

TOWN OF ULSTER TOWN BOARD MEETING (05)  
MARCH 2, 2023

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

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

**ROLL CALL by Town Clerk, Suzanne Reavy:**

TOWN COUNCILMAN CLAYTON VAN KLEECK  
TOWN COUNCILMAN ROCCO SECRETO  
TOWN COUNCILMAN ERIC KITCHEN  
TOWN COUNCILWOMAN ANNA HAYNER  
SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Kyle Berardi, Police Chief
2. Vincent Maggiore, Wastewater Superintendent
3. Frank Petramale, Highway Superintendent
4. Warren Tutt, Building Inspector
5. Jason Kovacs, Town Attorney
6. Bill Kemble, Daily Freeman
7. Two Zoom Attendees
8. Eight attendees

**ADDITIONS OR CHANGES TO AGENDA –**

Addition of 1. AOT conference summary; 2. Two out of district sewer agreements; 3. Easter egg hunt report.

**PUBLIC DISCUSSION ON AGENDA ITEMS –**

Regis Obijiski, town resident

Discussion on the first agenda item (UC IDA bond resolution)

Supervisor will discuss that item in detail.

**ANNOUNCEMENTS – None**

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**COMMITTEE REPORTS**

1. Finance, Councilman Van Kleeck  
Meets regularly. Added a new aspect of review. Town of Ulster has a good reputation with the NYS Comptroller
2. Personnel, Councilman Secreto  
Nothing to report
3. Recreation, Councilman Secreto

Docks will be installed in the spring by highway department.

Biddy basketball 10-week program just finishing up. Had 100 kids in program.

Softball – we lost a pole at Orlando St. We are getting bids for poles with LED lights.

Has a contractor from Saugerties and lights from New Hampshire lined up.

Summer Camp – Depends on the number of counselors as to how many campers we will have.

Senior Picnic – Joe Baganz (caterer) able to work the picnic on Friday, August 25.

**Motion to Hold the Senior Picnic on August 25, 2023 (2023-M-084)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

Easter Egg Hunt – Scheduled for April 1 at 11 am at Robert Post Park. Rain date 4/2.  
Ages 10 and under.

**New Business:**

**Resolution Consenting to Ulster County Industrial Development Agency serving as Lead Agency under SEQR for Zinc8 Bond Resolution (2023-R-085)**

*Kovacs:* Each governmental agency has to apply the SEQRA to their decision. Proposed resolution consents to the IDA. They are taking action of a bond. As a courtesy going back to host community asking us if we have any objection to their proposed action. Should have no issue with their bond resolution or SEQRA finding since no pending application before the planning board.

*Supervisor:* IDA has requirement to follow SEQRA in bond issuance. Town planning board has a requirement has an obligation to follow SEQRA when there is an application for an action. Action in this resolution is only bond issuance/financing, not the project, as it relates to the building in the town of Ulster.

**Resolution of the Town Board**  
**TOWN OF ULSTER**  
**Resolution Consenting to Ulster County Industrial Development Agency serving as Lead Agency under SEQR for Zinc8 Bond Resolution**

WHEREAS, the Ulster County Industrial Development Agency (hereinafter “UCIDA”) has contacted the Town of Ulster and has informed the Town that the UCIDA will be considering a bond resolution at its March 2023 meeting for the benefit of Zinc8, a potential tenant at iPark87; and

WHEREAS, there is no pending Planning Board action for Zinc8, a potential tenant at iPark87; and

WHEREAS, it is in the best interest of the Town of Ulster to consent to the UCIDA taking Lead Agency under SEQR and determining that the UCIDA bond resolution is a Type II action under SEQR; and

WHEREAS, such consent and determination does not interfere with the Town of Ulster’s potential environmental review of any site plan or zoning review of Zinc8 at the iPark87 campus; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster does hereby consent to the UCIDA serving as Lead Agency and determining that the UCIDA bond resolution is a Type II action under SEQR; and be it further

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RESOLVED, that such the Town of Ulster does hereby reserve for itself any potential environmental review pursuant to SEQR of Zinc8 at the iPark87 campus; and be it further

RESOLVED, that the Town Clerk shall provide a certified coy of this resolution to the UCIDA.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

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

*CARRIED*

**Motion authorizing the Supervisor to sign the Application of Supervisor for Extension of Time for Collection of Taxes to the Commissioner of Finance of the County of Ulster until June 1, 2023 (2023-M-086)**

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

**Motion to hire a full time Permanent Police Officer per Ulster County Civil Service List (2023-M-087)**

*Berardi:* To fill the spot of an officer who resigned. We are in need of part time officers.

*Councilman Van Kleeck:* Third officer to become full time from part time status. When this happens we move a trained officer into full time action.

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Dakoda R. Wagner: full time; union; PBA; step 2; \$26.77/hour; start date 3/2/2023

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

*CARRIED*

**Motion to authorize the Supervisor to submit an application for Community Project Funding through Congressman Molinaro for the connection of IPark87 to the Town of Ulster Water System in the amount of one million dollars (2023-M-088)**

*Supervisor*: Issue is integrating the IPark campus with the Town of Ulster water system. Current water supply from city of Kingston, limited to 1500 gallons/minute and water pressure in low-30s PSI. IBM installed booster pumps and elevated water storage tank.

Currently no active sprinkler systems.

Learned from Congressman Molinaro about community project funding program. Application here for funding for connection of the campus to the town water system. Application gives two options: 1. \$500,000 to connect the fire system; 2. \$2.1M to connect the entire campus for domestic campus and fire system.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

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

*CARRIED*

**Motion to authorize the Highway Superintendent to go to bid per the attached list as part of the Capital Equipment Replacement Program (2023-M-089)**

*Petramale:* Part of the capital replacement plan and the 284 agreement.

Note: the Western Star purchased in 2020 arrival is expected late 2024/early 2025)

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

**Discussion on the Towns commitment to the proposed modifications to the Ashokan Reservoir Interim Release Protocol (IRP)**

*Supervisor:* Today's Freeman article contains a joint letter from towns of Saugerties, Hurley, Marbletown, Ulster; village of Saugerties; city of Kingston regarding proposed modifications to assign responsibility of response to releases to Ulster County. These municipalities are collectively against the re-assignment and acknowledges DEP as the most educated party to make the decisions. Would like to see increases in seasonal releases to 30 million gallons/day. Would like DEP to increase efforts for public awareness regarding the lower Esopus. Announces that DEP consents to hold a community forum in the town of Ulster in May.

**Discussion on Ongoing Issues with the Ford Police Interceptor Utility Hybrids**

*Supervisor:* 2019 town board decision to adjust carbon footprint in police patrol fleet. Two hybrids purchased in 2019 (2020 vehicles) and two more in 2020 (2021 vehicles).

*Berardi:* The two 2020 vehicles' transmissions had to be replaced at 50K miles. Other two vehicles are at 30K miles. Recalls in drive shafts on all vehicles. One drive shaft issue was on the way to a call.

*Supervisor:* This is 1/3 of our patrol fleet. Intentions were good.

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*Councilman Van Kleeck:* Recommends not to obtain other vehicles until we take care of these.

*Berardi:* Long term issue regarding further repairs. In 3-4 years will reach 100K miles.

*Councilman Van Kleeck:* Consider getting rid of these early and not wait until they expire mileage-wise.

*Berardi:* Auctioning now for the 2020 vehicles we should be able to get a good price.

**Motion to Authorize Chief Berardi to Develop a Replacement Plan for the Four Vehicles Over the Next Eight Months (2023-M-090)**

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

*CARRIED*

**Discussion on Applying for Municipal Parks and Recreation Grant  
Presentation and discussion on proposal for Engineering Services for Ulster  
Wastewater Treatment Plant from Arcadis of New York Inc. utilizing the  
NYSERDA Flexible Technical Assistance Program**

*Councilman Secreto:* Ulster County received \$35 million and \$2 million to be given to towns - \$100,000 per town. We are looking at recreation improvements. Applications are due 4/14/23. Will receive an answer in May.

**Presentation and Discussion on Proposal for Engineering Services for Ulster  
Wastewater Treatment Plant from Arcadis of New York Inc. utilizing the  
NYSERDA Flexible Technical Assistance Program (2023-M-091)**

*Maggiore:* NYSERDA grant study that focuses on saving energy at the plant and replacing aged equipment; will complete the whole plant study when combined with the 2019 study. Right now

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technology we are using is very intensive on using energy and looking to expand capacity and save energy. Powering by electric. Looking for new technology in blowers with a wider range of operation and adjustability. We are among last plants using current technology, which is energy hungry. By summertime this should be complete by summertime. A 2024 capital project.

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

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

*CARRIED*

**Discussion of Children’s Summer Camp in the Town of Ulster for 2023**

Previously discussed during committee report.

**Discussion on staffing Rider Park Boat Launch and to seek a PT employee**

*Councilman Secreto:* Staffing early spring when docks go in. Cashless. Will double check with the same employee as last year for his application submission.

**Discussion on converting vacant lot at Fording Place Road and Costanzi Drive to a parking lot**

*Supervisor:* In 2010, water superintendent at that time proposal to town board to acquire property to move a garage there and protect water field in the woods behind the lot. In the past year, we tore down that garage and it is now a vacant lot. KCSD upgrades to athletic fields on Fording Place Road and they may have parking needs. Always parking problems and residents’ concerns. Meeting on 3/6 with KCSD superintendent regarding the uses of the fields.

*Councilman Van Kleeck:* We took that lot and made it look nicer and put property to good use. Continue working with the school district.

*Councilman Secreto:* Conversations with school district. Fields may be used for more events and sports. Wants the school district to pay for our highway work on that lot.

*Councilwoman Hayner:* A real safety concern. There are “No Parking” signs there now that are disregarded.



### **Supervisor's Update to Town Board on Glenerie Quiet Zone Issue**

*Supervisor:* Concerns from Glenerie residents regarding the railroad. We distributed the 2006 quiet zone study and agreed to contact the engineering firm that did that study. Report from engineering firm. Proposal on town website. Ballpark study to convert to a quiet zone is \$500-\$600k. Federal grant program has a minimum \$1M per application.

Met with city of Kingston mayor, Noble, to restudy the 2006 proposal and put forth collective application. Congressman Molinaro supports a collective grant between both municipalities. Noble to talk to Congressman Ryan. Improvement must be reviewed by UC transportation council. Dennis Doyle, director, may get the council to pay for the study. Federal railway focuses on eliminating grade crossings and improvements. Will advise.

*Councilman Van Kleeck:* It is still up to the engineer of the train to not blow the whistle. Cannot make a rule to eliminate that.

### **Supervisor's Update to Town Board on CSX Safety Issues**

*Supervisor:* Residents' concerns regarding a recent derailment in West Palestine, Ohio. Spoke to fellow Ulster County supervisors in Saugerties, Esopus, Lloyd, Marlboro, and city of Kingston and village of Saugerties mayors – host communities to CSX west shore railroad and all with the same concerns. Went to Ulster Hose Co #5. There are existing response plans in place in case of a railroad incident. Plans coordinated with NYS Office of Emergency Management through the UC Emergency Management Office. Municipalities collectively sent a letter to the UC executive to update those plans and make a public announcement to the community that there is a response plan in place. New York State and city of Kingston fire department purchased foam trailers. Yesterday, US Senate bi-partisan bill introduced with several items related to railroad safety, including disclosing contents of rail cars passing through.

*Councilman Secreto:* Railroads along the Hudson River puts the river water at risk also.

### **The following two items presented together:**

*Supervisor:* Modification required by the change of a user from commercial to residential, i.e. Rupco, in the Washington Ave. sewer district. Allows a lower premium for serving sewage from residential consumers.

### **Presentation of Amended and Restated Municipal Agreement by and between the City of Kingston and the Town of Ulster for the Treatment of Sewage from the Washington Ave. Sewer District**

**Resolution authorizing the Supervisor to sign the Municipal Agreement by and between the City of Kingston and the Town of Ulster for the Treatment of Sewage from the Washington Ave. Sewer District**

**Old Business:**

**Update Status on Contract TU-221 Stormwater Channel Improvement**

*Supervisor:* Address stormwater runoff from the stream from Route 9W, parallel to Bread Alone/Central Hudson, to the Esopus Creek. Went out to bid in the fall, 2022, to construct improvements. Lawsuit filed by a resident in that area.

*Kovacs:* Work was to be done on Arthur Boice property. He filed lawsuit against Central Hudson for damages to property. Spoke to his attorney and stated that town of Ulster is a potential defendant. Kovacs stated that no work would be done on Boice property without a general release exonerating town of Ulster.

*Supervisor:* Contract is on hold. No improvements until general release. Spent approximately \$38,000 in design. At some point, his opinion that we will complete project. Estimated \$600,000 and bids came in at \$150,000. We may lose that window.

**Presentation of Tax Collection Data to March 2, 2023**

Reavy: Total to be collected: \$19,513,567. Total collected to date: \$ 16,728,281. Total collected since last report on 2/2/23: \$692,140.

This is 86%. This amount does not include corporation or NYS land taxes, which I will be notified soon from the county that they are paid.

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**Motion to award bid for Water and Sewer to purchase Chemicals for 2023 (2023-M-092)**

*Reavy:* Bid opening took place on February 22. Annual bids for water and wastewater. Salt bid award to US Salt at \$234.00/ton. Chlorine bid awarded to Slack Chemical at \$449.32/ 150 lb. cylinder, with a \$100 deposit per cylinder.

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

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

*CARRIED*

**Update on the Recent Association of Towns Conference –**

*Attended by Councilman Van Kleeck; Councilwoman Hayner; Town Clerk Reavy*

*Councilman Van Kleeck:* Met with Comptroller Elliott Auerbach and it was encouraging how confident he is in our town. Holds our town in high regard. Listened to speakers Letitia James and Thomas DiNapoli. Concerned about the governor attempting to cut in on home rule.

*Councilwoman Hayner:* Learned quite a bit from speaking to different vendors. Town of Ulster has a good reputation. Wants to discuss things with the board moving forward.

**PUBLIC COMMENT**

1. Caylin Sanders, Glenerie Blvd.  
Thank you for the update on the quiet zone and signing the letter for CSX safety. Regarding the letter to the town board –

Clear cutting: Cites the rule by town of Woodstock. Laws to minimize deforestation but do not take reforestation into account. Voluntary carbon offsets or tree-for-tree rule.

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Parking lot at Costanzi Drive: Close to the Esopus. Alternatives to asphalt.  
Supervisor: We do not use asphalt.

Esopus Neighbors Letter: We request that you fight for more flood protection. Urge you to reconsider not responding to our concerns.

Recreation Grant: We want to allocate space for kids and dogs in Glenerie. Keep our neighborhood in mind.

2. Laura Hartmann, Catskill Ave.  
Regarding recreation grant. Park across the street from Orlando St/kayak launch.  
Envisions a bench there on the corner.  
*Councilman Secreto*: Will include that in the grant.

Regarding train derailment: We have to advocate to prevent those events.

3. Bob Lewis, Glenerie Blvd.  
Regarding train derailment. There needs to be an alternate roadway for emergency egress.

*~ END OF PUBLIC COMMENT ~*

**MOTION to adjourn (8:12 pm) (2023-M-093)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk