

# ULSTER COUNTY LEGISLATURE

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



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## AGENDA

**JUNE 19, 2012**

### **PUBLIC HEARING AND REGULAR MEETING**

**7:15 PM**

**SUNY NEW PALTZ LECTURE CENTER 102**

**PUBLIC HEARING CALLED TO ORDER BY CHAIRMAN: 7:20 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 EXIT AND MOVE AWAY FROM THE BUILDING

**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.

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

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

Legislator Ronk motioned, seconded by Legislator Donaldson to dispense with the reading of the minutes of the previous meeting. All in favor.

**COMMUNICATIONS FROM:**

Ulster County Human Rights  
Town of Poughkeepsie

Stewart Airport Commission  
Ulster County Community Services Board

Ulster County Attorney  
New York Public Transit Association, Inc.  
Ulster County Resource Recovery  
Fulton County Board of Supervisors

Ulster County Clerk

Naco  
Family of Woodstock, Inc.  
United States Department of Interior  
New York State Office of Children & Family Services  
State of New York Real Property Tax Services

April 5, 2012 Committee Minutes  
June 6, 2012 Public Hearing re:  
Amendments to Zoning Law  
May 22, 2012 Meeting Agenda  
February 13, March 12 and April 9,  
2012 Minutes  
Notice of Public Hearing/Sanitary Code  
Membership Newsletter  
UCRRA Reports, May 14, 2012  
Resolution No. 182 – Calling Upon The  
Governor’s Mandate Relief Council To  
Submit A Package Of Mandate Relief  
Proposals To State Legislators  
Letter re: Local Law 1 of 2011  
Resolution No. 228 – Supporting  
S.5509B/A.8489A To Revise The  
Sharing Formula For Wireless  
E911 Surcharge Monies  
Archives Gallery Exhibit – Person  
House Progress  
Telephone/Web Survey Notice  
Family’s Big \$\$\$ Raffle  
Request for input  
Fatality Report #96-11-044  
List of Certified 2012 State  
Equalization Rates

**COMMUNICATIONS (CONT.)**

Citizens In Support of Resolution #71 Aline Waters Mayor Shane Gallo, C/O Kingston Ulster County Tourism	1 E-mail Thank You Card Resolution No. 128 of 6/5/12 What's Happening in Ulster County June 2012
Catskill Watershed Corporation	Notice of Preliminary Decisions , June 5, 2012
New York State Department of Transportation	BIN 3346530 CR 77 (MAIN Street) Rondout Creek, Town of Wawarsing
Ulster County Department of Public Works New Horizons Resources, Inc. United States Department of Justice	Letter re: Kerhonkson Bridge Spring 2012 Newsletter Case #2010R00382/Court Docket No. 10-CR-00320
Community Foundations of the Hudson Valley	Community Foundation Annual Garden Party – Sept 30, 2012 Volume 33, Issue 2 – Spring/Summer 2012
NYSAC News	<i>Foundations</i> , Spring 2012
Rural Ulster Preservation Company Town of Poughkeepsie	Notice of Public Hearing, Wednesday, July 11, 2012 @ 7:00 p.m.
Walkway Over the Hudson Ulster County Planning Department	Membership Invitation Annual Agricultural District Inclusions
NYS Conservationist Ulster County Fire Advisory Board Town of Shandaken SUNY Ulster Ulster County Department of Public Works	Volume 66, Number 6, June 2012 May 23, 2012 Meeting Request for Extension Proposed 2012-2013 Budget Sawkill-Ruby Road, Co Rd #90 Culvert Replacements
Mount Tremper Arts	Benefit for Mount Tremper Arts' 5 <sup>th</sup> Season
Ulster County Attorney	County Action Report, Month of May, 2012
Ms. Gabriele E. Margules	Thank You Note

**COUNTY EXECUTIVE COMMUNICATIONS**

Statement of Expenditures,  
Encumbrances & Unencumbered  
Balance & Statement of Revenues  
Earned & Unearned Balance as of April  
30, 2012  
UC Corporate Compliance Minutes Of  
April 18, 2012  
2013 Executive Budget Memorandum  
Order of Succession  
Intermunicipal Collaboration Council  
Minutes – Thursday, December 15,  
2011  
Budgetary Transfers May 2012  
Notice of Appointment to Board of  
Health – Peter Case Graham, Esq.  
Statement of Expenditures,  
Encumbrances & Unencumbered  
Balance & Statement of Revenues  
Earned & Unearned Balance as of May  
31, 2012  
Notice of Appointment to Ulster  
County Youth Board – Loretta  
Cherryann Norfleet, Yvette Armstead,  
James M. Porter, MA., CPC and Marco  
Ochoa  
Notice of Appointment to Ulster  
County Board of Health – Dr. Walter  
Woodley

**COMMITTEE REPORTS:**

Economic Development & Tourism  
Environmental, Energy & Technology  
Health & Personnel  
Law Enforcement & Public Safety  
Laws & Rules, Governmental Services  
Legislative Programs, Education & Community Services  
Public Works & Capital Projects  
Social Services  
Ways and Means

**DATE:**

June 6, 2012  
June 7, 2012  
June 4, 2012  
June 5, 2012  
June 18, 2012  
June 5, 2012  
June 6, 2012  
June 4, 2012  
June 12, 2012  
June 19, 2012

**ANNUAL REPORTS:**

Ulster County Mental Health Department  
Ulster County Environmental Management Council

**DATE:**

2011 Annual Report  
2011 Annual Report

**CALL OF THE PUBLIC HEARING BY CLERK:**

**TO HEAR COMMENT ON PROGRAMS CONTAINED AS PART OF THE NEW YORK STATE CONSOLIDATED FUNDING APPLICATION PROCESS AS OFFERED UNDER THE JURISDICTION OF THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL OFFICE FOR THE YEAR 2012**

**PUBLIC COMMENT:** See minutes.

**PUBLIC HEARING ADJOURNED:** 7:32 PM

**CALL OF THE PUBLIC HEARING BY CLERK:**

**TO HEAR COMMENT AS REQUIRED UNDER ARTICLE 25AA OF THE AGRICULTURAL AND MARKETS LAW, ON THE ADDITION OF LANDS TO AGRICULTURAL DISTRICTS.**

**PUBLIC COMMENT:** See minutes.

**PUBLIC HEARING ADJOURNED:** 7:35 PM

**CALL OF THE PUBLIC HEARING BY CLERK:**

**TO HEAR COMMENT ON PROPOSED LOCAL LAW NO. 3 OF 2012 (A LOCAL LAW ENTITLED "MANDATE AND TAXATION INFORMATION ACT").**

**PUBLIC COMMENT:** See minutes.

**PUBLIC HEARING ADJOURNED:** 7:36 PM

**MEETING CALLED TO ORDER BY CHAIRMAN:** 7:37 PM

**PLEDGE ALLEGIANCE TO THE FLAG:** Led by Eagle Scout Nicholas Pagendarm together with Legislator Gerentine.

**PRIVILEGE OF THE FLOOR:**

Chairman Bernardo granted privilege of the floor to Legislator Roberts to provide an update with regard to Legislative Clerk Karen Binder. Legislator Roberts indicated that Ms. Binder was doing as well as could be expected and to keep her in our prayers.

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

**PUBLIC COMMENT:** See minutes.

**RESOLUTION NOS: 125, 131-171**

- 125      Setting A Public Hearing On Amended Proposed Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York, Known As The "Hydraulic Fracturing Brine Prohibition Act"), To Be Held On Tuesday, July 17, 2012 At 7:00 PM  
ADOPTED: 22- 0**
  
- 131      Requesting The Consolidation Of Vital Statistics Registration Districts  
ADOPTED: 22- 0 (Approved by the County Executive)**
  
- 132      Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To An Agreement With The Town Of New Paltz For Improvements At The Ulster County Fairgrounds – Department Of Public Works  
ADOPTED: 22- 0 (Approved by the County Executive)**

- 133 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department of Corrections And Community Supervision For The Use Of Space In The Former Ulster County Jail – Department Of Public Works  
ADOPTED: 22- 0 (Approved by the County Executive)
- 134 Establishing Capital Project No. 361, Reconstruction Of Various Roads In Ulster County – Department Of Public Works (Highways And Bridges)  
ADOPTED: 22- 0 (Approved by the County Executive)
- 135 Authorizing The Reconstruction Of Various Roads Throughout And In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$400,000.00, And Authorizing The Issuance Of \$400,000.00 Bonds Of Said County To Pay The Cost Thereof  
ADOPTED: 22- 0 (Approved by the County Executive)
- BOND
- 136 Amending The 2012 Ulster County Budget - CHIPS Funding Adjustment - Department Of Public Works (Highways And Bridges)  
ADOPTED: 22- 0 (Approved by the County Executive)
- 137 Authorizing The Chairman Of The Ulster County Legislature To Dedicate County Bridge No. 211, Which Is A Portion Of County Route 47 And Which Spans The Cascade Brook In The Town Of Shandaken, In Memory Of Steven F. Fischer  
ADOPTED: 22- 0 (Approved by the County Executive)
- 138 Authorizing the Chairman Of The Ulster County Legislature To Execute An Agreement With The Ulster County Board Of Cooperative Educational Services (BOCES) School District To Provide A Deputy Sheriff As A School Resource Officer – Ulster County Sheriff’s Office  
ADOPTED: 22- 0 (Approved by the County Executive)
- 139 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)
- 140 Approving Ulster County Community College Budget For The Year 2012-2013  
ADOPTED: 22- 0 (Approved by the County Executive)
- 141 Appropriating Funds From The Liability And Casualty Reserve Fund For Payment Of Various Judgments And Claims – Amending The 2012 Ulster County Budget – Department Of Insurance  
ADOPTED: 22- 0 (Approved by the County Executive)

- 142      **Amending The 2012 Ulster County Budget – Accepting Additional Revenue From The New York State Conference Of Local Mental Hygiene Directors And Appropriating The Funds For The Operation Of Parent Support Groups – Department Of Mental Health  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 143      **Setting A Public Hearing On Proposed Local Law No. 10 of 2012 (A Local Law Amending The Ulster County Charter And Ulster County Administrative Code By Deleting Article XVII From Each [Real Property Tax Service Agency], And Amending The Ulster County Charter With Respect To Article VIII [Department Of Finance]) To Be Held On Tuesday, July 10, 2012 At 6:00 PM, Or As Soon Thereafter As The Public Can Be Heard  
ADOPTED: 22- 0**
- 144      **Establishing Capital Project No. 368, Purchase and Implementation Of A County-Wide Financial Management System – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 145  
BOND      **Authorizing The Purchase And Implementation Of A County-Wide Financial Management System In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$1,125,000.00, And Authorizing The Issuance Of \$1,125,000.00 Bonds Of Said County To Pay The Cost Thereof  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 146      **Authorizing The County Commissioner Of Finance To Accept And Reject Bids For Purchase Of Properties And Refund Of Bids On Parcels Of County-Owned Property At The April 11, 2012 Public Auction - Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 147      **Authorizing The Reacquisition Of Residential Property By Original Owner – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 148      **Authorizing The Reacquisition Of Residential Property By Original Owner – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 149      **Authorizing The Reacquisition Of Residential Property By Original Owner – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)**

- 150 Authorizing The Ulster County Commissioner Of Finance To Accept A Bid For Private Sale Of A Parcel Of County Owned Property And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcel – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)
- 151 Authorizing The Ulster County Commissioner Of Finance To Assign Rights On A Parcel Of Property Previously Offered At Public Auction (Town Of Kingston) – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)
- 152 Authorizing The Ulster County Commissioner of Finance To Assign Rights On A Parcel Of Property Previously Offered At Public Auction (Town Of Rochester) – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)
- 153 Authorizing The Ulster County Commissioner of Finance To Assign Rights On A Parcel Of Property Previously Offered At Public Auction (Town Of Wawarsing) – Department Of Finance  
ADOPTED: 22- 0 (Approved by the County Executive)
- 154 In Support Of Building And Operating A Class III Gaming Casino At The Nevele Hotel Site In The Town Of Wawarsing And The Inclusion Of The Nevele Hotel Site In Any State Constitutional Amendment, Law, Regulation Or Policy Which Lists Or Proposes Sites Eligible For The Operation Of Casino Gaming  
ADOPTED: 22- 0 (Approved by the County Executive)
- 155 Establishing And Reporting The Standard Work Day For Elected Or Appointed Officials  
ADOPTED: 21- 1 (Approved by the County Executive)
- 156 Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law  
ADOPTED: 22- 0 (Approved by the County Executive)
- 157 Requesting That The Ulster County Industrial Development Agency (IDA) File An Annual Report Card To Improve Transparency, Accountability And Ensure the Public Trust  
ADOPTED: 22- 0
- 158 Reappointing – Commissioner Of Elections  
ADOPTED: 22- 0

- 159      **Reappointing – Commissioner Of Elections**  
**ADOPTED: 22- 0**
- 160      **Adopting Introductory Local Law No. 4 Of 2012 [A Local Law Amending Local Law No. 5 Of 2008 (A Local Law Amending Local Law No. 5 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence.)] Hereinafter Known As Local Law No. 4 of 2012**  
**ADOPTED: 22- 0**
- 161      **Adopting Introductory 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) Hereinafter Known As Local Law No. 5 of 2012**  
**ADOPTED: 22- 0**
- 162      **Adopting Introductory Local Law No. 6 Of 2012 [A Local Law Amending Local Law No. 7 Of 2008 (A Local Law 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”)] Hereinafter Known As Local Law No. 6 of 2012**  
**ADOPTED: 22- 0**
- 163      **Adopting Introductory 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”) Hereinafter Known As Local Law No. 7 of 2012**  
**ADOPTED: 22- 0**
- 164      **Adopting Introductory Local Law No. 8 Of 2012 (A Local Law Enacting A First Time Homebuyer County Property Tax Exemption) Hereinafter Known As Local Law No. 8 of 2012**  
**ADOPTED: 19- 2**
- 165      **Appointing Member To The Ulster County Fire Advisory Board**  
**ADOPTED: 22- 0**
- 166      **Memorializing Resolution Supporting New York State Assembly Bill A. 1178 and New York State Senate Bill S. 5741 (Establishing A Public Education Program To Educate Motorists Of The Dangers Of Passing A Stopped School Bus)**  
**ADOPTED: 22- 0**

- 167 Amending The 2012 Ulster County Budget To Include An Additional Award To Ulster County For Funding Of Community Development Block Grants With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal (OCR) – Department Of Planning  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 168 Authorizing The Chairman Of The Ulster County Legislature To Execute A Simplified Renewal Agreement With The New York State Office Of Victim Services (Formerly New York State Crime Victims Board) – Department Of Probation  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 169 Confirming Appointment Of A Member To The Ulster County Youth Board  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 170 Confirming Appointments To The Ulster County Arson Task Force Board  
ADOPTED: 22- 0 (Approved by the County Executive)**
- 171 Initial Comments Of The Ulster County Legislature To The New York State Department Of Environmental Conservation (DEC) On The Draft Consent Order With The City Of New York  
ADOPTED: 22- 0**

**MEETING ADJOURNED IN MEMORY OF:**

**Philip Bernhardt Boice, Ulster, NY**  
**Carole Marie Banks, Accord, NY**  
**Arnold Jay Gottesman, Kerhonkson, NY**  
**Robert Madsen, Saugerties, NY**  
**Arlene Wrixon, Kingston, NY**  
**Dominick J. Gambino, Saugerties, NY**  
**M. Colleen Boice, Saugerties, NY**  
**Theresa Leeds, Loudonville, NY**  
**Nathan Mittenberg, New Paltz, NY**  
**Frances M. Terwilliger, Kingston, NY**  
**Anna Goodwin, Saugerties, NY**  
**Donald Briggs, Saugerties, NY**  
**Joan Tratnack, Saugerties, NY**

**Emily Evelyn DuBois, Tallahassee, Fla.**  
**Marjorie Roberti, Kingston, NY**  
**Stephan A. Szymkowicz, West Hurley, NY**  
**Barbara A. Griffis, Saugerties, NY**  
**Lorraine Whitaker, Saugerties, NY**  
**Donald A. MacIsaac, Kingston NY**  
**Clara G. Thornton, Saugerties, NY**  
**Maureen L. Ashdown, Kingston, NY**  
**Eugene "Moose" Sheeley, Highland, NY**  
**Gregg Moon, Kingston, NY**  
**Steven J. Martin, Saugerties, NY**  
**Orville Norman, Saugerties, NY**

**NEXT MEETING:**

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, July 17, 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, June 27, 2012 at 12 Noon.**

Legislator Ronk motioned, seconded by Legislator Donaldson to adjourn. All in favor.

**MEETING ADJOURNED: 8:02 PM**