts:

Is hereby delegated to Town Supervisor James (Jim) E. Quigley 3rd, per Town Law Section 29 (16)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

ROLL CALL VOTE:

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

CARRIED

January 3, 2023

The following current appointments will be voted on individually:

*Current appointments

Planning Board Members:

Name Term Ends

Andrew Stavropoulos 2023

Larry Decker 2024*

Rory Lee 2025

Frank Almquist 2026

John Stowell 2027*

LARRY DECKER – term expires 2024 (2023-M-002)

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

ROLL CALL VOTE:

Town Councilman Van Kleeck -Aye

Town Councilman Secreto -Aye

Town Councilman Kitchen -Aye

Town Councilwoman Hayner -Aye

Supervisor Quigley -Aye

CARRIED

JOHN STOWELL – term expires 2027 (2023-M-003)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

ROLL CALL VOTE:

Town Councilman Van Kleeck -Aye

Town Councilman Secreto -Aye

Town Councilman Kitchen -Aye

Town Councilwoman Hayner -Aye

Supervisor Quigley -Aye

CARRIED

January 3, 2023

Alternates: (one-year term) (2023-M-004)

JOHN CRISPELL

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

ROLL CALL VOTE:

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

CARRIED

Appointment of Chair of the Planning Board: (2023-M-005)

RORY LEE

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

ROLL CALL VOTE:

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

CARRIED

Zoning Board of Appeals Members:

Name	Term Ends
Rob Porter	2023
Andi Turco-Levin	2024
Steve Shultis	2025
Kevin Reginato	2026
Anthony Mosutakas	2027*

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

ANTHONY MOUSTAKIS – term ends 2027 (2023-M-006)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

ROLL CALL VOTE

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

CARRIED

Appointment of Chair of the Zoning Board of Appeals: (2023-M-007)

KEVIN REGINATO

MOTION: Councilman Kitchen
SECOND: Councilman Van Kleeck

ROLL CALL VOTE:

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

CARRIED

Assessment Board of Review:

Name Term Ends

Margie Stickles 9/2026
Ryan VanKleeck 9/2027
John Crispell 9/2027*

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

JOHN CRISPELL – term ends 2027 (2023-M-008)

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

ROLL CALL VOTE:

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

CARRIED

Town Historian: NO CHANGES

Robert Sweeney

Police Matters Members: NO CHANGES

Town Board

Recreation Committee Members: (2023-M-009)

Marguerite Koechel

Suzanne Reavy

Lauren Hommel

Crystal Boice

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

ROLL CALL VOTE:

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

CARRIED

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

Board of Ethics: (2023-M-0010)

Anna Hayner - Chair
Bryan Ilgner
John Iannotti

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

Association of Town's Annual Meeting: (2023-M-0011)

Delegate – Suzanne Reavy
Alternate Delegate – Clayton VanKleeck

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

Committee Assignments:

Parks & Recreation – Rocco Secreto (C), Eric Kitchen (M) (2023-M-012)

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

ROLL CALL VOTE:

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

CARRIED

Finance – Clayton VanKleeck (C), Anna Hayner (M) (2023-M-013)

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

ROLL CALL VOTE:

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

CARRIED

Buildings & Grounds – Eric Kitchen (C), Anna Hayner (M) (2023-M-014)

MOTION: Councilman Van Kleeck
SECOND: Councilwoman Secreto

ROLL CALL VOTE:

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

CARRIED

January 3, 2023

Personnel – Rocco Secreto (C), Clayton VanKleeck (M) (2023-M-015)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

ROLL CALL VOTE:

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

CARRIED

THE SUPERVISOR IS AN EX OFFICIO MEMBER OF ALL COMMITTEES

The following Resolutions will be voted on individually:

Resolution Regarding Overtime Pay to Town Employees (2023-R-016)

Be it resolved by the Town Board of the Town of Ulster as follows:

1. The Town Board of the Town of Ulster does hereby approve overtime payments to Town employees only with the prior written approval of the department head or Town Supervisor and/or his designees except in the case of an emergency involving the health, safety, and welfare of the public for the year 2023.
2. This resolution shall become effective January 1, 2023.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

January 3, 2023

Motion to adopt Policy Regarding Adoption of Local Laws (2023-M-017)

Policy Regarding Adoption of Local Laws

Be it resolved by the Town Board of the Town of Ulster as follows:

A proposed local law may be introduced only by a member of the Town Board at a meeting of such Board. **(MEETING #1)**

At the next regularly scheduled meeting of the Town Board, **(MEETING #2)** the Town Board shall schedule a public hearing on the local law. Notice of the public hearing must be given at least five (5) days prior to hearing.

At the public hearing, interested parties may be allowed to speak either for or against the local law. **(MEETING #3)**

It is the policy of the Town Board that the Board shall delay the vote on the proposed local law until the next meeting after the 30 day period has expired to receive written comments. **(MEETING #4)** A majority of the full Board is necessary to approve the local law, and the names and votes must be entered in the minutes.

If a vote on the matter has not been taken within 120 days of the Public Hearing **(Meeting #4)** the matter must start the process over again.

If a mandatory or permissive referendum is required, the procedures of the Municipal Home Rule Law must be followed.

The adoption of the local law must be certified by the Town Clerk after passage, as to accuracy and procedure by the Town Attorney. The certified copy shall contain only the text of the local law and shall be on the forms prescribed by the Department of State.

Local laws shall be numbered consecutively, beginning with No. 1 in each calendar year. Laws subject to referendum should not be numbered until filed.

A local law becomes effective twenty (20) days after adoption and filing, unless otherwise provided in the local law, and no local law shall take effect before it is filed.

All local laws filed in the Clerk's office shall be recorded in a separate book or books, which are to be indexed

January 3, 2023

MOTION: Councilman Kitchen
SECOND: Councilman Secreto

ROLL CALL VOTE:

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

CARRIED

Resolution Adopting Rules of Conduct for Town Board Meetings and Public Hearings per Town Law Section 63 (2023-R-018)

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat members of the public equally, and

Whereas, the Committee on Open Government has stated that any such rules could serve as a basis for preventing verbal interruptions, shouting or other outbursts, as well as slanderous or obscene language or signs, and that a town board could regulate actions of the public attending meetings so as not to interfere with meetings or prevent others in attendance from observing or hearing the deliberative process, and

Whereas, a town board has a responsibility to ensure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and

Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment.

Now, therefore, be it resolved by the Town Board of the Town of Ulster hereby adopts the following rules for public participation at meetings of the Town Board:

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

1. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings.
2. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.
3. Any individual wishing to speak during the public participation segment or during a public hearing shall raise his or her hand. When recognized by the Supervisor or the presiding officer, the individual must stand and state his or her name and, if appropriate, group affiliation and must state the subject he or she will be addressing.
4. Comments must relate to the purpose of the public hearing or to legitimate town business.
5. The Supervisor or the presiding officer shall act as timekeeper or shall designate another elected official as timekeeper.
6. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the public.
7. The Supervisor or the presiding officer shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.
8. It is inappropriate to utilize a public meeting for making political speeches, including threats of political action and the same will not be allowed.
9. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or the presiding officer.

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

10. Discussion between speakers and attendees of the public meeting or hearing is prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.
11. Banners, flyers, or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.
12. Any person who disregards the directives of the Supervisor or the presiding officer in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for his or her comments.
13. If a speaker who has violated these rules refuses to step down, the Supervisor or the presiding officer may ask for the individual to be removed from the meeting room and charged with disorderly conduct as per the Penal law.
14. The above rules shall take effect immediately.

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

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

CARRIED

January 3, 2023

Resolution Authorizing the Town Supervisor to Submit to the Town Clerk a Copy of the Report to the State Comptroller Required by General Municipal Law § 30 (2023-R-019)

WHEREAS, Town Law § 29(10-a) states as follows:

In lieu of preparing the report required by subdivision ten of this section, the town board may determine, by resolution, that the supervisor shall submit to the town clerk, within the time period prescribed in section thirty of the general municipal law, a copy of the report to the state comptroller required by section thirty of the general municipal law, providing, however, that if the time for the filing of the annual report has been extended by the state comptroller as provided in the said statute, then the time for submitting a copy of the report to the town clerk similarly shall be extended. The town clerk shall cause either a summary of such report to be published within ten days after receipt thereof in a form approved by the state comptroller or a notice that a copy of such report is on file in the town clerk's office and is available for public inspection and copying, in the official newspaper and in such other newspapers as the town board may direct; and

WHEREAS, General Municipal Law § 30 states in part as follows:

Each town or village having a population, as shown by the latest preceding decennial federal census, between five thousand to nineteen thousand nine hundred ninety-nine, shall file their respective reports with the comptroller within ninety (90) days after the close of the fiscal year of such town or village; and

WHEREAS, the Town of Ulster's fiscal year closes on December 31; and

WHEREAS, the Town Board of the Town of Ulster has determined that it is in the best interest of the Town of Ulster to authorize the Town Supervisor adequate time to prepare a copy of the report to the state comptroller required by section thirty of the general municipal law;

NOW, THEREFORE Be It Resolved by the Town Board of the Town of Ulster that:

A copy of the supervisor's annual financial report for 2023 to the State Comptroller be filed with the town clerk within the first 90 days of 2023, unless the Comptroller extends the filing date by 30 days, in which case the same extension shall apply to the filing with the town clerk.

January 3, 2023

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Resolution Authorizing Supervisor to Sign Checks Using Facsimile Signature for Payroll Account (2023-R-020)

WHEREAS, Town Law Section 29(3) authorizes a Town Supervisor to sign checks by a facsimile signature provided that authorization is given by the Town Board; and

WHEREAS, the Supervisor signs a large number of payroll checks on behalf of the Town of Ulster on a regular basis and he has requested the authority to affix a facsimile signature to checks rather than sign his autograph to each check; and

WHEREAS, the Supervisor must maintain the check signer in his possession and control; and

WHEREAS, the check signer may only be affixed to payroll checks by the Supervisor or under his direct supervision

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Ulster hereby authorizes the Town Supervisor to use his facsimile signature to sign payroll checks pursuant to Town Law Section 29(3); and

BE IT FURTHER RESOLVED, that the facsimile signature may only be affixed by the Town Supervisor or under his direct supervision.

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

January 3, 2023

Motion to adopt Procurement Policy for 2023 (2023-M-021)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

CARRIED

Motion to adopt Investment Policy for 2023 (2023-M-022)

Supervisor: Two changes regarding actions the Town Board took in 2022, authorizing the supervisor to invest in cooperative investment programs.

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

Motion to adopt FOIL Policy for 2023 (2023-M-023)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

January 3, 2023

Motion to adopt Fund Balance Policy for 2023 (2023-M-024)

Supervisor: No changes except delineation of new reserve accounts the town created this year, i.e. in relation to Spring Lake sewer.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

Motion to adopt Records Management Policy for 2023 (2023-M-025)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

Workshop Meeting Items

To follow directly after the conclusion of the Organizational Meeting

January 3, 2023

New Business:

Resolution Adopting the 2023 Town Fee Schedule (2023-R-026)

Resolution of Town Board of the Town of Ulster Adopting a Fee Schedule to Take Effect January 1, 2023

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,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the schedule of fees, deposits, and costs is hereby amended as set forth in Exhibit "A" annexed hereto, effective as of January 1, 2023.

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

January 3, 2023

Resolution appointing Frank Almquist and John Crispell, Alternate to the UC Planning Board (2023-R-027)

REVISED Resolution Appointing Delegates to the Ulster County Planning Board

WHEREAS, the terms of the current delegates from the Town of Ulster to the Ulster County Planning Board will expire on December 31, 2022; and

WHEREAS, the Town Board, or the majority Members thereof, are authorized to recommend to the Ulster County Legislature for consideration and appointment, delegates to fill said vacancies.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board of the Town of Ulster hereby recommends to the Ulster County Legislature FRANK ALMQUIST, a Town of Ulster resident, for consideration as a member of the Ulster County Planning Board representing the Town of Ulster.
3. The Town Board of the Town of Ulster hereby recommends to the Ulster County Legislature JOHN CRISPELL, a Town of Ulster resident, for consideration as an alternate member of the Ulster County Planning Board representing the Town of Ulster.
4. A certified copy of this resolution shall be sent to the Ulster County Planning Department and the Clerk of the Ulster County Legislature within ten (10) days.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

January 3, 2023

Resolution Authorizing the Implementation and Funding in the First Instance 100% of the Federal-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore (2023-R-028)

Supervisor: Budget modification for the creation of a right of way acquisition cost, requested by NYSDOT.

Resolution Authorizing the Implementation and Funding in the First Instance 100% of the Federal-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore

WHEREAS, a Project for Boices Lane/CSX RR Traffic Signal Engineering, PIN 8933.07 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-federal funds; and

WHEREAS, the Town of Ulster desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the ROW Incidentals and ROW Acquisition work.

NOW, THEREFORE, the Ulster Town Board, duly convened does hereby

RESOLVE, that the Ulster Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Ulster Town Board hereby authorizes the Town of Ulster to pay in the first instance 100% of the federal and non-federal share of the cost of the ROW Incidentals and ROW Acquisition work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$2,000 (\$98,000 minus previous \$96,000) is hereby appropriated from the Town of Ulster General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Ulster Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof, and it is further

RESOLVED, that the Ulster Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Ulster with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

RESOLVED, that in addition to the Town Supervisor, the following municipal titles: Highway Superintendent, Town Engineer, and Town Attorney, are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

MOTION: Councilman Kitchen
SECOND: Councilman Van Kleeck

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

CARRIED

Motion to authorize Police Department to purchase one lot of Axon Taser 7 Equipment as replacement for the existing Phasers. Annual Cost of approximately \$13,652.72 per year for five years including extended warranty. (2023-M-029)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

January 3, 2023

Motion to Set a Public Hearing for Local Law No.1 of 2023: A Local Law to modify Section 128 of the Town Zoning Code, A Local Law known and cited as Parkland and Recreation Fees for January 19, 2023 at 7:10PM (2023-M-030)

MOTION: Councilman Hayner
SECOND: Councilman Kitchen

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

CARRIED

Presentation of Resolution Approving and Endorsing The County of Ulster to Submit an Application to the Empire State Development Corporation for a RestoreNY Grant in the Amount of \$10,000,000 for IPARK87 Project for Rehabilitation and/or Reconstruction of Commercial /Industrial Buildings

Supervisor: To be considered at the next meeting.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ULSTER,
NEW YORK, APPROVING AND ENDORSING THE COUNTY OF
ULSTER TO SUBMIT AN APPLICATION TO THE EMPIRE STATE
DEVELOPMENT CORPORATION FOR A RESTORE NY GRANT IN THE
AMOUNT OF \$10,000,000 FOR IPARK87 PROJECT FOR
REHABILITATION AND/OR RECONSTRUCTION OF EXISTING
COMMERCIAL/INDUSTRIAL BUILDINGS**

WHEREAS, the County of Ulster is eligible to apply to the New York State Empire Development Corporation for grant funding under the Restore NY Communities Initiative Municipal Grant Program for rehabilitation and reconstruction of existing commercial and industrial buildings in the former IBM campus parcels on Enterprise Drive and Boices Lane, now known as iPark87; and

WHEREAS, the County of Ulster will request Restore NY funding in an amount of \$10,000,000 for the iPark87 Project as a Special Project under the Restore NY guidelines; and

TOWN OF ULSTER TOWN BOARD ORGANIZATIONAL AND WORKSHOP MEETING (01)

January 3, 2023

WHEREAS, the grant application requires approval and endorsement of the project by the local governing body of the municipality in which the project is located as a condition of application approval; and

WHEREAS, the Town of Ulster New York finds that the proposed project is consistent with the Town of Ulster’s local revitalization or urban development plans; and

WHEREAS, the proposed financing is appropriate for the specific project; and

WHEREAS, the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF ULSTER, NEW YORK, AS FOLLOWS:

SECTION 1. The Town Board of the Town of Ulster approves and endorses the application of the County of Ulster for funds from Empire State Development Corporation for a Restore NY Grant in the amount of \$10,000,000 for the iPark87 Project within this municipality, and upon approval of said request to enter into and execute an agreement, and any and all related documents.

SECTION 2. Administration of all funds under this grant will be in accordance with all terms and conditions contained in guidelines provided by Empire State Development Corporation.

SECTION 3. This resolution shall take effect immediately.

Motion to set a Public Hearing on the Submission by Ulster County with the support of the Town of Ulster of a RestoreNY Grant in the amount of \$10,000,000 for the IPark 87 Project for January 19, 2023 at 7:15PM (2023-M-031)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

CARRIED

January 3, 2023

~ END OF SCHEDULED AGENDA ~

PUBLIC COMMENT –

1. Vicki Lucarini, Town Resident

Re: Clearing of trees at the airport.

Reads from prepared comment (ATTACHED)

Would like to educate all on the effect that the clearing of trees can have on the environment. Asks town board to explore another solution.

Supervisor: After last town board meeting when trees were discussed, looked at the email regarding this matter and it was not worded properly. Can only see which trees are to be cleared on the delineated map. Total number of trees to be cleared is less than 20.

Awaiting the response of Passero Associates (Matt Nissen, Engineer)

~ END OF PUBLIC COMMENT ~

MOTION to adjourn (7:28 pm) (2023-M-032)

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk

Read 1/3/2023

Good evening. Thank you for allowing me to speak. My name is Vicki Lucarini. I live at 170 Ledge Road in the Town of Ulster. I will try to keep my comments within the time frame allotted but please bear with me if I don't succeed.

My comments tonight are in relation to the clearing of 10 acres of trees at the privately owned Kingston-Ulster Airport.

I realize that not much can be done to stop the clearing of this property the Town owns because of FAA regulations and that the airport owner may agreed to plant 100 acres of trees someplace else. However I would like to take this opportunity to educate all present, the effects this clearing of mature trees has on the environment.

You may think it is only ten acres, but every time trees are cut down, the fewer trees we have to sequester or absorb excess CO₂ in the air. According to the Massachusetts Institute of Technology, one mature tree absorbs 50lbs of CO₂ a year. Multiply that by the number of trees on the ten acres, and you have a significant amount of CO₂ taken out of our air per year.

On the other hand, by cutting down ten acres of trees, you not only stop the absorption of CO₂ but cause the trees to release the carbon they have absorbed through their wood, plant matter root and soil contributing to more CO₂ in our atmosphere, which is exactly what we would like to avoid.

In the not so distant past, this town board passed a law, prohibiting any project in the Town that required an air permit from the DEC. This was a big deal and I thank you for that. I also want to acknowledge that our own Supervisor drives an electric car. So, I know that you care about the environment.

There is another issue caused by clearing these trees we should consider. This 10 acres of trees is an ecosystem. It is home to birds, insects and other animals. According to biologist, 60 minutes featured on their New Years day episode, the earth is currently experiencing a mass extinction. According to the World Wildlife federation 69 % of the abundance of global wildlife has decreased. According to Cornell University Lab of Ornithology we have lost 3 billion birds in North America in the last 50 years. Not to mention the loss of honey bees and butterflies who are our pollinators. I don't have to tell you about the effect they have on our food chain. All this loss is due to the destruction of habitat. I think we forget that we

depend on wildlife for our very existence when it comes to meeting our own needs.

We all need to consider what kind of world we are leaving our children and grandchildren if we keep on destroying what we depend on. We need to consistently act to save habitats no matter how big or small. It all will make a difference.

To end my statement, I ask the Town Board, when considering a project or any situation that requires the clearing of trees to explore or discuss a different solution. Can the airport accommodate the FAA requirements but still preserve some of the 10 acres of trees?