

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (17)**

---

SEPTEMBER 1, 2022

**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 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Frank Petramale, Highway Superintendent
2. Bill Kemble, Daily Freeman
3. Six in-person attendees
4. One Zoom attendees

**ADDITIONS OR CHANGES TO AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

**COMMUNICATIONS – None**

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**New Business:**

**Motion to set a Public Hearing for the 2022 East Kingston Fire Company for Thursday, October 6, 2022, at 7:10pm (2022-M-227)**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

**Resolution to Make an Expenditure from the Town's Capital Reserve Fund f/b/o East Kingston Fire Protection District for the replacement of the Roof on the East Kingston Firehouse, Main Street, East Kingston in the amount of \$39,950. (2022-R-228)**

*Supervisor:* Subject to permissive referendum.

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**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution of the Town Board of the Town of Ulster to Make an Expenditure  
from the Town's Capital Reserve Fund f/b/o East Kingston Fire Protection  
District**

WHEREAS, the East Kingston Volunteer Fire Co., Inc. has determined that a new roof is needed for its main firehouse located on Main Street in East Kingston; and

WHEREAS, East Kingston Volunteer Fire Co., Inc. provides fire protection services to the residents of the East Kingston Fire Protection District; and

WHEREAS, East Kingston Volunteer Fire Co., Inc. would like to engage the services of Superior Roofing to complete the work; and

WHEREAS, the cost of the capital improvements to be performed by Superior Roofing is estimated to be approximately Thirty-Nine Thousand Nine Hundred Fifty Dollars (\$39,950.00); and

WHEREAS, on November 21, 2019, the Town established a Capital Reserve Fund f/b/o East Kingston Fire Protection District, and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to fund the cost of these capital improvements by expending funds from the Capital Reserve Fund f/b/o East Kingston Fire Protection District; and

NOW THEREFORE, it is hereby:

RESOLVED, the Town Board of the Town of Ulster is hereby authorized to expend Thirty-Nine Thousand Nine Hundred Fifty Dollars (\$39,950.00) from the Capital Reserve Fund f/b/o East Kingston Fire Protection District to cover the costs of the roof for the East Kingston Main Street Firehouse; and

RESOLVED, this Resolution is subject to a permissive referendum as provided by § 6-c of the New York State General Municipal Law.

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

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

*CARRIED*

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**Motion to authorize the Supervisor and Police Chief to sign the agreement from the 2022-2023 School year for the School Resource Officer (“SRO”) with the KCSD (2022-M-229)**

*Councilman Van Kleeck:* Chief does a good job working with the Superintendent.

*Councilman Kitchen:* Happy this is still in place.

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*

**Motion authorizing the Supervisor to open a new investment account at Bank of Greene County (2022-M-230)**

MOTION: Councilman Secreto

SECOND: Councilman Van Kleeck

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

*CARRIED*

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**Resolution authorizing the Supervisor to invest funds in the NYCLASS  
Municipal Cooperative (2022-R-231)**

**Resolution Authorizing Town of Ulster to Participate in the NYCLASS  
Program**

**WHEREAS**, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

**WHEREAS**, the Town of Ulster wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

**WHEREAS**, the Town of Ulster wishes to assure the safety and liquidity needs of their funds;

**Now, therefore, it is hereby resolved** as follows:

That Town Supervisor James E. Quigley 3<sup>rd</sup>, Town Supervisor, Town of Ulster, is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Agreement Amended and Restated as of March 28, 2019.

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

*CARRIED*

**Resolution authorizing the Supervisor to invest funds in the NYLAF  
Municipal Cooperative (2022-R-232)**

**Resolution Authorizing the Execution and Delivery of an Amended and  
Restated Municipal Cooperation Agreement and related documents by and  
among the several municipal corporations, school districts, fire districts  
and/or boards of cooperative educational services to provide for the  
cooperative temporary investment of public funds**

**WHEREAS**, the Participant, pursuant to the General Municipal Law and its investment policy, after due investigation, evaluation, and deliberation, has determined that it is in the best interest of the participant to invest a portion of its public funds on a cooperative basis pursuant to the terms of a Municipal Cooperation Agreement dated as of April 29, 2016 (the “Agreement”) among the Red Hook Central School District, as Lead Agent, and various other municipal corporations, under the trade name “New York Liquid Asset Fund” (“NYLAF”);

**NOW THEREFORE BE IT RESOLVED**, by the Town of Ulster Town Board, the Governing Body of the Participant, located in Ulster County, State of New York, as follows:

Section 1. The terms, conditions, and provisions of the Agreement attached hereto are hereby approved. The Supervisor of the Town of Ulster (the “Chief Fiscal Officer”) of the Participant is hereby authorized to execute and deliver the Agreement, and the Chief Fiscal Officer is hereby authorized to affix the seal of the Participant thereto and attest such seal. The Chief Fiscal Officer is hereby authorized to from time-to-time effect and consent to such changes to the Agreement in the form attached hereto as may be necessary or convenient in order to further carry out the purposes of the Agreement or to clarify or correct the terms thereof. The Chief Fiscal Officer is hereby authorized to delegate the foregoing duties to his or her designees as authorized by the Law (as that term is defined in the Agreement), which designee is an authorized employee officer of the Participant. Upon execution in full and delivery of the Agreement, the Participant shall become a Participant, as that term is defined in the Agreement.

Section 2. Notwithstanding any term or provision of the Agreement to the contrary, the Participant may withdraw from the Agreement at any time upon thirty (30) days written notice to the Governing Body of NYLAF by the Chief Fiscal Officer and thereafter the Participant shall cease to have any rights or obligations under the Agreement.

Section 3. This resolution shall be effective immediately upon its due adoption by the Town of Ulster Town Board.

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MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

**Promotive of Detective Cheryl Benjamin to Detective Sergeant (2022-M-233)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

**Motion to accept the Retirement of Detective William Moylan in “Good Standing” (2022-M-234)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

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**Motion to accept the Retirement of Sgt. Robert S. Crane in “Good Standing”  
(2022-M-235)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**Motion to authorize the Purchase of 4 Ford F150 Lightning Electric Pickups  
under NYSOGS Mini bid for the total sum of \$180,000 (2022-M-236)**

MOTION: Councilman Van Kleeck  
SECOND: Councilman Secreto

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

*CARRIED*



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**Motion to authorize the Police Chief to go out to bid for Dry Cleaning Services for the Town Police Department (2022-M-237)**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

**Resolution Scheduling Public Hearing on Proposed Qualified Abandonment of Modica Lane (2022-R-238)**

**Resolution Scheduling Public Hearing on Proposed Qualified Abandonment of Modica Lane**

WHEREAS Modica Lane, a town highway, has not been maintained by the Town of Ulster nor used by the public in over six years; and

WHEREAS, the qualified abandonment of Modica Lane may be in the best interest of the residents of the Town of Ulster; and

WHEREAS this Governing Body desires to hold a public hearing with respect to the proposed qualified abandonment of Modica Lane,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by this Governing Body with respect to the proposed qualified abandonment of Modica Lane at 7:15 p.m. on October 6, 2022, at the Town of Ulster Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449, and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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MOTION: Councilman Secreto  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Old Business:**

**Resolution Authorizing Supervisor to Prepare and Submit an Application for 2022 NYS Water Infrastructure Improvement Act (WIIA) Funding Program (2022-R-239)**

**Resolution to Appropriate the Sum of \$724,400.00 from Fund Balance towards Replacement of Water Storage Tank**

**WHEREAS**, the Ulster Water District's 450,000-gallon Water Storage Tank located at the South end of the District, adjacent to the Town Highway Garage at 584 East Chester St Bypass, Kingston, N.Y. was constructed in 1957; and

**WHEREAS**, the Ulster Water Department Superintendent has recommended that the 450,000-gallon water storage tank be replaced due to its age and increased maintenance costs; and

**WHEREAS**, the Town of Ulster Town Board has authorized the preparation of a Plan, Map and Report for the replacement of the 450,000-gallon water storage tank by the Town's Engineer, Brinnier & Larios, P.C. in preparation of making an application to the NYS Environmental Facilities Corporation for a WIIA Grant by November 22,2021; and

**WHEREAS**, the Town of Ulster Town Board has authorized the preparation of a Grant Application to apply to the NYS Environmental Facilities Corporation for a WIIA Grant by November 22,2021 under an Agreement with Blauer Associates authorized at the October 21, 2021 Town Board Meeting; and

**WHEREAS**, a budget has been prepared to be submitted with the application for the WEIIA Grant and is attached as Exhibit "A" to this Resolution; and

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**WHEREAS**, the budget identifies a local match in the amount of \$724,400.00; now, therefore, be it

**RESOLVED**; The Town of Ulster Town Board hereby appropriates the sum of \$724,400.00, to be used to fund the local match from the Ulster Water District Storage Tank Capital Reserve Account, account number SW1.0878.000 which has a balance of \$787,368.34 as of the date of this Resolution and is invested in the Town of Ulster's Special Investment Account number 5202784105 at the Bank of Greene County which has a balance of \$18,515,115.63 as of August 31, 2022; and be it further

**RESOLVED**, that the Town of Ulster Supervisor is hereby authorized to provide a copy of this Resolution and supporting documents including a copy of the Bank Statements for the aforementioned account for inclusion in the WEIIA Grant Application.

MOTION: Councilman Secreto

SECOND: Councilman Van Kleeck

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

*CARRIED*

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**Resolution to authorize the Supervisor to sign a Service Agreement with Blauer Associates and Brinnier & Larios, P.C. for the preparation of a WIIA Grant Application of the Ulster Water District – 450,000 Gallon Water Storage Tank Replacement for the sum of \$1,800 and up to \$3,250 respectively. (2022-R-240)**

**Resolution Authorizing Supervisor to Sign Agreement with Mark Blauer d/b/a Blauer Associates and with Brinnier & Larios, P.C. for Professional Services**

WHEREAS, the Town of Ulster Town Board has been contacted by Mark Blauer d/b/a Blauer Associates in regard to providing services as may be required to develop and produce a WIIA Grant Application of the Ulster Water District – 450,000 Gallon Water Storage Tank Replacement; and

WHEREAS, the Town of Ulster Town Board has been contacted by Brinnier & Larios, P.C. to provide professional engineering services in regard to the proposed storage tank replacement; and

WHEREAS, attached as an exhibit to this resolution is a copy of the two (2) proposed agreements; and

WHEREAS, it is in the best interest of the Town of Ulster to enter into said agreements; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster hereby authorizes the Town Supervisor to (1) sign an agreement with Mark Blauer d/b/a Blauer Associates to assist the Town of Ulster in performing such services as may be required to develop and produce a WIIA Grant Application of the Ulster Water District – 450,000 Gallon Water Storage Tank Replacement, and (2) sign an agreement with Brinnier & Larios, P.C., to provide professional engineering services in regard to the proposed storage tank replacement.

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

*CARRIED*

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**Resolution declaring the Replacement of Ulster Water District 450,000 Gallon Water Storage Tank a Type II Action under SEQRA (2022-R-241)**

**Resolution Authorizing Supervisor to Prepare and Submit an Application for 2022 NYS Water Infrastructure Improvement Act (WIIA) Funding**

**WHEREAS**, the Ulster Water District’s 500,000-gallon Water Storage Tank located at the South end of the District adjacent to the Town Highway Garage at 584 East Chester Street By-pass, Kingston, NY was constructed in 1957; and

**WHEREAS**, the Ulster Water Department Superintendent has recommended that the 500,000-gallon water storage tank be replaced due to its age and increased maintenance costs; and

**WHEREAS**, 60% grant funding is available through the NYS Water Infrastructure Improvements Act (WIIA) Program; and

**WHEREAS**, applications will be accepted through September 9, 2022; now, therefore, be it

**RESOLVED**, that the Town of Ulster Town Board authorizes preparation and submission of an application for 2022 NYS Water Infrastructure Improvement Act (WIIA) Funding; and

**RESOLVED**, that the Town of Ulster Supervisor is hereby authorized to sign the application and any related documents for the 2022 NYS Water Infrastructure Improvement Act (WIIA) Funding Program application.

MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

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

*CARRIED*

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**Resolution to Appropriate the Sum of \$724,400 from the Ulster Water District Storage Tank Replacement Reserve towards the Replacement of the 450,000 South Water Storage Tank in the Ulster Water District. (2022-R-242)**

**Resolution to Appropriate the Sum of \$724,400.00 from Fund Balance towards Replacement of Water Storage Tank**

**WHEREAS**, the Ulster Water District's 450,000-gallon Water Storage Tank located at the South end of the District, adjacent to the Town Highway Garage at 584 East Chester St Bypass, Kingston, N.Y. was constructed in 1957; and

**WHEREAS**, the Ulster Water Department Superintendent has recommended that the 450,000-gallon water storage tank be replaced due to its age and increased maintenance costs; and

**WHEREAS**, the Town of Ulster Town Board has authorized the preparation of a Plan, Map and Report for the replacement of the 450,000-gallon water storage tank by the Town's Engineer, Brinnier & Larios, P.C. in preparation of making an application to the NYS Environmental Facilities Corporation for a WIIA Grant by November 22,2021; and

**WHEREAS**, the Town of Ulster Town Board has authorized the preparation of a Grant Application to apply to the NYS Environmental Facilities Corporation for a WIIA Grant by November 22,2021 under an Agreement with Blauer Associates authorized at the October 21, 2021 Town Board Meeting; and

**WHEREAS**, a budget has been prepared to be submitted with the application for the WEIIA Grant and is attached as Exhibit "A" to this Resolution; and

**WHEREAS**, the budget identifies a local match in the amount of \$724,400.00; now, therefore, be it

**RESOLVED**; The Town of Ulster Town Board hereby appropriates the sum of \$724,400.00, to be used to fund the local match from the Ulster Water District Storage Tank Capital Reserve Account, account number SW1.0878.000 which has a balance of \$787,368.34 as of the date of this Resolution and is invested in the Town of Ulster's Special Investment Account number 5202784105 at the Bank of Greene County which has a balance of \$18,515,115.63 as of August 31, 2022; and be it further

**RESOLVED**, that the Town of Ulster Supervisor is hereby authorized to provide a copy of this Resolution and supporting documents including a copy of the Bank Statements for the aforementioned account for inclusion in the WEIIA Grant Application.

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MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

**Resolution Authorizing Attorney for the Town Jason J. Kovacs, Esq., to Commence a Civil Action in New York State Supreme Court on behalf of the Town of Ulster against Joshua O'Brien for Illegal Dumping of Demolition Debris and other Materials (2022-R-243)**

**RESOLUTION OF THE TOWN BOARD**  
**TOWN OF ULSTER**

**Resolution Authorizing Attorney for the Town, Jason J. Kovacs, Esq., to Commence a Civil Action in New York State Supreme Court on behalf of the Town of Ulster against Joshua O'Brien**

The Town Board of the Town of Ulster, duly convened in regular session, does hereby resolve as follows:

Section 1: The Town Board of the Town of Ulster hereby authorizes Jason J. Kovacs, Esq., Attorney for the Town of Ulster, to commence a civil action in New York State Supreme Court on behalf of the Town of Ulster and to appear as the attorney for the Town of Ulster, as Plaintiff, against Joshua O'Brien as Defendant. In said civil action, the Town of Ulster as the Plaintiff, shall, among other things, ask the Court: (a) for a permanent injunction preventing the Defendant from illegal dumping of garbage, refuse, rubbish, and other waste items on the property at Potter Hill Road, Town of Ulster, County of Ulster, State of New York [SBL: 39.12-3-24], and being in violation of the Town of Ulster Town Code and the New York State Property Maintenance Code; (b) to direct that the Defendant comply with the Town Code; and (c) to permanently prohibit all other persons from using the subject premises in violation of the Town Code; (d) to enjoin and restrain the Defendant from creating and maintaining a public nuisance; and (e) to

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grant the Plaintiff, Town of Ulster, such other and further relief as to the Court may seem just and proper, together with the costs and disbursements of the action, and for an order allowing all costs, expenses, legal fees, and costs to dismantle the premises on the tax bill for said property.

SECTION 2. For its services hereunder, the Attorney for the Town, Jason J. Kovacs, Esq. shall be compensated at the rate of \$175.00 per hour and shall also be reimbursed for any costs and disbursements he incurs on behalf of the Town of Ulster in connection with said action.

MOTION: Councilman Kitchen  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**PUBLIC COMMENT** – None

**MOTION to adjourn (7:20 pm) (2022-M-244)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Kitchen

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