

TOWN OF ULSTER TOWN BOARD WORKSHOP (17)

September 1, 2016

~~ PUBLIC HEARING SCHEDULED: 7:10 PM—Local Law No ___ of 2016: A Local Law providing for the regulation of and the keeping of Poultry ~~

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILMAN ERIC KITCHEN ~ *Excused*

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO

SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Highway Superintendent, Frank Petramale
3. Building Inspector, Kathy Moniz
4. Officer in Charge, Kyle Berardi
5. Assessor, James Maloney
6. Sewer Superintendent, Vincent Maggiore
7. Water Superintendent, John Rose
8. 20 Town Residents

ADDITIONS OR CHANGES TO AGENDA: *Supervisor Quigley* adds a MOTION authorizing Supervisor to sign Change Order #4 – the Whittier Primary Treatment Project (add to the end of the agenda).

PUBLIC DISCUSSION ON AGENDA ITEMS: None

COMMUNICATIONS: Two letters to be read at opening of public hearing.

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DEPARTMENT HEAD REPORTS:

1. *Frank Petramale, Highway:* Busy paving, just finished Boices Lane. Sheehan Lane, Ruby, today. More paving to do. Summer crew wrapping up. Good crew this year. Equipment: Just received MAC chassis (#11 since 2008); work to do on their 10-wheeler. Purchased new paint striper. 2016 leaf pick up schedule created; will try to put it on the back of water bills. Will put schedule in newspaper & on Website.
2. *John Rose, Water:* Also very busy. Past 3 months prepped for Brigham Lane extension; replaced three main line valves behind Staples; three water breaks; Installed a different mixing system in East Kingston tower, which is now back in service; recall & repair on some fire hydrants; changed two main-line valves & added a third on Rt. 9W. Thank you to Frank & his staff, and Vinny and staff.
3. *Vincent Maggiore, Sewer:* Very busy; doing competitive maintenance. Jet, vac & inspected 6, 500 of sewer line and manhole structures; working on pump station repairs. Prices & quotes on some equipment to take care of debris at sewer plant.
4. *Kyle Berardi, Police:* Thank you to other departments working well together; thank the community & support; calls for service 12,289; 783 accidents so far; 503 dept arrests; 14 DWI; 1578 traffic tickets this year; two heroin overdoses this weekend; trying to obtain two fleet patrol cars; David Kimble new officer at Miller School; starting 9/17 11am – 1pm “Coffee With a Cop” at Ulster Library; Harvest Fest at Adams 10/10 11-4 Safe Child ID’s and meet/greet.
5. *James Maloney, Assessor:* The town’s 2016 final roll filed in July 1, 2016; due to demolition of Tech City there is a slight reduction; enhanced star renewals will be mailed out in November & due back in his office by 3/1/17; additional age exemption renewal forms do not go out until January.
6. *Kathy Moniz, Building/Planning:* Completed mobile home inspections; fire inspections coming along; new construction in Barnes & Noble plaza old Sports Authority building will be split between Petco and Michaels Crafts; a lot of multiple residential renovations & additions going on; Ulster Greens building 3 complete & building 4 under construction; Residence Inn completed; Holiday Inn coming along; Begnal under construction.
7. *Suzanne Reavy, Town Clerk:* Tax season complete and monies collected \$18, 880,892.11 ; 6/17 settled with UC Dept of Finance \$728,579.36; water bills to be sent out end of September & collected by Town Clerk; one deputy clerk recently resigned; Deputy Clerk Lauren Hommel great; thanks other departments for their help and support.

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8. *James Quigley, Supervisor:* Functions as a department; pay all bills; prepare the abstracts & send to audit committee; busy as budget process is in full swing. Department head budgets prepared and delivered in August ; deep in preparation of 2017 budget.

NEW BUSINESS

MOTION to authorize the Building Inspector to attend the NYS building Officials Conference September 21st—23rd, Kingston, NY:

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

MOTION to authorize the Court Clerks to attend the Annual Conference for Justice Court September 26th – 28th, Binghamton, NY:

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

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MOTION to authorize Nancy France to attend the Digital Towpath Annual Meeting September 23rd, Albany, NY:

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

MOTION to authorize Judges Kesick and Weiss to attend the Annual Conference for Judges September 25th –28th in Lake Placid, NY:

MOTION: Councilman Brink
SECOND: Councilman Secreto

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

CARRIED

MOTION to accept the resignation of Rebecca Crespino from the Town Clerks Office:

MOTION: Councilman Morrow
SECOND: Councilman Brink

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

CARRIED

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MOTION to authorize Police Lieutenant Berardi to purchase two marked patrol vehicles:

Quotes and Pricing *:

Westchester County Contract – Beyer Ford	\$28,841.85 (x2)
Moore Electronics	\$ 7,385.00 (x2)
TOTAL	\$72,453.70

Westchester County Contract – Beyer Ford (Retrofitted by Beyer)	\$39,331.85 (x2)
TOTAL	\$ 78,663.70

*Equipment for these vehicles purchased separately

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

MOTION to authorize Police Lieutenant Berardi to purchase Ballistic Vests:

Lt. Berardi: Currently vests supplied to the officers are Level 3; vests to be purchased are level 4. The difference is that level 3 are for handgun and knife attacks; level 4 are designed for protection against assault rifle/long gun.

BIDS for two level IV plates with Carrier:

ATLANTIC TACTICAL –	\$ 6,104.10
ROSEN’S UNIFORMS –	\$ 6,157.50
ARMORED TEXTILES INDUSTRIES (without carrier) --	\$10,770.00

MOTION: Councilman Morrow

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SECOND: Councilman Secreto

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

CARRIED

MOTION to authorize the hiring of one WWMW for the Sewer Department:

Presented by John Morrow, Personnel

Colby Hesleitner: Full time; non-competitive; union Local 17; grade 5; \$13.05/hour; Step 1; start date 9/12/16; requested by Supt Vincent Maggiore.

MOTION: Councilman Secreto

SECOND: Councilman Brink

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

CARRIED

MOTION to authorize the Supervisor to sign Change Order No. 4 to Contract TU-151 Whittier Wastewater Treatment Plant Replacement of Primary Clarifier:

Supervisor: Reduction and closeout of contract; revised contract amount reduced by \$7,064 to total value of \$602,621 for replacement of the Whittier primary and secondary treatment facility.

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Vincent Maggiore: Installed a new primary clarifier; more modern & efficient. Retrofitted rotating biological compactor/rotating assembly and drive; last one lasted 31 years; installed new force main under Ulster Landing Rd.; better able to manage flows coming in to plant; these improvements should alleviate problems at this sewer plant.

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

~~ PUBLIC HEARING ~~

MOTION to open public hearing (7:22 PM):

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

TOWN CLERK reads two written communications regarding regulation of chickens:

1. Kelly Markou, 84 Wilber Ave, Kingston
2. Norah Lomasney, 6 Carle Terrace, Lake Katrine

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PUBLIC COMMENT

1. Maria Walter, Neighborhood Road: Has had chickens, horses, rabbits. What happened to Norah's son is inexcusable, the blame/accountability resides on the pet owner. Does not agree with limit of six chickens. States it is her responsibility as a pet owner to prevent chickens from roaming. Stresses accountability and responsibility of property owners; set reasonable limits; do not blame people who are taking care of their pets.
2. Frank Rittie, Jr., East Kingston: Put together a proposal & shared with everyone: Sensible chicken law. 1. Chickens should be kept on own property; 2. Manure should not soil another one's property; 3. All animal cruelty guidelines by NYS & USDA; 4. Deceased chickens should be disposed of on own property or in as same way to discard raw meat.

Few guidelines for neighborly conduct: Neighbors should try to come to an agreement before involving other agencies; if neighbors are kept happy, exceptional issue with a neighbor & their chickens, respectfully discuss with the homeowner first. If no agreement, seek help from the Town Board.

Very sorry about what happened to the Lomasney family. This disease could be contracted in another way. There is no law about cats, but he has cats in his yard, and evidence of dogs.

3. David Lomasney, 6 Carle Terrace: Approached Board on May 5 about his son Charles, age 3, who contracted a microbacterial disease and had surgery. The disease was contracted from chickens. Wants a regulation that contains free-range chickens from coming onto his yard. Regulation that neighbors keep the chicken pens clean and free of odor. Not trying to shut down farming or as a hobby. But with the right regulations, neighbors can be neighbors. Spoke to Mr. Rittie at the last board meeting and they came to terms with what he was asking for. This law makes my little problem a bigger problem. I thought I was clear as to what my problems were.
4. Christa Monforte, 17 Corwin Place, Halcyon Park: Here again with same comments made a year ago. This is a containment issue. I have been responsibly raising chickens, turkeys, rabbits, ducks, for about 5 years. My yard & runs are clean; my chickens are contained; neighbors are happy. I agree with Mr. Lomasney. You should be able to be in your yard without chickens if you don't own chickens. If you own chickens, take care of them responsibly – like any other dog or cat.

NO FURTHER COMMENTS

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Supervisor: Town Board will accept written comments for 30 days and will take every comment into consideration. We will sit down and review the law in view the law with this comments we received.

Maria Walter – Will this ordinance, if put into effect, have any grandfather clause?

Supervisor: We will take that into consideration.

Resident -- Will there be another public hearing if there are changes to the law proposed?

Supervisor: If legislation is modified, there will be another public hearing.

MOTION to close public hearing (7:45 PM):

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

PUBLIC COMMENT: NONE

MOTION to enter Executive Session to discuss Tech City v TOU –Article 7 Tax Certiorari Update (7:46 PM):

MOTION: Councilman Morrow

SECOND: Councilman Brink

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

CARRIED

Back from Executive Session – No action taken

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MOTION to adjourn at 8:05 PM:

MOTION: Councilman Morrow

SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk