

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (09)  
MAY 4, 2023

**Public Hearing Scheduled:**

7:10 PM- Local Law \_\_\_\_\_ of 2023: A Local Law Regulating Outdoor Lighting

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**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 - *Excused*  
TOWN COUNCILMAN ERIC KITCHEN - *Excused*  
TOWN COUNCILWOMAN ANNA HAYNER  
SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Warren Tutt, Building Inspector
2. Kyle Berardi, Police Chief
3. Jason Kovacs, Town Attorney
4. Bill Kemble, Daily Freeman
5. Michael Iapoce, Commissioner - Ulster County Department of Social Services (DSS)
6. Joanna Contreras, Deputy Ulster County Executive
7. Abdiel Lopez Torrez, Senior Project Manager – Scenic Hudson
8. Eric Humphrey, Manager – Minnewaska Park
9. Twenty +In-person Attendees

**ADDITIONS OR CHANGES TO AGENDA –**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

**ANNOUNCEMENTS – None**

**New Business:**

**Motion to hire two seasonal employees for Parks and Recreation (2023-M-150)**

*Personnel Items Presented by Councilman Van Kleeck*

P. Joseph Burns and Ryan Coffey: \$15/hour

MOTION: Councilman Van Kleeck

SECOND: Councilman Hayner

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

*CARRIED*

**Motion to hire one full time employee for the Town Clerks Office (2023-M-151)**

Melanie Rieker: \$17/hour; start date 5/8/23

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

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**Motion to hire one part time Police Officer for the Police Department (2023-M-152)**

Jayden Campos: Now a dispatcher. Union; PBA; \$26.41/hour; start date 6/1/2023

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

**Motion to accept the resignation of James Bruno (effective immediately) (2023-M-153)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

**Presentation of Resolution Abolishing the position of Administrative Aid in the Police Department**

To be considered at the next meeting

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**Motion to purchase one 2023 Ford Van from Van Bortel Ford for the Water Department under NYS OGS Mini Bid # 13127, in the amount not greater than \$56,574.00. (2023-M-154)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**Motion to authorize the Police Chief to sign the Online Auction Contract with Auctions International, Inc. for the disposal of surplus vehicles. (2023-M-155)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**Presentation for future acceptance of the Annual Update Document (AUD) filed with the NYS Comptroller's Office for the Town's Financial results for the year ending December 31, 2022 (2023-M-156)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**Report to the Board by the Building Inspector on the Roadway Inn Property, 237 – 239 Forest Hill Dr, Kingston, SBL 48.13-3-15.100**

*Warren Tutt:* On 4/27/23, notice of violation from NYSDEC for failure of their onsite wastewater treatment system. On 4/28, Ulster County executive required that all DSS-placed residents be removed. On 5/1, Tutt contacted by Ulster County Department of Health (DOH) as to, “What is the town’s action?” Due to failed treatment system (including all buildings on property in violation), all are in violation. Was ready to red tag the building – what is the time frame? Could be 24 hours. It would take the county longer to relocate people and county needed two weeks. Granted more time to relocate people. Engineer of record stated it is not an easy repair and will take some time. DOH and DEC regulates the septic system – it is out of his purview. First phone calls from on-site visit were to DOH and DEC in March, 2023.

*Councilman Van Kleeck:* Without remedy, you would issue red tag two weeks from 5/1?

*Tutt:* Order to remedy.

*Supervisor:* Concerned about occupants. Is two weeks enough time to relocate?

*Mike Iapoce:* Here on behalf of the County Executive’s directive. Appreciates town and building department concern. County placed occupants take up 30 of the 60 rooms at the facility. We have discontinued placing residents/homeless clients there as of 4/28/23. We have been able to relocate six rooms so far. May is a challenging month. Those rooms not occupied by county-placed residents will face a challenge of possibly becoming emergency homeless clients, and possibly then becoming assisted by DSS. D

*Supervisor:* Continue to communicate with building inspector and we will react accordingly. Requests Warren Tutt to visit property to convey the town’s stance.

*Iapoce:* Communicate with property owner/manager.

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*Tutt:* Will be contacting owner tomorrow of both the Roadway and the restaurant of the imminent 5/15 closure of the facility. Will not open again until both DEC and DOH all approve. This was only a surprise to the owner.

*Supervisor:* Failure of sewer system affects the entire facility. Correctable at a large capital expense and a longer time period.

### **Update by Scenic Hudson on property acquisition in East Kingston**

*Abdiel Lopez Torres:* Late 2022, Scenic Hudson obtained the Brigham brickyard/Plotkin property in East Kingston. Since then, we have been surveying until late March. We have been contacting neighbors. Coincidentally, surveyors from the state parks were there at the same time – projects are not related. We will make this project an asset and accessible. Scenic Hudson wants great relationships. Saturday, 5/6, all are invited to their Spring Fest at Sojourner Truth State Park.

*Eric Humphrey:* Palisades Park has a great relationship with Scenic Hudson. Apologizes if anyone was spoofed by any surveyor. They are locating boundaries on First Ave. and North St. Some had to go onto private property. Should not be negatively impacting anyone's property. There may be a new entrance off of Route 32. There will be no development that affects homeowners. Looks forward to working with community. Will be available after the meeting to speak with residents.

*Councilman Van Kleeck:* There are concerns from residents about proper projects, secret surveys, and talk of being bought out. Asks Humphrey to keep the respect of their homes in mind.

*Supervisor:* When parkland was acquired by Scenic Hudson, parcels came off of the tax roll. Under NYS law, the Palisades Park Authority pays taxes on the parcels that are listed in the state statute, which was written before the state park was established. Authority to pay taxes in the upcoming budget year has been approved for one year. Conversations with Seth McKee (Scenic Hudson director) regarding economic damage to E Kingston fire district. Starting July 1, Scenic Hudson is making a provision in its budget to pay some compensation to the E Kingston fire district for the parcels that they own. This is for one year only.

**Discussion on presentation by David Church, Town Consulting Planner on review of Municipal Legislation on Trees**

*Supervisor:* Several meetings ago, residents asked town board to make a consideration on this matter. Church will make a report as to what is out there in other locations/municipalities and report to our board.

**Motion to Consent to Invite David Church to a Future Meeting for this Report (2023-M-157)**

MOTION: Councilwoman Hayner  
SECOND: Councilman Van Kleeck

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

*CARRIED*

**Old Business:**

**Motion to award the bid for Contract No. TU- 231M, Low Pressure Pump Stations, Force Mains and Appurtenances for Spring Lake Sewer Phase II (2023-M-158)**

MOTION: Councilman Van Kleeck  
SECOND: Councilwoman Hayner

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

*CARRIED*

**Presentation of Revised Concussion Policy**

Discussion at the next meeting (this policy affects summer camp)

**Presentation of Sexual Abuse and Misconduct Prevention Policy**

Discussion at next meeting

**Discussion on Summer Camp Registration**

*Reavy:* Registration is ongoing. Soon will open registration to non-residents.

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**PUBLIC HEARING:**

7:10 PM- Local Law \_\_\_\_\_ of 2023: A Local Law Regulating Outdoor Lighting

*Jason Kovacs:* This is a result of citizens' complaints regarding video cameras infringing on the rights of neighbors. Light privacy, provisions of light trespass and making it a violation. Not 100% certain we can oversee cameras as it may violate some first amendment issues.

**Motion to Open Public Hearing at 7:40 PM (2023-M-159)**

MOTION: Councilwoman Hayner

SECOND: Councilman Van Kleeck

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

*CARRIED*

**PUBLIC COMMENT:**

1. Cynthia Bell: Resident of Ruby  
Appreciated fire department; lives right next door. Why does fire department need three street lights (unhooded) and a digital sign. Waste of resources and shines in her bedroom . window 24/7. Lighting increased to an unnatural degree in a rural area. This law would be a great improvement.



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2. Regis Obijiski, Town Resident

Found town attorney's remarks disappointing. We thought this to be a prelude to surveillance. There are two separate issues.

Reads from prepared written statement (attached).

This is a good start, but please consider surveillance.

**Motion to Close Public Hearing at 7:52 PM (2023-M-160)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

***Public Comment will be Accepted for 30 Days***

**Motion to Refer this Local Law to Ulster County Planning Board for Review  
(2023-M-161)**

MOTION: Councilwoman Hayner

SECOND: Councilman Van Kleeck

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

*CARRIED*

**END OF SCHEDULED AGENDA**

**PUBLIC COMMENT:**

1. Josephine Reina, East Kingston resident  
Regarding Surveying in East Kingston  
Spoke to LaBella surveyors for the state. We did not receive notifications. Concerned that most of the properties do not but up against Scenic Hudson project.

*Supervisor:* Scenic Hudson does not have eminent domain. Speak to representatives here tonight. Surveyors had to go back to reference points on the original survey, which was done by Brigham in the late 1800s.

2. Laura Hartmann, Town Resident  
Reads from prepared written material and submits 131 e-signatures, signed to support townofulstercitizens.org's initiative to request the town board pass a resolution to establish a Conservation Advisory Council (CAC) to mitigate the ongoing negative effects of climate change.
3. Caylin Sanders, Town Resident  
Thanks Councilman Van Kleeck for supporting Glenerie residents. Supports the CAC.
4. Cynthia Bell: In support of CAC.
5. Jonathan Ridgeway, Town Resident in support of CAC.
6. Lowell Thing, Town Resident in support of CAC.
7. Mike Berardi, Town Resident in support of CAC.
8. Stewart Dean, Town Resident in support of CAC.

Supervisor: Last meeting there was a question about Glidepath status and land along the ridge. Letter to Glidepath in July, 2022, asking for update. Reply stated town would hear back within two weeks, which did not occur. Supervisor call to NYSEERDA (project grant construction) and no conversations with Glidepath recently, and grant was intact. Call to Central Hudson, and to their knowledge, project was not moving forward due to interconnect agreement not being met. Planning board approvals expired in November, 2022, without contact from Glidepath attorneys. All individuals we worked with at Glidepath, no longer work for Glidepath. We do not know anything more. More appropriate location for this project would be at the I Park campus. Reviewed with Cotter (owner) and two battery storage facilities already have interest there:

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Zinc8 and Cadenza. Waiting on Cotter to come forward with one battery developer, as the Lincoln Park substation can only handle one.

**MOTION to adjourn (8:21 pm) (2023-M-161)**

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

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

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk