

**TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (22)**

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September 7, 2017

**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 07:00 PM**

**SALUTE TO THE FLAG**

**ROLL CALL BY TOWN CLERK, Suzanne Reavy:**

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

**ALSO IN ATTENDANCE:**

1. Town Attorney, Jason Kovacs
2. Highway Superintendent, Frank Petramale
3. Building Inspector, Kathy Moniz
4. Chief Kyle Berardi
5. Town Assessor, James Maloney
6. Cub Scouts – Pack 10
7. Ten Town residents

**ADDITIONS OR CHANGES TO THE AGENDA – None**

**PUBLIC DISCUSSION ON AGENDA ITEMS – None**

**COMMUNICATIONS – None**

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**AWARD FOR** Civilian Assistance to Ulster Police Officer Short; Civilians Sean Nestler and Eric Letterio

*Summary of Event read by Supervisor Quigley – All three men helped save the life of a man on the Rhinecliff Bridge*

*Pride of the Town Awards presented by Supervisor Quigley*

*Thank you from Chief Berardi*

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**NEW BUSINESS**

**MOTION to authorize the Court Clerks to attend the Annual Conference for Justice Court, September 25<sup>th</sup>-27<sup>th</sup>, Ellicottville, NY**

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

*CARRIED*

**MOTION to authorize the Fire Inspector to attend the Contractors Training in Erosion and Sediment Control, November 1<sup>st</sup> at UCCC**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

*CARRIED*

**MOTION to authorize the Town Clerk to attend the Digital Towpath Annual Meeting, September 29<sup>th</sup> in Albany, NY**

MOTION: Councilman Brink

SECOND: Councilman Secreto

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

*CARRIED*

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**MOTION to authorize the Assessor to attend the 2017 NYS Assessors Association Seminar, October 1<sup>st</sup>-4<sup>th</sup> in Lake Placid, NY**

MOTION: Councilman Secreto  
SECOND: Councilman Brink

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

*CARRIED*

**MOTION to approve the 2017-2018 SRO contract with Kingston City School District**

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

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

*CARRIED*

**MOTION to authorize the hiring of Officer Killian as a temporary full time Police Officer  
*Presented by Councilman Brink, Personnel***

Daniel Killian: Dedicated employee since November, 2013; on civil service list;  
\$21.61/hour; start date 9/8/17; union; step 1; PBA; requested by Dept Head Chief Berardi

MOTION: Councilman Kitchen  
SECOND: Councilman Secreto

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

*CARRIED*

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**MOTION to authorize the appointment of Officer Killian as the new SRO Officer for Miller Middle School**

MOTION: Councilman Kitchen  
SECOND: Councilman Brink

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

*CARRIED*

**MOTION to authorize the purchase of a 2017 Ford Interceptor for the Police Department from Beyer Ford**

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

*CARRIED*

**MOTION authorizing the Highway Superintendent to expend NYS Funding under the PAVE-NY Funding, Extreme Winter Recovery Funding and CHIPS Funding Programs for Street paving in the 2017 Construction Season**

*Per Frank Petramale:* This is to provide a paper trail that we have approval to accept funding from New York State. .

MOTION: Councilman Morrow  
SECOND: Councilman Brink

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

*CARRIED*

**MOTION to authorize the Supervisor or Town Clerk to sign the 2017 Polling Site Agreement with the Ulster County Board of Elections**

MOTION: Councilman Kitchen  
SECOND: Councilman Morrow

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

*CARRIED*

**MOTION to authorize the closing of the Highway Fund checking account with Chase Bank**

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

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

*CARRIED*

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**RESOLUTION Establishing Standard Work Day for Judge Kesick**

**STANDARD WORK DAY RESOLUTION**

WHEREAS, Regulation 315.4 of the New York State & Local Retirement System requires the Governing Body of the town to establish a Standard Workday and Reporting system for all elected and appointed town officers that were elected or appointed after September 12, 2009, and

WHEREAS, persons affected are those that are enrolled in the New York State Retirement System as either Tier 2, 3, 4 or 5 members, and

WHEREAS, the persons affected are those that receive monetary compensation for their duties and do not use the town's Time Clock nor use Time Sheets to document their work hours; now therefore be it

RESOLVED, that six (6) hours is established as the Standard Workday; and be it further

RESOLVED, that the recording of time worked consists of a three month Time/Work log starting on January 1, 2015. This Time/Work log shall be created and maintained by the affected worker; and be it further

RESOLVED, that once passed, this Resolution shall be posted on the Town's Website and the Official Sign Board for a period of at least 30 days; and be it further

RESOLVED, that the Ulster Town Clerk shall submit a certified copy of the resolution and affidavit of its posting to the Office of State Comptroller; and be it further

RESOLVED, that once the three month time period Time/Work log is completed, the affected person shall sign and submit their Time/Work log to the Ulster Town Clerk; and be it further

RESOLVED, that the Governing Body of the Town shall utilize the Time/Work logs to calculate the percentage of the Standard Workday worked over the 3 month time period and report the findings to the New York State & Local Retirement System so that the New York State & Local Retirement System may determine pension credits; and be it further

RESOLVED, that the Ulster Town Clerk shall retain the Time/Work logs submitted for a period of ten years.

Elected or Appointed Officers affected by regulation 2 NYCRR 315.4

<b>Name</b>	<b>Title</b>	<b>Term of Office</b>	<b>Days/Months (Based on Record of Activities)</b>
Susan Kesick	Judge	2014-2017	15.79

September 7, 2017

MOTION: Councilman Kitchen  
SECOND: Councilman Morrow

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

CARRIED

**RESOLUTION Adopting the New York State Archives Records Retention and Disposition Schedule MU-1**

*Per Suzanne Reavy:* The Town Clerk's Office/Records Manager abides by this schedule in order to dispose of or retain all documents that come through the Town Clerk's Office.

**Resolution Adopting the New York State Archives Records Retention and Disposition Schedule MU-1**

WHEREAS, records are a basic tool of government administration that provide information for planning and decision making, form the foundation for government accountability, and are often subject to specific legal requirements; and

WHEREAS, records are essential for effective and efficient administration, but if poorly managed they can become a liability, hampering operations and draining resources; and it is suggested that the Town have a management program to get the most out of its records and limit the costs and risks that can come with poorly managed records; therefore, be it

RESOLVED, that the Town Board of the Town of Ulster does hereby adopt the New York State Archives Records Retention and Disposition Schedule MU-1 as its official document retention policy.

MOTION: Councilman Morrow  
SECOND: Councilman Brink

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

CARRIED

September 7, 2017

**RESOLUTION authorizing the Town Supervisor to sign the Health Arrangement Plan Document and HRA/FSA Administration Agreement for the CDPHP Health Insurance Program for December 1, 2017 to November 30, 2018 Plan Year**

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

**Resolution Approving the Health Reimbursement Arrangement Plan Agreement with CDPHP for December 1, 2017 through November 30, 2018**

WHEREAS, the Town wishes to enter into an Agreement with CDPHP for the administration of the Health Reimbursement Arrangement associated with the Town's High Deductible HMO Health plan commencing December 1, 2017, now, therefore be it

RESOLVED, that the attached Health Reimbursement Arrangement Plan Document is hereby approved by the Board in the form presented, and be it further

RESOLVED, that the Supervisor is authorized to execute the attached Health Reimbursement Arrangement Plan Document and related Administrative Agreements with CDPHP for the continuation of the Health Reimbursement Arrangement Plan, and be it further

RESOLVED, that the Employer Town of Ulster shall be the Sponsor of the HRA and shall be the Administrator of the HRA for purposes of ERISA, and be it further

RESOLVED, that the Employer Town of Ulster hereby appoints the Administrative Agent to assist it with the administration of the HRA and to perform all such non-discriminatory duties related thereto, and be it further

RESOLVED, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order to implement the HRA, and to set up adequate accounting and administrative procedures to provide benefits under the HRA, and be it further

RESOLVED that the duly authorized agents of the Employer shall act as soon as possible to notify the Employees of the Employer of the adoption of the HRA by delivering to each Employee a copy of the summary description of the HRA in the form of the Summary Plan Description presented to this meeting, which form is approved.



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MOTION: Councilman Secreto

SECOND: Councilman Morrow

Councilman Brink: Aye

Councilman Kitchen: Aye

Councilman Morrow: Aye

Councilman Secreto: Aye

Supervisor Quigley: Aye

CARRIED

### **PUBLIC COMMENT**

1. **Phil Cosme**, Kingston City resident (also owns property at 140 Harwich St)  
A year ago, the building inspector allowed the removal of a mobile home on 144 Harwich St. and replacement it with another mobile home with a setback less than 30'. Existing 1 ½ story building on that property. Cites Town Codes which states that with existing mobile homes, upgrades are allowed but set set back must be 50' and lot must be 20,000 square feet. Current lot – 14,800 sq ft. Town attorney stated that building inspector was correct. Never addressed the setback. Property is an eyesore. Contacted Town Supervisor and was told he backed the building inspector and if there was a grievance to bring it before the Town Board.

*Supervisor Quigley:* Is the Town Board willing to override the Town attorney's recommendations? made by the Town attorney?

*Councilman Kitchen:* We need clarification of the setbacks.

*Cosme:* What section is he using to support his decision? Bringing this to your attention.

*Councilman Secreto:* Our lawyer is protecting our interest. If we change our ruling to agree with you, other neighbors will then have an issue. Sounds like a civil issue. Who is on the building committee? Committee should sit down with building inspector. Our building inspector may have made a mistake.

*Supervisor Quigley:* Committee consists of Councilmen Brink and Kitchen.

*Councilman Secreto:* Best decision is for Cosme to sit down with the committee and hammer it out.

*Supervisor:* Committee with sit down with Town attorney and building inspector to discuss the matter.

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*Councilman Morrow:* Asks Cosme if he has notes and drawings.

*Supervisor:* Provide copies or we can make copies for the committee, the Town attorney, and building inspector to have during their meeting.

2. **Patrick Sheehan:** Here tonight with the Cub Scouts; lives in the Town. Regarding the legal issues the last speaker (Cosme) discussed – in defense of the Building Dept he has always found them to be reasonable. Thanks Town Board for all they are doing.
  
3. **Cub Scouts** – Asked the Supervisor questions.
  1. Do you drive to work in a limousine?
  2. Is there a reason you wanted to be Supervisor besides wanting to make a difference?
  3. What year did you start?

**~~ END OF PUBLIC COMMENT ~~**

**EXECUTIVE SESSION** – Labor Negotiations With Town Unions

**MOTION Enter Executive Session (7:25 PM)**

MOTION: Councilman Kitchen

SECOND: Councilman Brink

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

CARRIED

**~~~ NO ACTION TAKEN/ NO ACTION TO REPORT ~~~**

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**MOTION End Executive Session and Adjourn (7:50 PM) –**

MOTION: Councilman Brink  
SECOND: Councilman Secreto

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

CARRIED

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk