

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (15)

AUGUST 4, 2022

~Public Hearing Scheduled~ 7:10 pm

338 Glenerie Blvd., Saugerties, SL 39.11-4-11

~Public Hearing Scheduled~ 7:20 pm

Mobile Home placement at 294 Glenerie Blvd., Saugerties, NY , SBL

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

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. Frank Petramale, Highway Superintendent
2. Jason Kovacs, Town Attorney
3. Warren Tutt, Building Inspector
4. Kyle Berardi, Police Chief
5. Bill Kemble, Daily Freeman
6. Nineteen in-person attendees
7. Five Zoom attendees

ADDITIONS OR CHANGES TO AGENDA –

Councilman Secreto: Addition of a police hire.

Supervisor: Addition of discussion regarding Ulster County Traffic Safety Board

PUBLIC DISCUSSION ON AGENDA ITEMS – None

COMMUNICATIONS - None

AUGUST 4, 2022

New Business:

Resolution to authorize the Town Court to make application for the 2023 Court Grant with Judge Susan Kesick and Supervisor Quigley being authorized to sign the Grant Paperwork (2022-R-195)

Resolution Authorizing the Town of Ulster Justice Court to Apply for the 2022-2023 Justice Court Assistance Program (JCAP)

WHEREAS, the State of New York in 1999 established the Justice Court Assistance Program (JCAP) Grant in order to provide State assistance to Town and Village Courts; and

WHEREAS, the Town Board of the Town of Ulster has determined that participation in the JCAP Grant Program is desirable, and in the public interest; and

WHEREAS, the maximum JCAP award is \$30,000.00, and may be used for a variety of purposes, including but not limited to office and security equipment, furniture, and renovations; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Ulster supports the submission of a JCAP Grant application in the amount of up to \$30,000.00 to the NYS Unified Court System; and

BE IT FURTHER RESOLVED, that the Town of Ulster hereby authorizes the Town of Ulster Justice Court to apply for the 2022-2023 Justice Court Assistance Program (JCAP) Grant.

MOTION: Councilman Secreto

SECOND: Councilman Van Kleeck

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

AUGUST 4, 2022

Motion to authorize the Court Clerks to attend training at the Desmond Hotel and Conference Center in Albany, October 17th-19th (2022-M-196)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

Motion to hire one part time Police Officer (2022-M-197)
Presented by Councilman Secreto

Dakota Wagner: \$25.53/hour; Start date 8/4/2022

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

AUGUST 4, 2022

Motion to Assign Police Officer to Special Assignment to the Detective Division (2022-M-198)

Presented by Councilman Secreto

Sean H. Bailey: \$31.10/hour; Step 6

MOTION: Councilwoman Hayner

SECOND: Councilman Van Kleeck

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

Discussion on the letter from UC Environmental Management Council requesting a Board Candidate (2022-M-199)

Supervisor: Offering this to planning, zoning, and town board members. We will revisit this again.

Discussion on Ulster County Traffic Safety Board – Speed Study

Chief Berardi: Safety Board reaching out to agencies with speed devices such as speed trailers, signs, etc. We have been deploying our trailer for the last three years and he has lent the speed trailer out on the speed resource page for public view. If someone from public wants to use it, contact him and if available and time allows, officer will set it up to monitor traffic in residential neighborhood or public highway.

Supervisor: Looking at former reports of speed trailer, speeders in neighborhoods tended to be residents of that neighborhood; still, we are happy to set up the speed trailer. *If you have a request, contact the police department.*

Included in the letter from the Traffic Safety Board, reminder that Lt. Gramoglia was a member of the Traffic Safety Board, and is now retired.

AUGUST 4, 2022

Motion for the Town Clerk to Write a Letter to the UC Legislature Asking for Legislative Approval to Appoint Lt. James A. Seyfarth to the Ulster County Traffic Safety Board (2022-M-200)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

Old Business:

Discussion on City of Kingston Drought Emergency

Supervisor: Last meeting, notified residents of a water drought alert. City of Kingston emergency meeting on 8/3 and declared drought emergency in city of Kingston and directly supplied water districts in town of Ulster – Hillside Acres, East Kingston, Spring Lake. We put notice out and will be meeting with water supervisor, discussing our own wells and plant, and report at next meeting.

AUGUST 4, 2022

Resolution Town of Ulster Town Board, FALA Technologies Employee Residences, 430 Old Neighborhood Road, SBL 48.17-1-9, Zone: OM, Special Permit & Site Plan Approval (2022-R-201)

Supervisor: Last meeting, public hearing on this matter. This requires a special permit and town board approval. No adverse comments from the public hearing.

RESOLUTION
TOWN OF ULSTER TOWN BOARD
FALA Technologies Employee Residences
430 Old Neighborhood Road
SBL 48.17-1-9
ZONE: OM
SPECIAL PERMIT & SITE PLAN APPROVAL

WHEREAS, the applicant, Fala Technologies, seeks Special Permit approval to locate an apartment on the applicant's otherwise non-residential property; and,

WHEREAS, the applicant has submitted a complete Special Use application to the Town of Ulster Planning Board (Planning Board), in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Ulster Town Board has final Site Plan review and approval authority for this application; and,

WHEREAS, the Planning Board recommends that the application is a Type II Action under SEQRA and no further environmental review is required; and,

WHEREAS, the Planning Board recommends that the application is exempt from referral to the Ulster County Planning Board; and,

WHEREAS, pursuant to the Ulster Town Code, before a Special Use application may be considered by the Town Board, a public hearing is required to be held;

WHEREAS, the Town Board held a public hearing on this matter on July 21, 2022 during which no public controversy was raised concerning the proposed action, and

WHEREAS, the Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (15)

AUGUST 4, 2022

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby grants Special Permit approval and Site Plan approval to Fala Technologies subject to the conditions, limitations and restrictions set forth below.

1. Special Permit approval is predicated on the residential apartments only being used for employees of Fala Technologies. Should the apartment be leased to non-employees of Fala Technologies, a new site plan application and special permit application must be submitted to the Town of Ulster for review;
2. All fees, including consultant fees, shall be paid;
3. Compliance with all applicable zoning and building laws, rules, and regulations;
4. In case of a violation of any of the aforesaid conditions, this permit may be revoked by the Town Board, provided, however, that after activities under this permit shall have been properly commenced, there shall be no such revocation until substantial evidence of such violation shall have been presented to the Town Board at a meeting of said Board called for the purpose of hearing such evidence on notice to the owner.
5. All conditions are subject to review on an annual basis.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

AUGUST 4, 2022

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. ____ of 2022 - A Local Law prohibiting smoking on Town-owned property, entitled No Smoking on Town Property (2022-R-202)

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. 3 of 2022 - A Local Law prohibiting smoking on Town-owned property, entitled “No Smoking on Town Property.”

WHEREAS, an introductory Local Law entitled “A Local Law prohibiting smoking on Town-owned property, entitled ‘No Smoking on Town Property’” was introduced before the Town Board of the Town of Ulster on April 21, 2022, and upon notice duly published and posted, a hearing was held on June 2, 2022 at 7:10 p.m., before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significant of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled “A Local Law prohibiting smoking on Town-owned property, entitled ‘No Smoking on Town Property’” is hereby determined to be a Type II SEQR action, and be it further

RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. 3 of 2022 - “A Local Law prohibiting smoking on Town-owned property, entitled ‘No Smoking on Town Property’”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

LOCAL LAW NO. 3 of 2022

A Local Law prohibiting smoking on Town-owned property, entitled “No Smoking on Town Property.”

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

Section 1. Title

This Local Law shall be referred to as " A Local Law prohibiting smoking on Town -owned property, entitled 'No Smoking on Town Property.'"

Section 2. Authority

This Local Law is enacted pursuant to Section 10 of the Municipal Home Rule Law.

AUGUST 4, 2022

Section 3. Legislative Findings and Intent

- A. The Town Board of the Town of Ulster finds there is an increasing public awareness and acceptance of the dangers that smoking tobacco products, cannabis, e-cigarettes and other vaping products have on the health and well-being of the general public.
- B. The Town Board of the Town of Ulster further finds it is in the Town' s best interest to do all it can to protect the Town' s property from the danger of fire posed by discarded tobacco, cannabis, and vaping products, as well as the prevalence of unsightly litter caused by same.
- C. In light of the above findings, the Town Board of the Town of Ulster has adopted this Chapter of the Town Code of the Town of Ulster, the primary purpose of which is to ban all smoking and vaping on town owned property, except in specific designated areas.
- D. The Town Board of the Town of Ulster further recognizes that the Clean Indoor Air Act, adopted by the New York State Legislature as Public Health Law, Article 13-E, § 1399- n et seq., already effectively prohibits smoking and vaping in almost all public and private indoor workplaces, as well as numerous specified outdoor areas. The Clean Indoor Air Act, however, allows localities to adopt and enforce local laws regulating smoking and vaping, as long as any such local law is at least as strict as the State Law. Accordingly, this legislation is enacted to enhance the prohibitions of the Clean Indoor Air Act as it pertains to property in the Town of Ulster.

Section 4. Smoking Prohibited on All Town-Owned Property

Other than in specifically designed outside areas, smoking (principally, but not exclusively, meaning the use, ignition, and/ or consumption of tobacco products, cannabis, e-cigarettes and other vaping products) is prohibited in or upon any town -owned property, building, or facility, including but not limited to:

- 1. Town Hall, 1 Town Hall Drive;
- 2. Town Highway Department Complex, 584 East Chester Street Bypass;
- 3. Robert Post Park;
- 4. Charles Rider Park;
- 5. Orlando Street Ball Park;
- 6. Town of Ulster Mini Parks.

SECTION 5. Enforcement

This chapter may be enforced by any law enforcement officer or agent, including but not limited to the Town of Ulster Police, New York State Police, Ulster County Sheriff, any other local police or peace officer, any Town of Ulster Code Enforcement Officer, or any other

AUGUST 4, 2022

person so designated by the Town Board of the Town of Ulster.

SECTION 6. Penalties

Any person cited for violating this Chapter shall be subject to criminal prosecution and if found guilty of such violation, be sentenced to a term of imprisonment up to fifteen (15) days and/or fined up to \$2,000.00 for each violation.

SECTION 7. Effect upon other laws

This chapter shall in no way limit or alter any restriction upon smoking imposed by any other law of the State of New York.

SECTION 8. Severability

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or any application thereof to any person or circumstance, is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 9. Conflict with other laws

Where this Local Law differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State or Federal government, the more restrictive or protective of the Town and the public shall apply.

SECTION 10. Effective Date

This Local Law shall become effective upon filing with the New York State Secretary of State.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

ROLL CALL VOTE

Supervisor James E. Quigley 3rd: Yes

Councilman Clayton Van Kleeck: Yes

Councilman Rocco Secreto: Yes

Councilman Eric Kitchen: Yes

Councilwoman Anna Hayner: Yes

CARRIED

AUGUST 4, 2022

~Public Hearing Scheduled~ 7:10 pm

338 Glenerie Blvd., Saugerties, SL 39.11-4-11

Supervisor: Over the past several months, discussion on the physical condition at 338 Glenerie Blvd. End of December, 2021, notice of violation issued to property owner, asking for corrective action. Still uncalled for conditions. Issued another violation to the and scheduled a public hearing and possibly commence action in supreme court. Public hearing is to take public testimony and keep record.

Motion to Open Public Hearing 7:16 pm (2022-M-203)

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Supervisor James E. Quigley 3 rd :	Yes
Councilman Clayton Van Kleeck:	Yes
Councilman Rocco Secreto:	Yes
Councilman Eric Kitchen:	Yes
Councilwoman Anna Hayner:	Yes

CARRIED

Public Comment:

1. Linda Fallon & Joynn Simmons, Glenerie Blvd.
Reads from prepared material (Attached)
Lived there for four years. Disaster. Owner intimidates neighbors into silence.
2. Linda Balzotti, Glenerie Blvd.
Unsafe conditions: rats & vermin. Owner thinks he is above the law. No one should have to put up with what these women have.
3. Mary Jo Frederich, GLenerie Blvd
Four years and we are tired. Things happening on property are only cosmetic. There are structural problems. Get him to do the right thing.
4. Bob Lewis, via Zoom (has property on Glenerie Blvd)
Remembers the place as it was 60 years ago, as his parents rented cabins from Mr. Clements. Right now doing cosmetic things. Place is a mess and dangerous. Wonders if

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (15)

AUGUST 4, 2022

the planning department knows what the owner's plans are. Asks board to proceed and get this straightened out. Would like to see a building permit with a time frame and safety measures.

5. Kelly Epstein, via Zoom (property on Glenerie Blvd)
Four years of a debacle and nothing moving forward. Asking the board to put finality to this.
6. Pedro Santiago, Glenerie Blvd
Has seen pride in the area. This property is a blight. Not sure of his intentions when buying property. He is doing us an injustice.
7. Catello Viviani, Property Owner
Took over property four years ago and it was in disrepair. Tried to be a good neighbor. It has taken awhile to repair property, but it has taken awhile. Apologizes. Four months ago his motel on Route 9W burned. Lost source of income. Past years with Covid have been hard. Neighbors should have helped him.

Supervisor: You're not telling us what direction you are going in.

Viviani: Never got the notice of violation. Son received the notice of violation. Invites board to come look at property.

Tutt: States notification was sent certified mail.

Supervisor: Tells Viviani to contact Tutt for current notice of violation. You are officially notified. You are in violation. The violation has a timeline.

Councilman Van Kleeck: We all have been to your property. We were there last week.

Viviani: There are trespassers on his property.

Supervisor: Call the police department.

We are continuing our path toward a judicial decree. If he does not comply with all of the building department's requests, we are going to court.

AUGUST 4, 2022

Motion to Close Public Hearing 7:38 pm (2022-M-204)

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

Supervisor James E. Quigley 3rd: Yes
Councilman Clayton Van Kleeck: Yes
Councilman Rocco Secreto: Yes
Councilman Eric Kitchen: Yes
Councilwoman Anna Hayner: Yes

CARRIED

~Public Hearing Scheduled~ 7:20 pm

Mobile Home placement at 294 Glenerie Blvd., Saugerties, NY

Motion to Open Public Hearing 7:39 pm (2022-M-205)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Supervisor James E. Quigley 3rd: Yes
Councilman Clayton Van Kleeck: Yes
Councilman Rocco Secreto: Yes
Councilman Eric Kitchen: Yes
Councilwoman Anna Hayner: Yes

CARRIED

NO PUBLIC COMMENT

Motion to Close Public Hearing 7:40 pm

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

Supervisor James E. Quigley 3rd: Yes
Councilman Clayton Van Kleeck: Yes

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (15)

AUGUST 4, 2022

Councilman Rocco Secreto: Yes
Councilman Eric Kitchen: Yes
Councilwoman Anna Hayner: Yes

CARRIED

Supervisor: Will adopt special permit at the next meeting.

PUBLIC COMMENT – None

MOTION to adjourn (7:40 pm) (2022-M-206)

MOTION: Councilman Kitchen
SECOND: Councilwoman Hayner

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk