

# ULSTER COUNTY LEGISLATURE

TERRY L. BERNARDO, Chairman  
JAMES F. MALONEY, Vice Chairman  
KENNETH J. RONK, JR., Majority Leader  
DAVID B. DONALDSON, Minority Leader  
VICTORIA A. FABELLA, Clerk



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## MINUTES

**DECEMBER 17, 2013**

**MEETING IN ANNUAL SESSION**

**6:30 PM**

**MEETING CALLED TO ORDER BY CHAIRMAN: 6:43 PM**

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Chairman Terry Bernardo

**MOMENT OF SILENT MEDITATION:**

## ANNOUNCEMENTS

### **FIRE EVACUATION PLAN**

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

### **CELL PHONES**

Please silence cell phones and refrain from texting for the duration of Session.

### **MICROPHONES**

Please be reminded to use your microphones when speaking so that you are recorded for the official record.

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**ROLL CALL:** Present: 12 Absent: 11 (Legislators Aiello, Briggs, Fabiano, Harris, Lopez, Maio, John Parete, Robert Parete, Provenzano, Roberts and Wawro)

**BIRTHDAYS.** District 22 Legislator John Parete and District 20 Legislator Hector Rodriguez – December 30

Chairman Bernardo thanked the Chairmen of the Legislative Committees and noted that the respective Committee Chairmen had received an engraved gavel as a personal gift from her to each of them.

**MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING**

**COMMUNICATIONS FROM:**

Chairman Terry Bernardo	Memorandum re: Wawarsing Buyout Summary
Legislator Richard Gerentine	Letter re: Resolution No. 299 of November 19, 2013
Assemblyman Kevin Cahill	Letter in Response to November 12, 2013 Letter of Legislator Gerentine
Assemblyman Brian Kolb	Acknowledgment of Receipt of Resolution No. 275
Hudson River Sloop Clearwater, Inc., Manna Jo Greene, Director	November 20, 2013 Conference Agenda <i>Transitioning to a Green Energy Economy: How Municipalities Can Benefit</i>
Concerned Citizens	53 Letters in Support of Rail Trail
Concerned Citizens	37 Letters in Support of Rail with Trail
Concerned Citizens	60 Letters in Support of Railroad
Ulster County Department of Social Services	'Adopt a Star' Donation Drive
Corporate Compliance Officer Sharee Cross	October 2013 Minutes
Ulster County Tourism	<i>Trending</i> , December 2013
Family of Woodstock	<i>Family Ties</i> Newsletter; Fall 2013
Community Foundations of the Hudson Valley	Summary of Services Provided in 2013
C&S Companies	Annual Report 2013
UCIDA	Holiday Wishes
	Notice of Public Hearing, Proposed Ulster Commons I, LLC Project

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**CORRESPONDENCE (Cont.)**

Ulster County Board of Health	February 11, 2013, April 8, 2013, May 13, 2013, June 10, 2013, and September 9, 2013 Agendas/Minutes
Catskill Watershed Corporation	November 5, 2013 Adoption of Resolution No. 2938; December 3, 2013 Adoption of Resolution Nos. 2403 – 2411
Ulster County Department of Social Services	City of Kingston Safety Net Expenditures
Children's Home of Kingston	Letter for Support
Catskill Mountainkeeper	Rally Invitation Tuesday, December 3 <sup>rd</sup> , Outside Roseland Ballroom
Cornell Cooperative Extension	<i>Creating Healthy Places to Live, Work &amp; Play in Ulster County</i>
New York State Department of Environmental Conservation	<i>Conservationist</i> , December 2013, Volume 68, Number 3
ProAct, Inc.	Letter w/Utilization Chart
Central Hudson	<i>Energy Bulletin</i> , November 2013
Community Services Board/Subcommittee Meetings	December 2013 & 2014 Schedules
Ulster County Fire Advisory Board	December 4, 2013 Minutes
Wallkill Central School District	cc Letter to Executive Hein re: Presentation at Superintendent's Con- ference Day
T/O Rochester Recreation Department	Winter Newsletter
Cornell Cooperative Extension	<i>Good For You!</i> , December 2013
Ulster County Resource Recovery Agency	November 2013 Recycling Report, Recycling Commodities, Leachate Report, MSW Report, Recycling Program Report, Treasurer's Report, Cost Center, December 16, 2013
Ulster County Department of Mental Health	Agenda, November 18, 2013 Minutes Adult Mental Health Clinics Effective 1/2/14
NYSARC, Inc.	<i>ArcLight</i> , Fall-Winter 2013
Beatrice Havranek, County Attorney	County Action Report, November, 2013
NaCo	<i>County News</i> , Vol. 45, No. 22, November 18, 2013; Vol. 45, No. 23, December 2, 2013
Cory Newton	Letter re: County 2014 Budget

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**CORRESPONDENCE (Cont.)**

HRHCare Foundation

Fall 2013 Newsletter

**COUNTY EXECUTIVE COMMUNICATIONS:**

November 2013 Budgetary Transfers  
Statement of Expenditures,  
Encumbrances & Unencumbered  
Balance & Statement of Revenues  
Earned & Undeared Balance  
November 30, 2013

**COMMITTEE REPORTS:**

**DATE:**

Economic Development & Tourism  
Environmental, Energy & Technology  
Health & Personnel  
Laws & Rules, Governmental Service

November 7, 2013  
November 6, 2013  
November 14, 2013  
October 21 & 22, 2013 and  
November 29, 2013  
November 13, 2013  
November 6, 2013  
November 7, 2013  
October 15 & 22, 2013; November 12  
19, 2013

Legislative Programs, Education & Community Services  
Public Works & Capital Projects  
Social Services  
Ways and Means

**PRESENTATIONS:**

Chairman Bernardo recognized Minority Leader David Donaldson and District 18 Legislator Richard Parete to present a Pride of Ulster County to Chief Joseph Sinagra representing the Saugerties Police Department in recognition of achieving accreditation from the Law Enforcement Accreditation Council. Minority Leader Donaldson commended Chief Sinagra who gave a brief explanation on the process of accreditation.

Chairman Bernardo recognized Majority Leader Ronk to present an award from the Legislature to all of the retiring Legislators with Chairman Bernardo accepting her award personally.

**PUBLIC COMMENT:** There were 6 individuals signed for public comment.

**1. George Bain**

Mr. Bain spoke of the DEC's intent to open access to the Ashokan Reservoir to the public and referenced the documentary "Deep Water" by Toby Cary. Mr. Bain indicated that the Catskill Mountain Railroad supported connectivity with the Railroad and trails. He stated that as long as the

plan being created for the development of a trail system along the reservoir was flexible enough to include the CMRR, they could also be flexible.

**2. Raji Nevin**

Ms. Nevin thanked the Legislature for the passage of Resolution No. 315. Ms. Nevin presented scenarios in which risks were posed to individuals exposed to neighbors' meters who did not chose to opt out of smart meter usage. Ms. Nevin urged hearings on the dangers of the smart meter usage and the right of an individual to chose.

**3. Sheriff Paul VanBlarcum**

Sheriff VanBlarcum extended congratulations to the Saugerties Police Department and Chief Sinagra for accomplishing the National accreditation. The Sheriff thanked the outgoing Legislators and the returning Legislators for their support of the Sheriff's Department and encouraged their future involvement. Sheriff VanBlarcum ended by commending the past two year's Legislative staff and their performance.

**4. Kevin Smith**

Mr. Smith thanked the Chairman and Legislative body for their service. Mr. Smith provided an update on various announcements including the County's initiative to create a countywide trail network which was getting noticed in terms of its potential to be an economic development driver to build sustainable livable communities. Mr. Smith also noted the historic announcement by the County Executive's office and that of the Planning Department, of the landmark commitment of the NYS DEP to allow free access of the north shore of the reservoir for all citizens to enjoy.

**5. Toby Stover**

Ms. Stover waived her statement.

**6. C. Charles**

Ms. Charles thanked the Legislature for the support of Resolution No. 315. She provided statement with regard to condition EHS (Electro Hyper Sensitivity) created by the microwaveable EMRs. Ms. Charles stated that the protocol involved with the installation and usage of the smart meters violates human rights and equal protection.

Chairman Bernardo made note that the Legislature was able to upgrade the video capabilities and that people were now able to comment on line. She stated that there were 20 individuals on line, some of whose comments follow:

1. **Steve Porter**

It's late but I just got here. Wanted to show support for CMRR.

2. **Nick Akins**

I Support the Catskill Mountain Railroad! I have worked to help clear the tracks and can't wait to get out and finish our job. It will be Great to have the railroad up and running!

3. **Alan Kordzikowski**

I am here to support the Catskill Mountain Railroad and their rail with trail plan. Ulster County is being very secretive and close-minded about what they want to do with the former Ulster & Delaware right of way. Some areas would kill to have 30+ miles of track in tact in which to utilize for a scenic railroad. For some reason Ulster County is backwards. Straighten up and fly right, Mike Hein. You think too highly of yourself, remember, you work for us the voters.

4. **Joe Janasiewicz**

Supporting CMRR's Rail with Trail plan. There's nothing more beneficial for all, then having an operating railroad as well as a hiking and biking trail. It does not single any one party or group out

5. **Christopher Miller**

I am here to support keeping the tracks in

6. **Mark Lacari**

I stand and support the Catskill Mountain Railroad. I support their concept of a rail and trail network, it is an idea that can truly be a success to the region of having the trains and trail run together. I support the CMRR.

7. **Ryan Lennox**

Thank you so much everyone!

8. **Joe Janasiewicz**

I support the CMRR!

9. **Tyler Carelli**

Agreed.

Also on file with the Clerk of the Legislature are 933 signatures in support of the Catskill Mountain Railroad that were submitted by George Bain.

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**RESOLUTION NOS: 314- 395 (313 and 393 - WITHDRAWN)**

Chairman Bernardo noted that Resolution Nos. 381 and 383 would not be voted on in the absence of the two-third Legislative body required to vote.

Majority Leader Ronk was recognized for the purpose of a motion, consented to by the minority, to move Resolution Nos. 315, 316, 359 and 395 as well as Resolution No. 314 to the consent Agenda.

*Resolution Nos. 314 - 380, 382 and 384-392* were adopted unanimously by the following vote:

AYES: 12                      NOES: 0  
(Absent: Legislators Aiello, Briggs, Fabiano, Harris, Lopez, Maio, John Parete, Robert Parete, Provenzano, Roberts, and Wawro)  
(Resolutions Nos. 316 – 380, 382, 384, 388-392 - Approved by the County Executive)

*Resolution No. 394* – Establishing A Policy Regarding The Modification Of The Legal Work Week For Ulster County Employees

**Legislator Gerentine motioned, seconded by Legislator Ronk, to amend the resolution title and body by striking certain language, and by inserting the language in bold font, as indicated above.**

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 12                      NOES: 0  
(Absent: Legislators Aiello, Briggs, Fabiano, Harris, Lopez, Maio, John Parete, Robert Parete, Provenzano, Roberts, and Wawro)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 12                      NOES: 0  
(Absent: Legislators Aiello, Briggs, Fabiano, Harris, Lopez, Maio, John Parete, Robert Parete, Provenzano, Roberts, and Wawro)

**MEETING ADJOURNED IN MEMORY OF:** By Legislator Gregorius

Casmir Frank Horodyski - Highland

Joyce F. Rockwell, Kingston

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William "Sudsy" Steeley, Lake Katrine  
Mara MacDonald Angeloch, Woodstock  
Doris E. Gallo, Kingston  
Richard C. Wilhelm, Bearsville  
Louis P. Conti, Hurley  
Louis J. Mancuso, Shokan  
Theodore Musal Sr., Tillson  
Theresa Sasso, Kingston  
Edward J. Connolly, Tillson  
Floyd R. Scott, Saugerties  
Tim Lang, Saugerties  
Daniel P. Wynne, Sr., West Camp  
Dr. Kristin Schoonmaker Vergunst, Stone Ridge

Harry Christian, Kerhonkson  
Ralph Persons, Jr., Pine Hill  
James Adam Salzmann, Connelly  
George W. Smith, Woodstock  
Seymour Feldman, Hurley  
Mary Distasi, Highland  
Bill "Spunky" Mastro, Highland  
Thelma Zupevec, Ellenville  
Charles "Bub" Bach, Saugerties  
Brian "Sunshine" Rine, Saugerties  
Julia Contini, Glasco  
Philip Dugan, Saugerties  
Anthony Fierro, Saugerties

**MEETING ADJOURNED: 7:17**

**NEXT MEETING:**

The Organizational Meeting of the Ulster County Legislature will be held on **Tuesday, January 7, 2014 at 6:30 PM**, in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.