

**TOWN OF ULSTER TOWN BOARD MEETING (29)**

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November 16, 2017

**PUBLIC HEARING SCHEDULED – 7:15 PM – Local Law \_\_\_\_\_ of 2017, “A  
Local Law to Amend Local Law No. 1 of 2008 to extend the Cold War Veterans  
Exemption”**

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

**SALUTE TO THE FLAG**

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

TOWN COUNCILMAN JOEL B. BRINK - *Excused*  
TOWN COUNCILMAN ERIC KITCHEN - *Excused*  
TOWN COUNCILMAN JOHN MORROW  
TOWN COUNCILMAN ROCCO SECRETO  
SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup>

**ALSO IN ATTENDANCE:**

1. Highway Dept Superintendent, Frank Petramale
2. Police Chief, Kyle Berardi
3. Building Inspector, Kathy Moniz
4. Town Attorney, Jason Kovacs
5. Three town residents

**ADDITIONS OR CHANGES TO THE AGENDA –**

Per Supervisor: Two deletions: **1.** The “Motion to promote Mary Secreto...” deferred to the next meeting as there are not sufficient enough votes tonight to move this motion (Rocco Secreto would abstain), and **2.** The “Resolution approving Conditional Site Plan Approval for Joseph Emanuele...” requires a super-majority of the Town Board to approve; therefore this Resolution will be placed on the agenda of the next Town Board meeting.

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

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**APPROVAL OF MINUTES – October 5<sup>th</sup>, 19<sup>th</sup>, and 24<sup>th</sup>**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Brink	-Excused
Town Councilman Kitchen	-Excused
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

*CARRIED*

**COMMUNICATIONS** – Letter read from Elliott Auerbach, UC Comptroller  
Thanking Chief Berardi (UPD) and Chief Heppner (Ulster 5) for their response to an accident on  
10/26/2017

**ABSTRACT OF CLAIMS**

*Presented by Councilman Secreto (Previously reviewed by Councilmen Morrow & Secreto)*

Prepaid Bills:	\$ 449,487.13
Abstract Bills:	\$ 254,248.92
Escrow Bills:	\$ 4,747.50
Reserve:	\$ 1,440.58

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**TOTAL:** \$ 709,924.13

MOTION: Councilman Morrow

SECOND: Supervisor Quigley

Town Councilman Brink	-Excused
Town Councilman Kitchen	-Excused
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

*CARRIED*

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**BUDGET MODIFICATIONS**

*Presented by Councilman Secreto*

**General  
Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric - Orlando St. Ballfield	390.58
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Bddy Bsktbl) bags & freight from BSN Sports	1,050.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) receipts received from Hannaford Book Fair \$595.15 for \$595.15 and Cookie Dough Fundraiser \$2,868.00 paid to Tiger Youth Football, Ltd.	3,463.15
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Football League) payment to BSN for pants & jerseys	3,750.00
Modify Appropriation A9950.900 (Transfer,Cap.Proj.) to be funded through A5110 (Approp.Reserve-Building) transfer town funds from Landfill Closure for town funding of Brigham Lane Water Cap.Proj.) payment to the Callanan Industries for blacktop	8,979.70

**Highway  
Fund:**

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb.-Oper.Funds	6,256.58
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Gas) Sept. Reimb. (Ruby Fire Dist.)	124.76
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ulster Fire Dist.#1)	36.65
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (E.Kng.Vol.Fire Co.)	338.73
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) Gas Reimb. (Town of Kng. Hwy. Fund)	

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	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Gas Reimb. (Ulster Fire Dist.#5)	
<b>Ulster Water:</b>	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants) Meter & MXU purchased from Corner Washerette	1,613.32
<b>Ulster Water:</b>	Modify Revenue SW1.2665 (Sale of Equipment) and Appropriation SW1.8320.250 (Meters & Hydrants) Meter & Gaskets purchased from Water Dragon Laundromat	1,245.53
<b>Rt. 9W Sewer Ext. Cap. Project:</b>	Modify Appropriation HSE.9901.900 (Transfer,To Other Funds) to be funded through HSE.5990 (Approp.Fund Bal.) account closed - funds transferred to Ulster Sewer Improvement Program	1,353.59
<b>Brigham Lane Wtr. Cap. Project:</b>	Modify Budget - Town Funding from Landfill Closure Revenue - HBL.5031 Interfund Transfer Appropriation - HBL.9901.900 Transfer to Other Funds	8,979.70

**BUDGET TRANSFERS**

<b>General Fund:</b>	<b>Transfer From</b>	<b>Transfer To</b>	
	A1110.200 Court Grant	A1990.400 Contingency	395.00

MOTION: Supervisor Quigley  
SECOND: Councilman Morrow

Town Councilman Brink	<i>-Excused</i>
Town Councilman Kitchen	<i>-Excused</i>
Town Councilman Morrow	<i>-Aye</i>
Town Councilman Secreto	<i>-Aye</i>
Supervisor Quigley	<i>-Aye</i>

**CARRIED**

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**NEW BUSINESS**

**PRESENTATION AND ACCEPTANCE OF THE TOWN CLERKS MONTHLY REPORT FOR THE MONTH OF OCTOBER 2017**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: *Excused*

Councilman Kitchen: *Excused*

Councilman Morrow: *Aye*

Councilman Secreto: *Aye*

Supervisor Quigley: *Aye*

*CARRIED*

**PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S MONTHLY REPORT FOR THE MONTH OF OCTOBER 2017**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Councilman Brink: *Excused*

Councilman Kitchen: *Excused*

Councilman Morrow: *Aye*

Councilman Secreto: *Aye*

Supervisor Quigley: *Aye*

*CARRIED*

**PRESENTATION OF THE TOWN OF ULSTER RECORDS MANAGEMENT POLICY**

**MOTION TO ACCEPT THE RETIREMENT OF NANCY FRANCE FROM THE ASSESSOR'S OFFICE (*In good Standing*)**

MOTION: Supervisor Quigley

SECOND: Councilman Secreto

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Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**MOTION TO ACCEPT THE RETIREMENT OF POLICE OFFICER DAVID KIMBLE**  
*(In Good Standing)*

MOTION: Councilman Secreto  
SECOND: Supervisor Quigley

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**MOTION TO AUTHORIZE THE HIRING OF ONE PART TIME POLICE OFFICER**  
*Presented by Councilman Morrow, Personnel*

Robert Keller: part time; PBA; start date 11/17/17; \$21.61/hour; over 24 years in law enforcement (ret Kington PD 2015); recommended by Chief Berardi.

MOTION: Councilman Secreto  
SECOND: Supervisor Quigley

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

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**MOTION TO ACCEPT THE RESIGNATION OF MCO HINES FROM THE BUILDING DEPARTMENT**

*Councilman Morrow:* Last day 12/8/17; accepted a job with New York State

MOTION: Supervisor Quigley  
SECOND: Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION APPROVING THE SEQR FORM AND APPROVAL OF KINGSTON-ULSTER AIRPORT'S SNOW REMOVAL EQUIPMENT GRANT APPROVED BY THE FAA (See Attachment #1)**

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION APPROVING THE INITIATION OF SEQR UNLISTED ACTION-COORDINATED REVIEW OF LINCOLN PARK GRID SUPPORT CENTER , SITE PLAN AND LOT LINE ADJUSTMENT, SBL: 48.012-1-20, 48.016-1-1 AND 48.016-1-2.221, CORNER OF FRANK SOTTILE BLVD AND MIRON LANE, KINGSTON, NY**

November 16, 2017

**RESOLUTION**  
**TOWN OF ULSTER TOWN BOARD**  
**Initiation of SEQR Unlisted Action-Coordinated Review**  
**Lincoln Park Grid Support Center**  
**Site Plan and Lot Line Adjustment**  
S-B-L: 48.012-1-20, 48.016-1-1 and 48.016-1-2.21

**WHEREAS**, the Town of Ulster Town Board, Town of Ulster Planning Board and its consultant planner have reviewed an application by *Lincoln Park DG, LLC dba Lincoln Park Grid Support Center* – seeking *Site Plan and Lot Line Adjustment* (i.e., lot consolidation) approval for the development of a natural gas-fired power plant (with the capability to use on-site low-sulfur diesel if the gas supply is disrupted) and grid support center on the above reference site; and

**WHEREAS**, the proposed manufacturing use (i.e. utility company structures) is permitted *as-of-right* subject to Site Plan Review within the OM-Office Manufacturing Zoning District, in accordance with the standards set forth in §190-69 Table of Uses of the Town of Ulster Code; and

**WHEREAS**, the materials submitted in support of the Proposed Action includes:

- *Project Details* narrative prepared by Chazen Engineering & Surveying, P.C, dated 11/1/17;
- *Written Narrative* prepared by Chazen Engineering & Surveying, P.C, dated 11/8/17;
- *Site Plan Application* prepared by Chazen Engineering & Surveying, P.C, received 11/6/17;
- *Site Plan Consent Form* by KNG Landing Development, LLC dated November 3, 2017;
- *SEQR FULL EAF* prepared by Chazen Engineering & Surveying, P.C, dated 11/6/17;
- *Concept Plan* prepared by Chazen Engineering & Surveying, P.C, dated 10/31/17;
- *Orthophoto Tax Map of Overall Site* by Chazen Eng. & Surveying, P.C, dated 11/3/17;
- *Orthophoto Tax Map of Devel. Area* by Chazen Eng. & Surveying, P.C, dated 11/3/17;
- *Zoning Map* prepared by Chazen Engineering & Surveying, P.C, dated November 3, 2017;
- *Land Use Map* prepared by Chazen Engineering & Surveying, P.C, dated November 3, 2017;
- *Soils Map* prepared by Chazen Engineering & Surveying, P.C, dated November 3, 2017;
- *Wetlands and Stream Map* by Chazen Engineering & Surveying, P.C, dated 11/3/2017; and
- *Full EAF Part 1 with Endnotes* by Chazen Engineering & Surveying, P.C, dated 11/6/17.

**WHEREAS**, the Town of Ulster Town Board has the authority to approve the Site Plan application since more than 2,500 SF of new gross floor area is proposed; and

**WHEREAS**, the Town of Ulster Planning Board has advisory powers in the review of the Site Plan, but retains the authority to approve the *Lot Line Adjustment*; and

**WHEREAS**, the Town of Ulster Town Board, upon review of the SEQRA Full EAF Part 1 and expanded narrative determined the Proposed Action was an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

**WHEREAS**, the Town Board determined Involved Agencies include: the Town of Ulster Town Board (Site Plan), Town of Ulster Planning Board (Lot Line Adjustment), Ulster County Health Department (septic design approval), Ulster County Department of Public Works – Highway & Bridges Division (Driveway Permit), U.S. Army Corps of Engineers (Notice of Intent), New York State Department of Environmental Conservation (SWPPP, Air Permit, petroleum bulk storage permit and waste oil storage permit); and

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**WHEREAS**, Interested Agencies include the Ulster County Planning Board, and New York State Office of Parks, Recreation and Historic Preservation (SHPO) and New York State DEC for consultation regarding archeological and threatened and endangered species; and

**WHEREAS**, the Town of Ulster Planning Board has referred this matter to the Town Board for the sole purpose of initiating a SEQR *Unlisted Action-Coordinated Review* with the Town Board so named as Lead Agency.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby declares its intent to be Lead Agency for an Unlisted Action-Coordinated Review and directs the Town Clerk to circulate a Notice of Intent to all Interested Agencies.

### **Chazen Presentation:**

#### 1. David Young, Engineer with Chazen

#### 2. Peter Rood, Chief Development Officer GlidePath Power (Sponsor of this project) -- presentation on function of facility/provides handout

Project designed to support the electric grid in the local/regional area.

Use a combination of lithium ion batteries and natural gas generators.

Primary task to make sure power is distributed to community

Emergency services in the event of an outage.

Mechanism is a small site (just over 100 acres) – 3 acres total of infrastructure required.

Existing high voltage electric on site as well as natural gas transmission.

Site has limited environmental concerns.

Primary components: natural gas generators [(2) 10-megawatt sets] and capable of burning low sulfur diesel in the event natural gas is disrupted.

Containerized lithium ion batteries in shipping containers.

*David Young:* Had initial contact with County DPW to make sure this is accessible access; four max employees at once; no significant traffic coming into this area.

*Councilman Secreto:* What will the noise level be? Building height?

*Rood:* No noise emissions outside of the property.

*Young:* Nearest residence is 700' away through heavily wooded property.

*Rood:* Highest building is 30-40'; exhaust stack well below 100' (working with DEC to ensure compliance).

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MOTION: Councilman Secreto  
SECOND: Councilman Morrow

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

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**PUBLIC HEARING SCHEDULED – 7:15 PM – Local Law \_\_\_\_\_ of 2017, “A Local Law to Amend Local Law No. 1 of 2008 to extend the Cold War Veterans Exemption”**

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

**Resolution Adopting Local Law No. \_\_\_\_ of 2017 Entitled “A Local Law to Amend Local Law No. 1 of 2008 to Extend the Cold War Veterans Exemption”**

WHEREAS Proposed Local Law No. \_\_\_\_ of 2017, entitled “A Local Law to Amend Local Law No. 1 of 2008 to Extend the Cold War Veterans Exemption” in accordance with § 458-b of the New York Real Property Tax Law to remove the 10-year limitation was presented and introduced at a regular meeting of the Town Board of the Town of Ulster held October 19, 2017; and

WHEREAS, a public hearing was held to consider said Proposed Local Law No. \_\_\_\_ of 2017 on November 16, 2017 by the Town Board and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard were heard at such hearing, and said proposed local law having been in the possession of the members of the Town Board of the Town of Ulster in its final form in the manner required by New York Municipal Home Rule Law; and

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WHEREAS, at its November 16, 2017 meeting the Town Board determined that this proposed legislation is a Type II action for purposes of SEQR thus concluding the environmental review process.

NOW, THEREFORE BE IT RESOLVED AND DETERMINED, that the Town Board of the Town of Ulster, Ulster County, New York, does hereby enact Proposed Local Law No. \_\_\_\_ of 2017 as follows:

**LOCAL LAW NO. \_\_\_\_ of 2017**

**A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF 2008 TO EXTEND THE COLD WAR VETERANS REAL PROPERTY TAX LAW EXEMPTION**

BE IT ENACTED by the Town Board of the Town of Ulster, in the County of Ulster, as follows:

Section 1. Title of Local Law.

This Local Law shall be entitled "A Local Law to Amend Local Law No. 1 of 2008 to Extend The Cold War Real Property Tax Law Veterans Exemption".

Section 2. Authorization.

This Local Law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Section 3. Purpose.

The purpose of this Local Law is to amend Local Law No. 1 of 2008, which established the Cold War veterans exemption in accordance with Section 458-b(2)(c)(iii) of the New York Real Property Tax Law. The proposed local law will amend Local Law No. 1 of 2008, to add the following text as Section 5(ii):

"(ii). The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten-year limitation as set forth in § 458-b, Subdivision (2)(c)(iii) of the New York Real Property Tax Law."

Section 4. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 5. Effective Date.

This Local Law shall take effect immediately upon its filing

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Introduction – Legislator, James Maloney:

Cold War Veterans Exemption in effect for last 10 years (RPTL 458). Had a 10 year sunset. Gov Cuomo, on 9/12/17, signed into law in NYS the removal the sunset provision. Leaves this as a local option which towns and counties have to approve. This exemption allowed to veterans who served on active duty, exclusive of training of the US armed forces between 9/2/45 and 12/26/91 who are not currently receiving either of the eligible funds or alternative veterans' exemptions.

**MOTION** to open the Public Hearing (7:21 PM): Councilman Morrow

**SECOND:** Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

**CARRIED**

*Maloney:* Thirty six veterans in the Town of Ulster who currently receive this exemption that would end with the 2018 tax roll, and with the subsequent passing of this Local Law, it would extend the exemption.

**~~ No Further Comments ~~**

**MOTION** to close the Public Hearing (7:22 PM): Councilman Morrow

**SECOND:** Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

**CARRIED**

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November 16, 2017

**RESOLUTION IN SUPPORT OF ASSIGNMENT AND ASSUMPTION OF HUDSON RIVER VALLEY LLC PILOT AGREEMENT TO 300 GRANT AVE, LLC**

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

**Resolution in Support of Assignment and Assumption of Hudson River Valley LLC PILOT Agreement to 300 Grant Ave, LLC**

**Whereas:** the Ulster County Industrial Development Agency (UCIDA) entered into a Payment in Lieu of Tax Agreement (PILOT) by and between the UCIDA and Hudson River Valley, LLC (Hudson) and the Town of Ulster (TOU) dated as of March 1, 1998 covering a leasehold interest in a parcel of real estate containing approximately 39.264 acres located at 300 Grant Ave in the Town of Ulster, Ulster County, New York, together with the existing building located thereon which contains approximately 208,000 square feet of space.

**Whereas:** the PILOT is for a term of 30 years running from 1999 to 2029 and is currently in its 18th year with 12 years remaining to run.

**Whereas:** Hudson wishes to transfer fee simple title to a newly created entity titled 300 Grant Ave, LLC (300) subject to the Leasehold Interest of the UCIDA.

**Whereas:** 300 will fully assume the rights and responsibilities, without modification, of the PILOT.

**Therefore:** the Town of Ulster Town Board fully supports and approves the assignment and assumption of the PILOT by 300 and requests the UCIDA to take the necessary steps to provide for such assignment and assumption.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink:	<i>Excused</i>
Councilman Kitchen:	<i>Excused</i>
Councilman Morrow:	<i>Aye</i>
Councilman Secreto:	<i>Aye</i>
Supervisor Quigley:	<i>Aye</i>

**CARRIED**

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**PRESENTATION AND DISCUSSION OF RETAINER AGREEMENT BETWEEN THE  
TOU AND ROEMER, WALLENS, GOLD & MINEAUX LLP FOR THE PERIOD  
FEBRUARY 1, 2018 THROUGH JANUARY 31, 2021 (3 YEARS)**

*Supervisor:* To be addressed at the next meeting.

**OLD BUSINESS**

(The following Resolutions were presented at the 11/2/17 Workshop Meeting)

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE 2017-18 DWI TASK  
FORCE AGREEMENT WITH ULSTER COUNTY**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: *Excused*

Councilman Kitchen: *Excused*

Councilman Morrow: *Aye*

Councilman Secreto: *Aye*

Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE MUNICIPAL  
COOPERATION AGREEMENT FOR THE MID-HUDSON STREET LIGHT  
CONSORTIUM**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Councilman Brink: *Excused*

Councilman Kitchen: *Excused*

Councilman Morrow: *Aye*

Councilman Secreto: *Aye*

Supervisor Quigley: *Aye*

*CARRIED*

**TOWN OF ULSTER TOWN BOARD MEETING (29)**

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**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE POLICE FIRING RANG EAGREEMENTS FOR 2018 FOR THE CITY OF KINGSTON POLICE DEPARTMENT, UC LAW ENFORCEMENT TRAINING GROUP AND NYS DEC**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: *Excused*

Councilman Kitchen: *Excused*

Councilman Morrow: *Aye*

Councilman Secreto: *Aye*

Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE TOU-COK INTERMUNIPAL AGREEMENT FOR POLICE SERVICES FOR 2018**

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Councilman Brink: *Excused*

Councilman Kitchen: *Excused*

Councilman Morrow: *Aye*

Councilman Secreto: *Aye*

Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION AUTHORIZING INTERFUND LOAN FROM THE LANDFILL CLOSURE RESERVE FUND TO THE WHITTIER SEWER DISTRICT**

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

**Resolution Authorizing Interfund Loan from the Landfill Closure Reserve Fund to the Whittier Sewer District**

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WHEREAS on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "LANDFILL CLOSURE RESERVE FUND" to finance the closing of the Town's landfill, and,

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund, and

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill and,

WHEREAS the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another account pursuant to the authority vested in the Town Board by General Municipal Law Section 6-c (9-a), and

WHEREAS it is proposed to loan monies from the Landfill Closure Reserve Fund to the Whittier Sewer District (hereinafter the "District") to cover the balance of expenses for the Whittier Wastewater Treatment Plant Upgrade Project; and

WHEREAS, such loan from the Landfill Closure Reserve Fund to the Whittier Sewer District will save the Whittier Sewer District the cost and expense of borrowing the needed funds, and

WHEREAS, given these circumstances, the District has requested that the Town Board authorize an interfund loan in order to advance the costs of the Whittier Wasterwater Treatment Plant Upgrade Project from the Landfill Closure Reserve Fund to the District's Fund, until such time that the District can collect such taxes or otherwise generate sufficient revenue; and

WHEREAS, pursuant to General Municipal Law § 9-a, all interfund loans must be authorized by Town Board resolution, now therefore be it

RESOLVED, that the Town Board of the Town of Ulster hereby authorizes an interfund loan of up to \$200,000.00 from the Landfill Closure Reserve Fund to the Whittier Sewer; and be it further

RESOLVED, that, pursuant to General Municipal Law § 9-a, said monies shall be repaid to the Landfill Closure Reserve Fund no later than December 31, 2018; and be it further

RESOLVED, that the interest rate established for the borrowing period is 0.5% per annum, and the repayment obligation amount is \$60,000, plus accrued interest; and be it further

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RESOLVED, that the source of funding shall be a Landfill Closure Reserve Fund Interfund loan, in the amount of \$60,000 to the Whittier Sewer District and be it further

RESOLVED, that the Town Supervisor is hereby authorized to take any and all steps necessary to effectuate said loan.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION AUTHORIZING INTERFUND LOAN FROM THE LANDFILL CLOSURE RESERVE FUND TO THE GLENERIE SEWER DISTRICT**

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

**Resolution Authorizing Interfund Loan from the Landfill Closure Reserve Fund to the Glenerie Water District**

WHEREAS on August 9, 1988, pursuant to Section 6-f of the General Municipal Law as amended, the Town Board of the Town of Ulster did establish a Capital Reserve Fund known as the "LANDFILL CLOSURE RESERVE FUND" to finance the closing of the Town's landfill, and,

WHEREAS monies have been deposited in a bank account known as the Landfill Closure Reserve Fund, and

WHEREAS the Supervisor was authorized to invest from time to time the monies of said fund pursuant to Section 6-f of the General Municipal Law on authorization of the board pursuant to Section 6-c of the General Municipal Law, and,

**TOWN OF ULSTER TOWN BOARD MEETING (29)**

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November 16, 2017

WHEREAS the Town of Ulster, by deed dated May 18, 1993 conveyed the Town Landfill to the Ulster County Resource Recovery Agency which has assumed responsibility for costs of closing and capping the Town Landfill and,

WHEREAS the money deposited in the Landfill Closure Reserve Fund is no longer needed for this purpose and may be transferred to another account pursuant to the authority vested in the Town Board by General Municipal Law Section 6-c (9-a), and

WHEREAS it is proposed to loan monies from the Landfill Closure Reserve Fund to the Glenerie Water District (hereinafter the "District") to cover the balance of expenses for the Glenerie Water Storage Tank Project; and

WHEREAS, such loan from the Landfill Closure Reserve Fund to the Glenerie Water District will save the Glenerie Water District the cost and expense of borrowing the needed funds, and

WHEREAS, given these circumstances, the District has requested that the Town Board authorize an interfund loan in order to advance the costs of the Glenerie Stormwater Project from the Landfill Closure Reserve Fund to the District's Fund, until such time that the District can collect such taxes or otherwise generate sufficient revenue; and

WHEREAS, pursuant to General Municipal Law § 9-a, all interfund loans must be authorized by Town Board resolution, now therefore be it

RESOLVED, that the Town Board of the Town of Ulster hereby authorizes an interfund loan of up to \$92,500.00 from the Landfill Closure Reserve Fund to the Glenerie Water District; and be it further

RESOLVED, that, pursuant to General Municipal Law § 9-a, said monies shall be repaid to the Landfill Closure Reserve Fund no later than December 31, 2018; and be it further

RESOLVED, that the interest rate established for the borrowing period is 0.5% per annum, and the repayment obligation amount is up to \$42,434.36, plus accrued interest; and be it further

RESOLVED, that the source of funding shall be a Landfill Closure Reserve Fund Interfund loan, in the amount of up to \$42,434.36, to the Glenerie Water District and be it further

RESOLVED, that the Town Supervisor is hereby authorized to take any and all steps necessary to effectuate said loan.

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

**TOWN OF ULSTER TOWN BOARD MEETING (29)**

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Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**RESOLUTION ADOPTING THE TOWN BUDGET FOR 2018**

Resolution of the Town Board  
TOWN OF ULSTER

Resolution Adopting Town Budget for 2018

**WHEREAS**, this Board having, on October 19, 2017, commencing at 7:30 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2018, including the fire protection district budget and light district budgets for 2018, and having heard all persons desiring to be heard in the matter and the matter of the budget for this Town for such fiscal year having been fully discussed and considered,

**NOW, THEREFORE, BE IT RESOLVED** that said Preliminary Budget approved and filed as aforesaid including the fire protection district budget and the light district budgets for 2018 is hereby approved, as revised by the Town Board at its meeting held on November 2, 2017, and established as the annual budget for this Town for the fiscal year beginning January 1, 2018, and that such annual budget be so adopted in detail in the minutes of the proceedings of this Town Board, and be it further

**RESOLVED**, that the Town Clerk of the Town shall prepare and certify as provided by law, duplicate copies of the said annual budget hereby adopted, shall attach thereto an exemption report in compliance with the requirements of Chapter 258 of the Laws of 2008, and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislators of the County of Ulster as required by law.

*Supervisor:* Today, filed the tax cap certificate certification with NYS Rules to ensure compliance, certifying that the 2018 budget fully conforms with NYS tax cap for 2018.

**TOWN OF ULSTER TOWN BOARD MEETING (29)**

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November 16, 2017

MOTION: Councilman Morrow (and commends Supervisor for all work done on this budget)

SECOND: Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

**PUBLIC COMMENT** -- None

**MOTION TO ADJOURN: (7:28 PM)**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: *Excused*  
Councilman Kitchen: *Excused*  
Councilman Morrow: *Aye*  
Councilman Secreto: *Aye*  
Supervisor Quigley: *Aye*

*CARRIED*

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk