

ULSTER COUNTY LEGISLATURE

TERRY L. BERNARDO, Chairman
KENNETH J. RONK, JR., Majority Leader
DAVID B. DONALDSON, Minority Leader
KAREN L. BINDER, Clerk



P.O. Box 1800
KINGSTON, NEW YORK 12402
Telephone: 845 340-3900
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AGENDA

APRIL 17, 2012

REGULAR MEETING 7:00 PM

PUBLIC HEARING 7:05 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:07 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by 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 FOLLOW THE EVACUATION ROUTES FROM THE GYMNASIUM AND MOVE AWAY FROM THE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

CELL PHONES

Please silence cell phones for the duration of Session.

MICROPHONES

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

AGENDA
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APRIL 17, 2012

ROLL CALL: Present: 22 Absent: 1
(Legislator Aiello)

CALL OF THE PUBLIC HEARING BY CLERK: Proposed Local Law No. 1 Of 2012 (A Local Law Known As The “Hydraulic Fracturing Brine Prohibition Act”) at 7:08 PM

PUBLIC COMMENT: See minutes.

PUBLIC HEARING ADJOURNED: 9:29 PM

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

COMMUNICATIONS FROM:

Terry Bernardo, Chairman

Ulster-Greene ARC Foundation
Ulster County Tourism
Dennis Arluck
Ulster County Tourism
Stewart Airport Commission
Hudson Valley Regional Council
Campaigns & Elections
NYSAC

Notice of Location – April 17, 2012
Regular Monthly Meeting/Public
Hearing
Special Session/Corporate Compliance
on April 23, 2012
Notice of Location – April 17, 2012
Regular Monthly Meeting Schedule
Cancellation Of Special Meeting
Informational Brochure
Uniquely Ulster, April 2012
Letter in Support of Recent New Hire
Letter re: Tourism Resolution
March 27, 2012, Meeting Agenda
March 26, 2012 Agenda
2012 Political Campaign Seminars
46th Annual County Finance School
Agenda

COMMUNICATIONS FROM (continued):

Ulster County Resource Recovery Agency

Hudson Valley Voice
NaCO

Ulster County Planning Board

NYSARC, Inc.
Ulster County Fire Advisory Board
Ulster County Re-Entry Task Force

Rural Features
Robert DiBella, Director UC Transportation

Town of Denning

Robert Sudlow, President, CEO GH LDC
Catskill Watershed Corp.

Ronald Marquette, Chairman, UCDC

Citizens in Support of Resolution No. 71
Pro Act, Inc.

Family of Beverly Ann Chick
NYS Department Public Service

CFA News

UCRRA Reports, March 2012
Regular Board Meeting Agenda –
April 16, 2012
Issue 1
County News, Vol. 44, No. 6, March
26, 2012
County News, Vol. 44, No. 7, April 9,
2012
March 29, 2012 Consolidated Funding
Application Workshop Bulletin
The Arc Light Spring 2012
March 28, 2012 Meeting Minutes
January 18, 2012, February 15, 2012
& March 21, 2012 Meeting Minutes
Winter 2012 Issue
Federal Drawdown- UCAT
Grant #NY-90-X668-00
Federal Drawdown- UCAT
Grant #NY-90-X654-00
Certified copy of Res. No. 28, 2012 in
Support of Proposed Local Law #3
Notice of Public Meeting
Notice of Preliminary Decisions,
April 3, 2012
Memorandum 4/3/12 - Proposed
Amended Bylaws
10 Support E-mails
Monthly Usage/Savings Report,
March 2012
Thank You Card
Joint Petition Of Aqua Utilities, Inc.
Aqua New York, Inc. And American
Water Works Company, Inc. For
Approval Of A Stock Purchase
Agreement
Volume 30, Number 1&2 –
Winter/Spring 2012

COMMUNICATIONS FROM (continued):

Golden Hill Local Development Corp.	Minutes of Board of Directors March 21, 2012 Meeting Notice of Public Meeting – April 18, 2012 @ 5:30 PM
UC Human Rights Commission UC Planning Board Olive Town Clerk	February 2, 2012 Meeting Minutes March 7, 2012 Meeting Minutes April 11, 2012 Letter - Re: Approval of Resolution #9 of 2012
UC Community Service Board UC Board of Elections	April 3, 2012 Letter Of Resignation April 11, 2012 Memo – Campaign Finance Seminar on May 1, 2012
Hacker Murphy LLP	April 10, 2012 Letter re: Birchwood Village, LP – Arbitration
NYS Conservationist Hudson Valley Vernacular Architecture	Volume 66, Number 5, April 2012 January – March, 2012, Volume 15, No. 1-3
Hodgson Russ LLP	April 13, 2012 Letter (copy) re: UC IDA Lease/Leaseback Transaction With Birchwood Village LP
Anderson Center For Autism	11 th Annual Gold Tournament – June 7, 2012 Dutch Golf & Country Club
Fulton County Board Of Supervisors	Resolution No. 146 – Urging The United States Congress to Repeal A Portion of the Universal Service Fund Surcharge that Provides Free Cellular Telephone Service to “Income Eligible” Individuals

COUNTY EXECUTIVE COMMUNICATIONS:

February 15, 2012 Meeting Minutes, Ulster County Corporate Compliance Committee

COUNTY EXECUTIVE COMMUNICATIONS (continued):

Statement of Expenditures,
Encumbrances & Unencumbered
Balance as of March 31, 2012
Budgetary Transfers Month of March
2012
April 13, 2012 Public Transportation
Task Force Memorandum
Appt. Of Interim Commissioner of
Mental Health
April 13, 2012 Memorandum with
Letter Appointing Acting Public
Health Director Nereida Veytia & DH
Medical Consultant Douglas Heller,
M.D.

COMMITTEE REPORTS:

DATE:

Economic Development & Tourism	March 7 2012
Environmental, Energy & Technology	March 8, 2012
	March 20, 2012
Health & Personnel	March 5, 2012
Law Enforcement & Public Safety	March 6, 2012
Laws & Rules, Governmental Services	March 19, 2012
	March 20, 2012
Legislative Programs, Education & Community Services	March 12, 2012
Public Works & Capital Projects	March 7, 2012
Social Services	March 5, 2012
Ways and Means	March 13, 2012
	March 20, 2012

PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo has granted Privilege of the Floor to Butch Dener. Mr. Dener, an organ donor recipient himself, will present information regarding Organ Donor Month and sharing the joys of family. He will be joined by living donor recipient Geraldine Buck, and full donor recipient Charles Lyonhart, who will speak about their personal experiences helping to change lives.

Chairman Terry L. Bernardo will call upon Legislator Bob Aiello, Chairman of the Health and Personnel Committee and Legislator Jeanette Provenzano, Deputy Chairman of the Health and Personnel Committee, to present a Proclamation to Butch Dener, on behalf of the Ulster County Legislature, declaring the month of April Organ Donor Month.

PRESENTATIONS: There are no presentations scheduled for tonight's meeting.

PUBLIC COMMENT: See minutes.

RESOLUTION NOS: 32 and 81 – 106

- 32 Designating The Ulster County Tourism Office As The Official Tourist Promotion Agency Of Ulster County - Department Of Tourism
ADOPTED: 22 – 0 (Approved by the County Executive)**

- 81 Urging Governor Cuomo And The New York State Senate To Approve The Appointment Legislator John Parete To The Olympic Regional Development Authority (ORDA) Board In Accordance With NYS Senate Bill No. S6260C And NYS Assembly Bill No. A9060C
ADOPTED: 21 – 0 (1 Abstention)**

- 82 Providing Exemptions From Sales And Compensating Use Taxes For Receipts From Sales Of And Consideration Given, Or Contracted To Be Given For, Or For The Use Of, Property And Services Exempt From State Sales And Compensating Use Taxes Pursuant To Subdivision (ee) Of Section 1115 Of the New York Tax Law, Pursuant To The Authority Of Article 29 Of The Tax Law Of The State Of New York
ADOPTED: 22 – 0 (Approved by the County Executive)**

- 83 **Appropriating Unexpended Funds From The New York State Office Of Homeland Security Law Enforcement Terrorism Prevention Program - Amending The 2012 Ulster County Budget - Ulster County Sheriff's Office**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 84 **Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Criminal Justice Services For Participation In The Crimes Against Revenue Program – Ulster County District Attorney**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 85 **Appropriating Funds From The Jail Telephone Commissions Reserve Account For The Purchase, Installation, Configuration And Maintenance Of Computer Software – Amending The 2012 Ulster County Budget – Ulster County Sheriff's Office**
ADOPTED: 21 – 1 (Approved by the County Executive)
- 86 **Amending The 2012 Ulster County Budget - Purchase Of Public Transportation Equipment – Security Cameras – Department Of Public Transportation (Ulster County Area Transit)**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 87 **Authorizing Acceptance Of Payments Of Past Due Taxes And Conveyance Of County-Owned Properties To Original Owners – Department Of Finance**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 88 **Appointing Alternate Member To The Ulster County Planning Board – Town Of Rochester**
ADOPTED: 22 – 0
- 89 **Appointing Alternate Member To The Ulster County Planning Board – Town Of Ulster**
ADOPTED: 22 – 0
- 90 **Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Department Of Health For The Early Intervention Program – Department Of Social Services**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 91 **Appropriating Funds From The Probation Department Reserve Account (V&T Admin Fees) For The Purchase Of Vehicles And A Security System Upgrade – Amending The 2012 Ulster County Budget – Department Of Probation**
ADOPTED: 22 – 0 (Approved by the County Executive)

- 92 **Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With Albany County For Micrographics Services And For Microfilm Processing And Duplication – County Clerk**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 93 **Supporting A Grant Application For A New York State Department Of State Local Government Efficiency Grant, To Fund A Study Of Cost Savings And Opportunities Through Shared Information Technology Services With Orange County And Ulster BOCES Mid-Hudson Regional Information Center – Department Of Information Services**
ADOPTED: 21 – 0 (1 Abstention) (Approved by the County Executive)
- 94 **Supporting An Application For A New York State Department of State Local Government Efficiency Grant, Associated With Relocating Critical Information Technology Systems To A Data Center Shared With Ulster BOCES Mid-Hudson Regional Information Center – Department Of Information Services**
ADOPTED: 21 – 0 (1 Abstention) (Approved by the County Executive)
- 95 **Setting A Public Hearing On Proposed Local Law No. 4 of 2012 (A Local Law Amending Local Law No. 5 of 2008 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption) To Be Held On Tuesday, May 8, 2012 At 7:00 PM**
ADOPTED: 22 – 0
- 96 **Setting A Public Hearing On Proposed Local Law No. 5 of 2012 (A Local Law Amending Local Law No. 6 of 2008 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income) To Be Held On Tuesday, May 8, 2012 At 7:01 PM**
ADOPTED: 22 – 0
- 97 **Setting A Public Hearing On Proposed Local Law No. 6 of 2012 (A Local Law Amending Local Law No. 7 Of 2008 To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The “Cold War”) To Be Held On Tuesday, May 8, 2012 At 7:02 PM**
ADOPTED: 22 – 0
- 98 **Setting A Public Hearing On Proposed Local Law No. 7 Of 2012 (A Local Law To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-A Of The Real Property Tax Law Entitled “Veterans’; Alternative Exemption”) To Be Held On Tuesday, May 8, 2012 At 7:03 PM**
ADOPTED: 22 – 0

- 99 **Setting A Public Hearing On Proposed Local Law No. 8 of 2012 (A Local Law Enacting A First Time Homebuyer County Property Tax Exemption) To Be Held On Tuesday, May 8, 2012 At 7:04 PM**
ADOPTED: 22 – 0
- 100 **Proclaiming April 2012 As Healthy Counties, Healthy Families Month In Ulster County**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 101 **Approving The Execution Of Various Contracts And Change Orders In The Amount Of \$50,000.00 Or In Excess Of \$50,000.00 Entered Into By The County**
ADOPTED: 21 – 0 (1 Abstention) (Approved by the County Executive)
- 102 **Resolution Approving The Deviation By The Ulster County Industrial Development Agency Relating To The Terms And Conditions Of A Certain Pilot Agreement To Be Entered Into Between Ulster County Industrial Development Agency And Wolftec, Inc. In Connection With The Wolftec, Inc., Project**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 103 **Resolution Approving The Deviation By The Ulster County Industrial Development Agency Relating To The Terms And Conditions Of A Certain Pilot Agreement To Be Entered Into Between Ulster County Industrial Development Agency And Stavo Industries, Inc., In Connection With The Stavo Industries, Inc. Project**
ADOPTED: 22 – 0 (Approved by the County Executive)

Late Resolutions

- 104 **Approving Construction, By Licensee Ulster County Agricultural Society, Of New Bathroom Facilities At The Ulster County Fairgrounds On Libertyville Road In New Paltz – Department Of Public Works (Buildings And Grounds)**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 105 **Authorizing The Conveyance Of County-Owned Property To Original Owners – Department Of Finance**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 106 **Amending The Purchase Price For The Sale Of The County's Certified Home Health Agency License And Long-Term Home Health Care Program License – Department Of Health**
ADOPTED: 20 – 2 (Approved by the County Executive)

MEETING ADJOURNED IN MEMORY OF:

Reginald E. Lawlis, Sr., Ulster Park, NY
Walter E. Tartarzewski, Kingston, NY
Frances Colville Vohs, Kerhonkson, NY
Joseph J. Palen, Kingston, NY
Lucille Braun, Shokan, NY
Westley D. Clark, Port Ewen, NY
John L. Salvatore, Kingston, NY
Sheldon C. Fuller, Saugerties, NY
Angelina DeCicco, Kingston, NY
Wayne D Greer, Topock, AZ
Helen E. Cooke, Accord, NY
William M. Daum, Ulster Park, NY
Donald F. DePuy, Rosendale, NY
Roger T. McCrory Sr., Accord, NY
Oliver Davis, Stone Ridge, NY
Anna D. Snyder, Kingston, NY
Josephine Grady, Rifton, NY
Elizabeth E. McMillian, Kingston, NY

Robert A. Hansut, Highland, NY
William D. Maisenhelder, Town of Ulster, NY
Valerie H. Mayone, Kingston, NY
Francis T. Ginty, Port Ewen, NY
Gertrude Rathjen, Port Ewen, NY
Richard Dillon, West Hurley, NY
Lisa VanOrden, Kerhonkson, NY
Kevin M. Sweeney, Woodstock, NY
Elizabeth E. Phillips, Tillson, NY
Aloysius Carchidi, Kingston, NY
Robert E. Dillon, Little Egg Harbor, NJ
Anthony J. Fabiano, Kingston, NY
Ruth M. Storey, Shandaken, NY
Jill Grant, Lake Katrine, NY
Mabel E. Chipp, Kerhonkson, NY
Ranson L. Winnie, Ulster Park, NY
Christina K. Kirk, Kingston, NY
Norma L. Martin, Accord, NY

MEETING ADJOURNED: 10:05 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, May 15, 2012 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, April 25, 2012 at 12 Noon.**