

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (23)

DECEMBER 1, 2022

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 - *EXCUSED*
TOWN COUNCILWOMAN ANNA HAYNER
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

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

ADDITIONS OR CHANGES TO AGENDA – Supervisor deletes engineering agreement for stormwater line improvement project (last item, “New Business”); the proposal was submitted too late and more time is needed to review.

PUBLIC DISCUSSION ON AGENDA ITEMS – None

COMMUNICATIONS – None

DECEMBER 1, 2022

New Business:

Presentation of the Town Fee Schedule for 2023

Placed on Town Website

Motion to set fee for Annual Permits at the Transfer Station (2022-M-323)

Same prices are maintained

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

CARRIED

Presentation of the Resolution Adopting the 2023 Town Fee Schedule

For a future meeting. Presentation only.

**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.

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**Presentation of Town Capital Investment Schedule for Future Discussion
Motion to Post Schedule on the Town Website (2022-M-324)**

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

**Motion to set the 2023 Organizational Meeting for Tuesday, January 3,2023 at
7:00pm (2022-M-325)**

MOTION: Councilwoman Hayner
SECOND: Councilman Secreto

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

CARRIED

**Motion approving the payments to the Town Registrar and Deputy Registrar of
Vital Statistics for the twelve-month period ending November 30,2022 in
accordance with Town Policy (2022-M-326)**

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

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Motion to authorize the Supervisor to sign Engagement letters with EFPR Groups, CPAs for the Town of Ulster 2022 Financial Statement Audit (2022-M-327)

MOTION: Councilman Van Kleeck
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the Supervisor to sign Engagement letters with EFPR Groups, CPAs for the AUP Report for the TOU Justice Court and Town Clerk/Receiver of Taxes for 2022 (2022-M-328)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

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

CARRIED

Motion to authorize the Supervisor to sign the agreement for GASB 75 Report for 2022 Financial Statement Audit (2022-M-329)

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

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

CARRIED

DECEMBER 1, 2022

Motion to Authorize the Supervisor to sign the MOA by and between the Town of Ulster and Laborers International Union Local 17 for vacation buyout (2022-M-330)

Supervisor: This modifies existing contractual terms in the collective bargaining agreement. Effective 2022 only. Allows for vacation and sick time buyouts in excess of the negotiated levels in the contract.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

ROLL CALL VOTE

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Excused
Town Councilman Secreto	-Yes
Supervisor Quigley	-Yes
Town Councilman Van Kleeck	-No

CARRIED

Motion to authorize the Supervisor to sign the Form of Intermunicipal Agreement for Police Services with the City of Kingston for 2023 (2022-M-331)

Supervisor: Annual agreement which outlines the rights and responsibilities of each respective police department when they are conducting operations in adjacent municipality.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

DECEMBER 1, 2022

Motion to authorize the purchase of one 2023 Ford F-350 XL Reg Cab 4x4 under Onondaga Bid 0010808, from Van Bortel Ford, not to exceed \$67,303.28 (2022-M-332)

MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

CARRIED

Resolution Authorizing Town Supervisor to sign all documents related to 2022 New York State Community Development Block Grant (NYS CDBG) Project Number #1159PR162-22 (2022-R-333)

Supervisor: Spring Lake Sewer Project Phase 2. A \$1.2M project; grant to be received for \$995K.

Resolution Authorizing Town Supervisor to sign all documents related to 2022 New York State Community Development Block Grant (NYS CDBG) Project Number #1159PR162-22

WHEREAS, the Town of Ulster has received a Grant Agreement for a \$995,462 grant from NYS Homes and Community Renewal for a 2022 New York State Community Development Block Grant (NYS CDBG), towards design and construction of a Phase II to the Public Sewer for the Spring Lake Sewer District; and

WHEREAS, it is in the best interest of the Town of Ulster to comply with any additional applications and documentation so the Town may receive this grant; now therefore, be it

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RESOLVED that the Town Supervisor is hereby authorized to sign on behalf of the Town of Ulster any additional required applications or documentation in connection with this grant.

RESOLVED that the Town Board authorizes the use of the Project Bank Account with the Bank of Greene County created for the Spring Lake Sewer Project - Phase I to accept and disburse the proceeds of aforementioned Grant and that the Supervisor, Town Clerk and Secretary to the Supervisor be authorized to sign checks drawn on said account.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

REMOVED BY SUPERVISOR: Discussion on Engineering Agreement for Stormwater Line Improvement Project – Harwich and Lay Streets

Supervisor: Installed in mid-1970s when NYSDOT renovated Ulster/Albany Avenue. Town of Ulster became responsible for the maintenance and operation two corrugated steel drain lines, thus having to eventually replace them.

Old Business:

Resolution on Qualified Abandonment of Modica Lane (2022-R-334)

Resolution authorizing filing of Certificate of Abandonment for Modica Lane

WHEREAS, the Town Board of the Town of Ulster recently approved a site plan approval for adaptative reuse of an existing motel complex for supportive housing apartments with related services, located at 114 Route 28 (SBL: 48.14-1-24 & 27) in the Town of Ulster; and

WHEREAS, one of the conditions of approval was the abandonment of the Town's interest in Modica Lane, a town road that is a dead-end street that serves no useful purpose to the Town of Ulster; and

WHEREAS, the Town Highway Superintendent joins in the request for abandonment as the transfer will remove a dead-end street from the town's road inventory and reduce maintenance costs for the Town for a roadway that serves no useful purpose to the Town; and

WHEREAS, the proposed road abandonment was introduced before the Town Board of the Town of Ulster on September 15, 2022, and upon notice duly published and posted, a hearing was held on October 6, 2022 at 7:10 p.m., before the Town Board,

WHEREAS, the Town Board has conducted the public hearing as requested and subsequent thereto has determined that an abandonment of that portion of Modica Lane depicted on Exhibit "A" is proper and will not cause injustice or hardship to the owner or occupant of any lands adjoining such highway; and

WHEREAS, the Town of Ulster Highway Superintendent has presented to this Board a Certificate of Abandonment pursuant to Section 205 of the New York Highway Law.

NOW, therefore, be it

RESOLVED, that the foregoing recitations are incorporated herein and made part hereof as if fully set forth hereafter; and it is further

RESOLVED that the Town Board of the Town of Ulster hereby accepts the Certificate of Abandonment of Modica Lane depicted on Exhibit "A" as presented by the Town Highway Superintendent; and it is further

RESOLVED, that the Town of Ulster's responsibility for maintaining Modica Lane depicted in Exhibit "A" shall cease.

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MOTION: Councilman Van Kleeck

SECOND: Councilman Secreto

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

CARRIED

Resolution on Eddyville Lawsuit Settlement (2022-R-335)

Supervisor: 2015, at residents' request, the Town of Ulster pursued the cleanup of a boat yard and removal of personal craft at the Rondout. The owner sued the town under Article 78. This resolution settles the lawsuit. Town of Ulster will pay \$5,000 to property owner, which is \$1,000 less than the property owner's fine from the town.

RESOLUTION OF THE TOWN OF ULSTER AUTHORIZING APPROVAL TO ENTER INTO A STIPULATION OF SETTLEMENT IN THE MATTER OF EDDYVILLE ASSOCIATES a/k/a EDDYVILLE CORP. ("Eddyville") against TOWN OF ULSTER and TOWN OF ULSTER BUILDING DEPARTMENT, ("Town") DESIGNATED BY INDEX NO. EF2020-2719

WHEREAS, Eddyville commenced an action to compel the Town to remove all boats and debris located at premises known at Route 213, Town of Ulster, County of Ulster, State of New York (SBL: 56.14-2-16.100), (hereinafter "the Subject Property"); and

WHEREAS, the Town is desirous of entering into an Order and Stipulation regarding same; and

WHEREAS, this action is categorized under 6 NYCRR, Part 617.5(c)(20) as Type II.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN, AS FOLLOWS:

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The Town authorizes counsel for the Town, Van DeWater & Van DeWater, LLP, to enter into an Order and Stipulation, attached hereto, requiring the Town to remove all boats from the Subject Property, requiring Eddyville to remove all debris from the Subject Property, and requiring the Town to contribute \$5,000 (Five Thousand Dollars) toward the cost of the cleanup for the debris.

This resolution shall take effect immediately.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

Report from Sub-Committee of Town Board to fill Justice Vacancy

Councilman Secreto: Taking resumes from town residents until 12/7. Any interested party should submit resumes to the town clerk. Future meeting the personnel committee to make recommendation.

~ END OF SCHEDULED AGENDA ~

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PUBLIC COMMENT –

Michael Berardi, Town Resident

Thanks the supervisor and town board for prompt action on Route 32 (Aguirre property). Supports use and occupancy with the exception that they stay within procedures and keep properties nice. Wants to show good face for those coming off of the bridge.

Supervisor: Property has been cleaned up. Tires are on a trailer to be disposed of on Saturday. They will be back before the planning board to correct issues.

~ END OF PUBLIC COMMENT ~

MOTION to adjourn (7:18 pm) (2022-M-336)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk