



Ulster County Legislature
Standing Committee Meeting Minutes

December 2012

Economic Development and 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 & Means

Economic Development & Tourism Committee

Regular Meeting Minutes

DATE & TIME: December 17, 2012
LOCATION: Karen L. Binder Library, 6th Floor, County Office Bldg., Kingston, New York
PRESIDING OFFICER: James Maloney, Chairman
LEGISLATIVE STAFF: Lisa Mance
PRESENT: Legislators Maloney, Loughran, Maio, Roberts(6:45 p.m.) and Wishnick
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Ken Crannell, Deputy County Executive; Lisa Berger, Director Ulster County Tourism; Richard Remsnyder, Director Ulster County Tourism; Tony Morino, Ulster County Tourism; Robert DiBella, UCAT; Peter Fairweather, Fairweather Consulting; Dennis Doyle, Director Planning Board; March Gallagher, Planning Board Deputy; Sandy Mathes, Legislative Deputy; Kathy Nolan, UC Trails Advisory Committee; Vic Melville, League of Women Voters; Robert DiBella, Public Transportation Director;

- Chairman Maloney called the meeting to order at 6:00 PM.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the October 31, 2012 Meeting Minutes
MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Maio
ROLL CALL VOTE: No
VOTING IN FAVOR: Maloney, Loughran, Maio and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2
TEXT OF MOTION: **RESOLUTION No. 308- December 18, 2012**
RESOLVED to approve Resolution No. 308 – Authorizing The Chair Of The Ulster County Legislature To Call A Public Hearing As Required Under Article 25AA Of New York Agriculture And Markets Law Regarding the 8-Year Review Of Ulster County Agricultural District No. 1 – Department Of Planning

Resolution Summary: New York State Department of Agriculture and markets notified Ulster County that Agricultural District No. 1 in Towns of Esopus, Lloyd, New Paltz, Plattekill and Marlborough are approaching the eight-year anniversary date of July 21, 2013. The Agriculture and markets law Article 25AA requires the County to cause a review of the District to be conducted and completed within 300 days. The Law requires a Public Hearing to be held between day 120 and day 180 of the 300-day review period of the district and any proposed modifications to the district.

Discussion: Short explanation by Dennis Doyle specifying hearing must take place sometime between January 22, 2013 – March 23, 2013.

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Maio
ROLL CALL VOTE: No
VOTING IN FAVOR: Maio, Wishnick, Loughran and Maloney
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion carried unanimously to pass Resolution

MOTION NO. 2
TEXT OF MOTION: **RESOLUTION No. 319 – December 18, 2012**
RESOLVED to approve Resolution No. 319 – Recommending Appointments To The Community Advisory Panel of the Olympic Regional Development Authority

Resolution Summary: Section 2609 of the Public Authorities Law of New York State authorizing the County Legislature to recommend two appointees to ORDA to serve on the Olympic Regional Development Authority's Community Advisory Panel. Shandaken Town Supervisor Robert A. Stanley has been recommended for appointment and Michael Bernholz of the Town of Olive has requested to be recommended. Both individuals demonstrated familiarity with economic development and Belleayre Mountain Ski Center.

Discussion: **Chairman Maloney** informed the Committee in the interest of full disclosure that Mr. Bernholz and he were very well acquainted, having worked for him for 13 years and close personal friends.

MOTION MADE BY: Legislator Maio
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Maio, Wishnick, Loughran and Maloney
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion carried unanimously to pass Resolution.

MOTION NO. 3
TEXT OF MOTION: **RESOLUTION No. 320 – December 18, 2012**
RESOLVED to approve Resolution No. 320 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Ulster County Development Corporation For Specific Solar Consortium Related Services – 2012 Appropriation

Resolution Summary: The UCDC is the lead economic development organization for Ulster County. The purpose of the UCDC is to encourage the location of commercial, industrial and manufacturing facilities, the expansion of exiting commercial and industrial endeavors, the creation of new and improved job opportunities and the coordination of economic development efforts throughout Ulster County. UCDC has been assisting Ulster County in this effort since its creation in 1978. The UCDC has furnished specific economic development services in and for Ulster County in the field of solar research and development by working with the Solar Energy Consortium. The sum of \$75,000.00 has been appropriated in the 2012 Ulster County Budget and the president of the UCDC is requesting that the Chairman of the UC Legislature be authorized to execute an agreement, and any amendments, with the UCDC for specific Solar Consortium related services in 2012.

Discussion:

Briefly between Legislators Loughran and Maloney with regard to the terms of the Agreement. **Legislator Loughran** reserved questions for future discussion.

Legislator Wishnick inquired as to what the expectations of the contractor with regarding the appropriated funds. He was not clear on what the consequences were, that is, is the work already complete or are they awaiting for the appropriation to initiate to which Legislator Maloney responded negatively, that there was a Schedule A – Scope of Services.

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| MOTION MADE BY: | Legislator Loughran |
| MOTION SECONDED BY: | Legislator Maio |
| ROLL CALL VOTE: | No |
| VOTING IN FAVOR: | Legislators Maio, Wishnick, Loughran and Maloney |
| VOTING AGAINST: | None |
| NO. OF VOTES IN FAVOR: | 4 |
| NO. OF VOTES AGAINST: | 0 |
| DISPOSITION: | Motion carried unanimously to pass Resolution. |

MOTION NO. 4

TEXT OF MOTION:

RESOLUTION No. 321– December 18, 2012

RESOLVED to approve Resolution No. 321 – Authorizing The Chairman Of The Ulster County Legislature To Apply For And Accept Section 5311 Federal and State Funding Under the Terms Of An Existing Continuing Agreement With The New York State Department Of Transportation For The Purchase of Two Diesel Buses For Fiscal Year 2014 – Department of Public Transportation (Ulster County Area Transit)

Resolution Summary:

Ulster County was designated recipient of Section 5307 and Section 5311 funds from NYS and the Federal Transit Administration. UCAT is submitting a grant application to the NYS DOT pursuant to Section 5311, Title 49 United States Code, for the purchase of 2 low floor diesel cutaway buses to replace vehicles that have reached their useful life. Such busses will be use by UCAT to provide public mass transportation service in Ulster County. Ulster County NYS have entered into a continuing agreement with authorizes the purchase of buses and guarantee of payment by the State for its proportionate share for such buses used in rural areas. The total estimated cost to these capital purchase was \$450,000 with funding sources of 80% Federal (\$360,000), 10% State (\$45,000), and 10% Local (45,000).

Discussion:

Director DiBella reviewed content of the Resolution stating that older buses with high mileage were simply being replaced. Legislator Wishnick asked about the efficiency of the vehicles being purchased.

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| MOTION MADE BY: | Legislator Loughran |
| MOTION SECONDED BY: | Legislator Maio |
| ROLL CALL VOTE: | No |
| VOTING IN FAVOR: | Legislators Maio, Wishnick, Loughran and Maloney |
| VOTING AGAINST: | None |
| NO. OF VOTES IN FAVOR: | 4 |
| NO. OF VOTES AGAINST: | 0 |
| DISPOSITION: | Motion carried unanimously to pass Resolution. |

New Business: **Chairman Maloney** recognized Director of Tourism Rick Remsnyder, Director Lisa Berger and Tony Morino of Tourism who played 2012 commercial which was produced by the Ulster County Tourism that ran on WACB from Memorial Day to the 4th of July, 2012. **Legislator Wishnick** asked the presentors to define "success." Website activity is an indicator of how successful the add campaigns are. Future plans include running a new tourism commercial. Director Remsnyder continued with a presentation "Ulster County Tourism 2012," and "2012/2013 Business Initiatives and Programs "on file with the Clerk of the Legislature.

Legislator Maio inquired with regard to Hudson Valley Apple Trail if they had contacted Sheila Manese in Meet-Me-In-Marlboro to which Director Berger indicated they were working with Cornell Cooperative and that definitely, she's terrific.

Director Remsnyder extended an invitation for all Legislators to visit the new Tourism Center stating that it was a tremendous success, perfectly placed on the waterfront.

Legislator Wishnick inquired as to what the latest trends were to which Mr. Morino responded that the latest trends are that individuals don't want to travel farther. Ads are targeted to hammer the NYC market and that's were the people visiting are coming from. Very competitive in their spending in marketing opposed to Dutchess, etc.

Chairman Maloney recognized Director of Planning Board Dennis Doyle and Deputy Director March Gallagher and Pete Fairweather who provided handouts (on file with the Clerk of the Legislature) "Toward an Ulster County Shovel-Ready Strategic Plan" as opposed to providing a power point presentation. The presentation was turned over to Deputy Gallagher and Pete Fairweather with Mr. Fairweather providing the majority of the information.

Upon conclusion of the presentation, **Chairman Maloney** solicited questions from the Committee. Legislator Wishnick inquired as to the identification of SIC (State Industrial Classification) codes that would most welcome and if there would be a list. Deputy Gallagher indicated that they were very cognizant of the leads that had come in. Zoning codes within the Towns were placing restrictions on what was available.

Legislator Loughran asked with regard to the shovel-ready projects, were areas were being identified and what types of industries would go into the areas. Ms. Gallagher indicated areas were not being designated which statement was supported by Director Doyle by stating that the criteria in terms of participation. Legislature Loughran asked if the type of shovel-ready property attracting a certain sized business, insofar as the size, is the type of industry going into that property being identified. Ms. Gallagher indicated that uses are limited by zoning of the location.

Chairman Maloney asked with regard to the priority of growth areas, how many towns had been contacted to which Director Doyle indicated all towns had been contacted.

There being no further business before the Committee, a motion was made by Legislator Maloney, seconded by Legislator Loughran. Chairman carried to adjourn the Meeting at 7:15 pm.

Dated the 20th day of December, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on January 13, 2013

Environmental, Energy, & Technology Committee

Regular Meeting Minutes

DATE & TIME: November 29, 2012, 5:45 PM

LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY

PRESIDING OFFICER: Chair Carl Belfiglio

LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk

PRESENT: Legislators Tracey A. Bartels, Craig Lopez, John Parete, Kenneth J. Ronk, Mary Wawro, and Kenneth Wishnick

EXCUSED: None

QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Richard A. Gerentine and Hector S. Rodriguez; Legislative Counsel Langdon Chapman, Legislative Clerk Victoria A. Fabella and Deputy Clerk Sandy Mathes; Ulster County Resource Recovery Agency (RRA) Board Member Charles Landi; RRA Executive Director Tim Rose; NYS Chapter Representative of the Northeastern Solid Waste Management Association Steve Changaris; League of Women Voters (LWV) Representatives Cindy Lanzetta, Lee Ridgeway, Susan Holland; Ulster County Comptroller Elliot Auerbach; and JMC Marketing, Communications, and Public Relations Owner John Mallen.

- Chair Belfiglio called the meeting to order at 5:47 PM.

MOTION NO. 1 **RESOLVED To Approve the Minutes of September 6, 2012, October 4, 2012, and November 1, 2012**

Motion Made By: Chair Belfiglio

Motion Seconded By: Legislator Lopez

Discussion:

Chair Belfiglio noted his name was missing from the list of Legislators excused from the November 1, 2012 meeting minutes.

Roll Call Vote: No

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| Voting In Favor: | Legislators Belfiglio, Bartels, Lopez, Parete, Ronk, Wawro, and Wishnick |
| Voting Against: | None |
| No. of Votes in Favor: | 7 |
| No. of Votes Against: | 0 |
| Disposition: | Carried |

Chair Belfiglio gave Legislator Gerentine the privilege of the floor to discuss his proposal for franchising flow control.

Legislator Gerentine stated while everyone knows where he stands with regards to flow control, he noted a necessity of continuing flow control and has talked to RRA Executive Director Rose, the County Executive, and many members of the Legislative body regarding flow control. He noted he struggled with what the Legislature could do to incorporate flow control with some other ideas and what he came up with was basically franchising. He noted he had not ironed out all the details as he does not have all the expertise to iron out the details. He stated he asked the County Executive and the RRA Executive Director Rose to explore this proposal. He stated in a couple of conversations with the RRA Executive Director Rose today that RRA Executive Director Rose noted there existed Town-wide franchises in Rockland County. He indicated the RRA Executive Director Rose would continue his outreach to his peers in seeking existing County-wide franchises. He indicated the Ways and Means Committee has recommended to provide \$20,000 be appropriated for a consultant of some type to researching the feasibility of this proposal. He stated his vision would be for the whole County would be broken down into various districts, possibly overlaying them on Towns, to have a franchising of a commercial haulers bid on it to pick up residential waste of that particular area. He noted the hauler would pay the County a commercial hauler fee, which would in turn be given to the RRA and the commercial hauler would be required to dispose of the trash at the RRA. He noted this would guarantee waste to the RRA. He indicated there may be some quirks or obstacles that need to be worked out as the plan was not yet fully thought out. He desired this proposal as a part of a comprehensive plan including the other resolutions being brought to the Environmental, Energy, and Technology Committee and flow control with franchising districts. He stated the proposal included funding in the budget for the first four months of the year with an April 1st start date. He noted there had been questions as to the lateness in submitting this proposal and he stated he wished he thought of it three months ago when they started the process but had just thought of it and was not stalling flow control. He gave his word that if this proposal did not work, he would be in favor of flow control. He felt that if the

Legislature went with flow control, there would be no January 1, 2013 start date. He noted he did not have answers to a lot of the questions and suggested the Legislature utilize the professional people to help guide the County.

Chair Belfiglio asked if the Waste Management contract with RRA was complete. **RRA Executive Director Rose** indicated it was not. **Chair Belfiglio** noted there was one contract that was outstanding with a major hauler and felt they might be waiting for the Legislature's decision. He expressed continued concern of its impact.

Legislator Gerentine felt doing the franchise proposal was much more conducive to the environment as it allowed for an economy of scale when trucks are not going as far and picking up every house on a given road. He felt this proposal was to the taxpayer's benefit as well as environmentally beneficial with less pollution.

Legislator Wishnick clarified there would be savings with efficiencies in terms of one truck going door to door but questioned the County getting into the collection business with responsibilities and oversights that the County does not currently have. He noted it is typically the municipalities that actually seek out the competitors for a franchise agreement and that they can by home rule make their own decision of who is going to collect trash within their own areas. He asked why it would be beneficial that the County to be franchising out rather than doing what is traditionally done and having the municipalities do what is best for them.

Legislator Gerentine stated the County took on the responsibility to solve the solid waste problem of Ulster County and if the Towns took the initiative, they could. He felt if the County was providing a service, they would be providing a beneficial service to the taxpayers as it would be provided at a much lower rate than they are paying in today's market. He reiterated 22 years ago, the County took on the responsibility to solve the solid waste problem of Ulster County and this proposal was another step to solve that problem.

Legislator Wishnick noted the County entered the solid waste problem because the environmental regulations mandated a double composite liner system for the landfills that the volumes generated by any particular municipality could not financially support. He noted the County needed a regional landfill approach as there was no other economic way to provide the potential landfill service which was the original intent. He noted the municipalities did it on their own in the past by digging a hole in the ground and throwing in trash, this was discontinued as an allowable practice and thus the start of the larger, regional landfills as it was out of the scope for the municipalities. He noted as per the solid waste collection, the County has the authority to set up franchises, if it so chose but wondered why, if it

is traditionally the municipalities function. He noted a franchise is said to be for efficiency reasons but is more typically done for economical reasons which is to charge large franchise fees to help the local government. He felt large, substantial franchise fees would offset any savings that would go to any individual home owners.

Legislator Gerentine noted the City of Kingston was the only municipality providing trash pick-up service. He felt this demonstrated the Towns did not have an interest and did not want to be involved with it. He noted the County was trying to create the avenue for the RRA to have incoming solid waste and if there was money to be made through the franchising then the County would have that opportunity to do such. He felt this proposal would provide the service to the taxpayers in a way that is much more economical for them to have their solid waste picked up.

Legislator Wishnick felt it was not necessary to be in the collection business to establish a franchise. He stated the contracting out for municipal collection services would put the County in that business as the Town or the City would have to pay the contractor for the services rendered. He felt if the County was to just designate a community or portions of a community as a franchise and awarding rights to one company may be something municipalities had not thought of it in the past.

Legislator Gerentine noted none of the municipalities have incorporated this into their municipalities and the County would be taking an initiative step there. He indicated he did not know it would work and requested to have experts look at it and come back to the Legislature with the pros and cons of the proposal.

Legislator Bartels asked if this would be a County franchise or through the RRA. She asked if the franchise fee would offset the tipping fees.

Legislator Gerentine indicated through either authority, the goal would be for revenue to go to the RRA to offset tipping fees.

Legislator Bartels felt the proposal was worth looking into. She wondered how this might affect the little guy. She noted it might be possible to write the lines to make it competitive. She noted on the State Comptroller's website there was information that indicated costs could go down by half to the consumer with these contracts. She stated she would want to see all the numbers run. She asked if the proposal was to put off the vote on Resolution 306 or to just delay the start date.

Legislator Gerentine stated he was flexible on this; either putting the vote off a few months or the moving the start date down the road a little bit.

Legislator Bartels felt if the vote was put off, it might make it difficult to vote on the budget. She noted with not knowing a start date, the Legislature would not know how to approach the budget.

Legislator Gerentine stated his proposal would not short change the budget. He stated there would be sufficient funding in the budget dedicated for the purpose of flow control on whatever date it did start.

Legislator Bartels felt they needed to vote to a committed start date. She stated she supported putting the funding into looking into this proposal. She indicated she has been an advocate for the holistic approach as noted in the other Resolutions to further discuss the makeup of the Board as well as the possibility of flow control of regulated recyclables.

Chair Belfiglio noted there was a budget amendment to fund a consultant at \$20,000 that had been recommended by the Ways and Means Committee.

Legislator Gerentine noted the Town of Kingston has an approximately 300-home district to which they contract with an outside vendor. **RRA Executive Director Rose** reported the Town of Kingston did not build a transfer station twenty years ago and instead opted to enter into three-year contracts with an open bid to all private haulers. He noted the last provider was County Waste and now it was Waste Management.

Legislator Gerentine noted as part of the research of the proposal they could pick the Town of Kingston Supervisor's brain and discuss the pros and cons of this proposal working in Ulster County.

Legislator Rodriguez stated as a co-sponsor of the budget amendment to fund the consultant, he noted he remained a supporter of flow control starting on January 1' 2013 but felt if there was an opportunity for this to work with in conjunction than he was willing to put money aside to study this proposal. He noted he was willing to look at the proposal but had a different option than Legislator Gerentine. He still felt it had the potential to enhance flow control.

Chair Belfiglio noted except for the Town and City of Kingston, there were no residential contracts to pick up. He felt even if they did the study and figured out a way to do it and all agreed to add the franchise proposal, it would be nice for the County to be at the starting gate ready with everything. He noted the County came out of the starting gate with nothing back in 1989 and although they started with good intentions, it just fell to the wayside. He preferred to build on something that is good than to wait and start.

Legislator Gerentine stated he would have to check the budget first but indicated he preferred to start the research right now.

RRA Board Member Landi noted Oneida-Herkimer has been the poster child for flow control success and asked if there was a similar model for franchise districts. **Legislator Gregorius** indicated this was why he contacted RRA Executive Director Rose and noted this was not his area of expertise. He stated he had a lot of sleepless nights to come up with this proposal and he recognized what Legislator Parete went through in attempting to find something the County could do.

Legislator Parete noted it sounds like sanitation districts. **Legislator Gregorius** noted it could be called something different but reiterated RRA Executive Director Rose agreed to reach out to his counterparts to see what other County's do.

RRA Executive Director Rose stated he had emails out seeking information of other examples and Rockland County does not have County-wide franchise districts.

Legislator Gerentine noted expert attorney Michael Cahill might have information of Counties that do have franchise districts.

RRA Board Member Landi expressed concern that the longer the County stalls on flow control, the stronger Waste Management will be. He felt Waste Management could cut out the RRA from the flow and not use the RRA landfill. He noted the franchise with flow control proposal sounded okay but advised the County to move ahead with flow control and avoid a possible \$750,000 down draft that Waste Management could pull the plug on tomorrow.

Legislator Wishnick concurred with RRA Board Member Landi's concern and noted it has been his experience that the Legislature rarely respond to a three-month study and then be able to implement it the same month. He felt if the study comes in and as typical, the analysis doesn't happen overnight, it would take time to set up a system for every homeowner. He noted there would be contracts needed for a system of collection. He felt this was not an alternative to flow control. He noted the franchise proposal would only cover the 60% that is residential waste and they would not be franchising commercial waste, which would leave 40% outside this waste system. He respectfully suggested that commercial waste is more likely to go elsewhere than residential waste.

Legislator Gerentine concurred the franchise would only be for residential customers and a different and separate proposal would be established for commercial customers.

Chair Belfiglio asked about those who use the Town transfer stations. **Legislator Wishnick** stated they would be charged whether or not they use the service as a franchise guaranteed the coverage of the area. **Legislator Bartels** felt this needed to be studied.

Legislator Parete felt this problem has been around awhile and to shut the door on something that was potentially legitimate would be the continuation of not paying attention to what is going on. He stated in the system the transfer stations could be used for recycling. He felt they should go to the municipalities and let them vote on flow control. **Legislator Wishnick** felt this would be appropriate if the municipalities controlled the waste.

Legislator Bartels concurred that the Legislature should veto the proposal on all levels and get answers in a study. She felt if implemented, there might need to be another study to create the districts. She felt the study should begin right away. She noted the only money used so far was for the budget consultants. She was concerned that this would hold up flow control. She noted the concerns expressed by RRA Board Member Landi and that there will be funding for the RRA in the interim. She stated she was in agreement with moving forward right away with this proposal as well as Resolutions 278 and 279.

Legislator Gerentine requested RRA Executive Director Rose to continue his outreach to other Counties in determining if there exists another County as well as seek answers to some of the questions that had been posed at this Environmental, Energy, and Technology Committee meeting. He felt getting it first-hand would be beneficial in analyzing the possible barriers and advantages of this proposal. **RRA Executive Director Rose** indicated he distributed a few emails and noted Mr. David Vitale, who presented before the Special Committee on the Future of the RRA, would be the one who would know what County could be able to answer that question. He stated he would contact Mr. Vitale.

Legislator Gerentine clarified it was not his intention to stop flow control.

Chair Belfiglio noted the Legislature held a public hearing but that the actual Local Law is a late Resolution. **Chair Belfiglio** asked if Legislator Gerentine was requesting the sponsors of the Resolution to hold off on it or if he would be requesting the Laws & Rules Committee to hold the Resolution. He clarified as a late Resolution it is pending before the Laws & Rules Committee and must pass there before the Committee members can act on it or it can be withdrawn by the sponsors.

Legislator Gerentine replied he was simply informing the Environmental, Energy, and Technology Committee members of his thought process on this topic pending

the vote at Session. He noted the Committee could make a recommendation to the Laws & Rules Committee of what the Environmental, Energy, and Technology Committee desired.

Chair Belfiglio noted the Resolution was going before the Laws & Rules Committee and the Ways & Means Committee. He noted the sponsors were Legislator Rodriguez, Legislator Bartels, Legislator Wishnick, and Chair Belfiglio.

Legislator Rodriguez noted with one sponsor the Resolution could proceed to the Laws & Rules Committee.

Chair Belfiglio clarified the Local Law was out of the Environmental, Energy, and Technology Committee as it only voted on the Public Hearing.

Legislator Bartels noted on the \$20,000 funding in the 2013 budget and asked if it was something that should move faster, would it require a separate Resolution?

Legislator Ronk stated as long as the funding was in the budget, a Resolution would not be needed. **Legislator Rodriguez** noted the RFP's could go out now and they would not be paying anyone until January.

Legislator Gerentine indicated he would request Legislative Clerk Fabella begin the process right away.

RRA Board Member Landi reiterated if Waste Management does take it's trash out of the RRA, it would result in a \$750,000 increase to the existing \$2.4 million net service fee. He expressed concern that if Waste Management sensed the Legislature was stalling, they would proceed with this plan.

Legislator Bartels noted the plan would be for the first quarter of the year and the \$750,000 figure is an annualized amount. **Legislator Ronk** confirmed with an April 1st start date for flow control, the actual amount would be pro-rated to a quarter of the \$750,000 annual amount.

RRA Executive Director Rose noted the contract is for the whole year and in calculating the four month loss of revenue, it depends on the season as it is all volume based.

Legislative Counsel Chapman asked RRA Executive Director Rose if Waste Management opened its own transfer station, could the RRA raise it's tipping fees to adjust. He clarified if, based on Legislator Gerentine's proposal, flow control were pushed back for a few months and Waste Management began to flow control on March 1st or April 1st, resulting in a financial hit for the RRA, could the RRA raise rates for the rest of the year to adjust. **RRA Executive Director Rose**

responded yes, the rates could be instead of \$100 per ton, for example, \$105 per ton.

Chair Belfiglio asked Legislative Counsel Chapman if a private hauler could sue the County if they have a DEC permitted transfer station and did not enter into a contractual agreement with the County and the County then imposed flow control on them. **Legislative Counsel Chapman** replied anyone can sue for anything but noted the issue has been a hotly debated one to which the Legislature took action. He noted had the Legislature done it in secret, with no notice, then the haulers might have a case but as it has been very public and likely outcome, he felt it unlikely that they would have a case.

Discussion –

Chair Belfiglio noted after Tuesday's public hearing on flow control, Mr. Steve Changaris, Manager, Northeast Region, Environmental Industry Associations: NSWMA & WASTEC indicated he had additional points on the topic and requested privilege of the floor. **Chair Belfiglio** indicated he was granting Mr. Changaris ten minutes at this meeting.

Mr. Changaris stated his association was advising against the implementation of flow control when there were other options available. He noted there were licensing schemes that would increase the cost drivers for overhead and staffing to his association members. He noted he heard comments at this meeting that would lean toward good solid waste policy. He noted in the past the discussion was about paying down the debt instead of how to do good solid waste management in the County. He felt the best path to pay down the debt would be to strand the debt, identify two – three revenue sources to pay the debt, ensure the authority, in its operations, returns money to retire the debt and does not run services at a loss. He stated this was the same in regards to the Resolution to include recyclables in flow control as recyclables are market driven. He suggested the County set policy goals such as 30% of recycling and work with the Towns, haulers, and people as they are the generators of the trash and they start the management. He felt if the goal of the Legislature was to set standard, the industry would respond and the market would produce a better response. He stated government sets the vision; industry has the capacity to manage the solid waste and to move the recyclables; and the final need is to get the Towns on the policy plane. He shared an example of a County in another State which went through an RFP process to find a couple of sites that might be appropriate, invited the vendors to offer presentations, selected a vendor and then brought the vendor out to the communities to see if they wanted to sign a 5-10 year contract with this vendor to manage your materials. He noted this

resulted in a facility being developed and is now up and running. He felt the role of government would be to facilitate the intermunicipal purchase of the service. He noted they are a service industry with customers and that Ulster County is ideally situated with a variety of companies. He felt flow control hurts the economic interests of the private industry. He noted they can provide the service with the assets on hand as long as the standards are set. He felt there should be no animosity as they are all trying to get to the same objective. He noted the County should have 30-40% recycling rate, with an expanded list of recyclables that continues to grow and should be moving toward single stream. He noted the industry is changing with new technologies emerging to address labor and safety concerns. He felt the notion of the planning unit requesting a landfill goes against the main thrust of the NYS DEC's Beyond Waste future focus of diversion, source reduction, extended producer responsibility, and moving organics out of the landfills and out of the waste energy plants. He noted these were big issues in the industry that would be coming to a head very soon. He provided an example of a County in New Jersey that studied districts. He noted they chose a system to stay private. He noted new technology can be added to the specs. He stated he was asked to provide expert guidance on whether to use 1 or 3 districts. He felt it was a flip of a coin but provided pros and cons to each. He noted the County chose one district.

Chair Belfiglio compared a franchise agreement fee to that of Verizon which passes it on to the customer. He noted the goal is to pay down the debt and lower the net service fee to allow final privatization in the future.

Mr. Changaris stated an expert for the Beyond Waste initiative had advised them that a community cannot do a franchise for solid waste in New York. He indicated this was a system between Towns and the Authority and there was a lot that could be done to further the system goals. He noted there are thirteen to fourteen states that have "Just Compensation" legislation. He noted with flow control legislation, there would be people that are displaced. He stated in the "Just Compensation" legislation haulers were provided one-two year notice or six months to one year's worth of revenue to allow for the transition of the community in achieving its goals and businesses that may have just purchased two new trucks and is now losing the work in a specific community.

Chair Belfiglio noted public debate is something all are entitled to do but that he invited Mr. Changaris to offer his point of view. As the Committee is now fully aware of Mr. Changaris' position, **Chair Belfiglio** indicated he was seeking comments that would not be combative. He noted the Committee would not achieve resolve on this topic tonight.

Legislator Wishnick noted Mr. Changaris was an old colleague of his and clarified the New Jersey County and the districts would be bid for the provision of service throughout the County.

Mr. Changaris stated this was not a franchise but a bid for a County provision. He noted one of the larger municipalities in his example opted out of the system. He noted the important role of the municipalities if they chose to opt out; they could not recycle, must reach the same standards established by the County regarding solid waste management and must have parallel goals to reach the County standard for solid waste.

Legislator Wishnick asked Mr. Changaris if, in his role as the Northeastern Regional Manager, he had come across a County that was divided up into districts. **Mr. Changaris** indicated it was not typical and would need to think more about it. He indicated franchises were not utilized in this market and there were districts.

Legislator Wishnick asked if Mr. Changaris had seen a County that divided itself entirely into districts. **Mr. Changaris** noted some Counties had chosen to provide recycling services and some have chosen to offer service. When asked by **Legislator Wishnick** if this was a no, **Mr. Changaris** reserved the right to think on this.

LWV Representative Lanzetta stated Towns have the authority to establish districts to dispose of garbage. She noted the County could not over rule the home rule law of the Towns. She indicated if a Town so choose, it could tax and have refuse collection itemized as a property tax. She felt the County does not have the authority to do this and understood from the Association of Towns and Department of State that a franchise was not legal.

Legislative Counsel Chapman stated Counties can establish Trash/Refuse Districts under Article 5A of the County law. He noted until approached that night by Legislator Gerentine, he had not looked up the issue of County franchises nor had he seen it set up. He promised Legislator Gerentine he would provide an answer within forty-eight hours.

Mr. Changaris stated there was little flow control in Massachusetts but in these communities they have at a Town basis identified the need to have trash collected and delivered to the transfer station. He noted these communities put it out to bid and as part of the bid, the services must include the provision of a set amount of tonnage to the Town's transfer station. He noted in this model the Town leverages the private hauler to procure the service to the Town and the net effect is a benefit to surrounding towns and haulers with permits to conduct their operations.

He noted this was the prevailing mode in Massachusetts. He noted in the Town of Colony in New York, a landfill was sited and it quickly left a hole in their budget. He stated they went to a private bid and nine vendors applied to take over the facility. He noted this resulted in the private take-over of the facility is the facility will take debris from Long Island following Hurricane Sandy which will benefit the citizens of that community as the company will cover the debt at a guaranteed rate. In another County example, **Mr. Changaris** reported they were brought in to testify in a court case where they were seeking to lift the County prohibitions to take waste from out of County as the Waste Energy facility was only receiving about 900 tons a day and it's capacity was 1200 tons a day. He indicated they presented a case to demonstrate by lifting the prohibition they would help their rate payers.

Chair Belfiglio asked if there was a prohibition from taking waste from other Counties here in Ulster County.

Chair Belfiglio noted they would not come to concise agreement at this meeting and thanked Mr. Changaris for attending and appreciated his witness.

Motion No. 2

Resolution No. 301 – December 4, 2012

Text of Motion: Resolved to approve Resolution No. 301 - Ratifying The Execution Of An Inter-Municipal Agreement Allowing Ulster County To Participate In A BOCES Bid For Internet Services, And Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-municipal Agreement To Purchase Internet Services Through BOCES – Department Of Information Services

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Lopez

Resolution Summary:

This Resolution will ratify Ulster County's participation in IMA-1 and if the Director of Purchasing, after consultation with the Environmental, Energy and Technology Committee and the Director of Information Services, determines that purchasing Internet bandwidth services through BOCES is in the best interest of the County, the Chairman of the Ulster County Legislature is authorized to execute an inter-municipal agreement (IMA-2) to make such a purchase. The agreement to purchase such services shall be in such form as will be presented to the Clerk of the Legislature or as modified with the approval of the County Attorney, and the

Chairman and Deputy Chairman of Environmental, Energy and Technology Committee.

Discussion:

Chair Belfiglio noted he abstained from the last vote and confirmed in the interim that there would be a small exchange of funds between BOCES, his employer, and the County. He sought the advice of counsel. **Legislative Counsel Chapman** recommended the Chairman abstain.

Chair Belfiglio passed the Chair to Deputy Chair Bartels for the purpose of this Resolution.

Legislator Ronk asked Counsel if the last resolve should be amended to add, in addition to the County Attorney, the Chair and Deputy Chair of the Environmental, Energy, and Technology Committee. **Legislative Counsel Chapman** advised this change should be made. He indicated in theory if changes were made, the County Attorney presents the agreement to the Legislative Clerk but if the County Attorney decides to change that, the Legislature would not know it. He agreed it should be amended to include the Chair and Deputy Chair of the Committee and also advised Chair Belfiglio be stricken as sponsor of the Resolution. He noted this change was consistent with other, similar Resolutions.

At the advice of Legislative Council, **Legislator Ronk** motioned to amend the last resolve to read as follows:

“approval of the County Attorney, and the Chairman and Deputy Chairman of Environmental, Energy and Technology Committee” and strike Legislator Belfiglio’s name from the sponsorship of the Resolution.

Legislator Wawro seconded the motion and all voted in favor of the amendment with Legislator Belfiglio abstaining from the vote. **Deputy Chair Bartels** noted the amendment passes.

Legislator Belfiglio withdrew his sponsorship of the Resolution.

Deputy Chair Bartels asked if there was any further discussion on the Resolution.

Legislator Belfiglio asked if within the second resolve it should include specifics or if it should be left at the discretion of Purchasing. He noted there was no criteria to base whether the bid should be accepted or not accepted. He noted there may be security concerns and although it may see savings, it may be held due to security

concerns. **Deputy Chair Bartels** noted the Resolution came from the County Executive and did not see a problem with the language. **Legislator Belfiglio** noted he had to seek out the cost analysis that was provided at the last meeting.

Deputy Chair Bartels called for the vote.

Roll Call Vote: No

Voting In Favor: Legislators Bartels, Lopez, Ronk, Parete, Wawro, and Wishnick

Voting Against: None

Abstaining from Vote: Legislator Belfiglio

No. of Votes in Favor: 6

No. of Votes Against: 0

No. of Votes in Abstention: 1

Disposition: Carried

Motion No. 3 Resolution No. 278 – December 18, 2012

Text of Motion: Resolved to approve Resolution No. 278 – Requesting That The New York State Assembly And New York State Senate Introduce Legislation Amending New York Public Authorities Law Article 8, Title 13 G, Section 2050-t (3) To Include Recycling Material

Motion Made By: Legislator Bartels for the purposes of discussion

Motion Seconded By: Legislator Wishnick

Resolution Summary:

This resolution requests that the New York State Assembly and New York State Senate enact legislation amending Public Authorities Law Article 8, Title 13 G, Section 2050-t (3) and remove “but shall not include any scrap or other material of value separated from the waste stream and held for purposes of recycling” from that section of law and that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, DEC Commissioner Joe Martens, the representatives of Ulster County in the New York State Legislature, the leaders of all Ulster County municipalities, and the Board and Executive Director of the Ulster County Resource Recovery Agency.

Discussion

Legislator Bartels stated she submitted this resolution as part of a whole system. She felt this was just to start the process. She indicated there would be a series of

checks and if approved, the Legislature would need to start the process to approve. She noted the potential financials would have an impact on tipping fees and this was something to be discussed at the time it was being enacted. She noted expert attorney Michael Cahill stated it was a mistake that Ulster County was the only County with this language in the enabling legislation. She indicated this legislation was allowing the County to have the discussion down the road and expected this would lead to debates in the meetings in the future.

Chair Belfiglio felt this was a big step for Ulster County and asked RRA Executive Director Rose if as in the case with his own Town, there were Towns that were not meeting the expenses of their transfer stations. He noted for these communities, recycling could be viewed as a liability as they are paying the RRA to haul the recyclables away.

RRA Executive Director Rose noted Towns were charged a \$40 pull charge for recyclables. He noted trash disposal was charged the \$40 pull charge and a tipping fee per ton.

Legislator Bartels stated the pull charge was a decision pre-RRA Executive Director Rose. She stated she had asked why charge rather than encourage more recycling. She felt they should increase the cost of pulls for garbage. She noted if the County did get State approval for flow control of recycling, it would only be flow control of regulated recycling, which does not include compost or organics.

Chair Belfiglio noted if the County received the authority it might not necessarily utilize. **Legislator Bartels** noted the same has been done with the County having the authority for flow control and not implementing it.

Legislator Wishnick stated they should be given the authority to follow through with it if the County comes up with something that makes sense for ourselves. He reiterated the revenue from recycling could offset tipping fees. He felt it was worthy of examination.

Legislator Parete stated he was opposed to flow control and felt it was a stroke of genius that the State did not allow Ulster County to do this many years ago. He stated the Agency has bled red for years to the tune of \$32 million over 10-15 years. He said he has not seen anywhere the documentation that will show the County will make money on recycling. He said the Agency did recycling when it had a MERF and with no money to reinvest for new technology and equipment, it became obsolete. He felt a private hauler does this far more efficiently. In seeking State approval, he felt one does not ask a father permission to marry his daughter

until he found out of she liked him and similarly, he cannot see asking the State for permission, if it is not a good idea.

Chair Belfiglio stated he was concerned on what the impact of flow control would be on private haulers, such as taking away revenue. He noted with flow control the County would be increasing the tipping fee. He asked what the impact would be of flow control of recyclables if someone just invested \$3-\$4 million in a single stream facility and the County is now taking that ability away from them.

Legislator Wishnick recommended spending the \$20,000 for the hiring of a consultant to examine this issue instead of franchising. He felt it could result in real savings in tipping fees. He expressed concern in studying something that has not been done anywhere else and expect to have evidence to show cost savings. He noted there are very few new ideas in solid waste except for new high technology. He stated for the mechanics of running a solid waste district, everyone has looked into it and have chosen not to do it at the County level.

Legislator Parete felt the Committee should not be quibbling over a word. He suggested instead of franchise to explore districts, where everyone pays. He noted there was a mob mentality over recycling and "want it now". He felt it would be a tough break for those who invested in the new technology and soon the Legislature will take property for a landfill and take trash someplace even if it cost most. He stated the offer is more than can be refused and then the Legislature vote for something that the County now covets.

Legislator Bartels noted the Resolution is requesting permission of the State which would time and would not happen overnight. She reiterated the County would decide whether or not to enact this Resolution. She noted the County would be addressing the fact that they are the only County whose enabling legislation has this language. She felt this would put the County in a position to make whatever educated decision is the right decision and at that time, the long debate will occur.

Chair Belfiglio felt this was a compromise as this Resolution states just for the ability to do it and not necessarily whether they will do it as it will need to be voted on.

Legislator Wishnick in responding to Legislator Parete analogy of asking for permission to marry, stated they were not asking permission to marry, just permission to date. **Legislator Parete** indicated he did not ask the father permission to date.

Chair Belfiglio called for the vote.

Roll Call Vote: None
Voting In Favor: Legislators Belfiglio, Bartels, Lopez, Wawro, and Wishnick
Voting Against: Legislators Parete and Ronk
No. of Votes in Favor: 5
No. of Votes Against: 2
Disposition: Carried

Motion No. 4 Resolution No. 279 – December 18, 2012

Text of Motion: Resolved to approve Resolution No. 279 – Requesting That The New York State Assembly And New York State Senate Introduce Legislation Amending New York Public Authorities Law Article 8, Title 13 G, Section 2050-c (3) To Allow Elected Officials To Serve On The Board Of The Ulster County Resource Recovery Agency

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Bartels

Resolution Summary:

This Resolution requests that the New York State Assembly and the New York State Senate enact legislation amending Public Authorities Law Article 8, Title 13 G, Section 2050-c(3) and remove “and provided, further, however, that no public official elected to his or her office pursuant to the laws of the state or any municipality thereof may serve as a member of the governing body of the agency during his or her term of office” from that section of law and that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, DEC Commissioner Joe Martens, the representatives of Ulster County in the New York State Legislature, the leaders of all Ulster County municipalities, and the Board and Executive Director of the Ulster County Resource Recovery Agency.

Discussion

Legislator Bartels clarified the Resolution was requesting the authority to allow an elected official to sit on the RRA Board. She noted the Legislature would then have to determine how they would want to change the Board make-up, if they would want to change the Board make-up, and which elected officials they would want to put on the Board. She stated as it stands currently, a supervisor and a

Legislator cannot sit. She noted this Resolution allows the Legislature a broader opportunity to deal with the make up with the Board.

Legislator Rodriguez noted there may need to be a separate Resolution to expand the Board. He felt it would be difficult for the State Legislature to be in opposition to the Legislation as it was a matter of consistency. He stated they were just dealing with the prohibition and it was meant to be a matter of discussion.

Chair Belfiglio clarified this Resolution allowed an elected official, including a member of the County Legislature, could sit as a member of the Board. He noted there were now five members of the Board and they could advance a request to expand the number.

Legislator Rodriguez noted this Resolution did not expressively expand the number but indicated a separate Resolution could be submitted in the near future.

Legislative Counsel Chapman noted the State Legislature would enter new bills in mid-late January or even early February.

Chair Belfiglio noted one current RRA Board Member, Dennis Helm, entered his resignation and one appointment, Leon Smith, is up this year. He indicated he did want to try to expand the Board and/or expand the Board membership this year. He noted as per Legislative Counsel Chapman, the resolution did not have to be submitted this year. He felt if flow control was to be adopted, there would be a different set of circumstances as Legislators are the stakeholders for their constituents and any kind of decision made by the Agency shall be done with the best interest of the taxpayers and not necessarily the Agency. He noted he agreed with this Resolution but would also like to see the Board membership expanded so that if the State Legislature does approve, the County Legislature could move ahead with elected officials instead of waiting for reappointment opportunities.

Legislator Bartels stated if the Resolution passed the full Legislature, the Environmental, Energy, and Technology Committee could begin at their January meeting to start the investigation of the make-up of the Board as well as the RRA contract. She felt it could be the number one agenda item for the Environmental, Energy, and Technology Committee in January.

Legislator Wishnick asked Legislative Counsel Chapman if the County could decide the number and membership make up of the Board or if they would have to go through the State to decide. **Legislative Counsel Chapman** replied this has to go through the State under Section 250-C, Subdivision 1.

Legislator Wishnick asked if the Legislature wanted to have additional members on the Board, say nine, would it be appropriate to amend the Resolution to add them at this point. **Legislative Counsel Chapman** advised the Committee pass two separate resolutions. He noted if the first part becomes law, the State Legislators might want to see if other Counties allow for the second part. He noted if other Counties allow, the State might take a second look. He noted there may ultimately be one bill out of Albany but that three separate should be submitted.

Legislator Parete felt the Board should be expanded and noted Rockland County had seventeen people on their Board but felt whatever Resolution should be specific to include such representatives as one-two Town Supervisors, the Environmental Management Council, and the Business community. He felt it should not be just elected officials. He felt it should all be in one expanded, specific Resolution and felt the Resolution could be submitted in January.

Legislator Rodriguez stated he would start drafting another Resolution and asked for the advice of Counsel if they should keep the Resolutions to discreet issues and segment the topics. He felt a nine member board with appointees, two Supervisors and/or the Mayor of the City of Kingston or whatever is decided by the group is supported but was segmented out upon the advice of Legislative Counsel.

Legislator Parete asked Legislative Counsel if he had suggested two Resolutions. **Legislative Counsel Chapman** noted he was just asked for his counsel this night and highlighted the State Legislature will look at what it does differently for one municipality than it does for others. He stated he would like to take a look at whether or not any other municipality has this provision where local elected officials can sit on this type of Board.

Legislator Bartels felt the Board Membership Resolution should be specific but that the enabling Legislation to allow elected officials to sit on the Board should be done first. **Legislative Counsel Chapman** noted he had recently seen requests for fluctuating memberships. He noted the State Legislature was concerned if there was too large of a spread (7-17 members). He stated he would see if the Resolution was different than other communities. He stated the County Legislature could submit one resolution with three issues and request the State Legislature to pass either one or three bills to address these issues. He noted with different individual State representatives there may be interest to advance different parts of the issue at the State. He noted if the Representative's hands were tied by the County to submit all or nothing, it might shoot down the entire bill.

Legislator Bartels reiterated there was no reason to move the existing bill as is. **Legislative Counsel Chapman** concurred; there was no legal reason.

Chair Belfiglio felt the existing bill was ambiguous and if flow control passes, the Legislature should have an understanding of exactly how it is going to work. He felt the Legislature owed it to the general public to have a balanced board with stakeholders and elected officials. He felt the County was taking a big leap of faith with flow control, understanding it has been done in other Counties, but did not know how it will actually level out in Ulster County. He stated all three Resolutions tonight demonstrate that things are changing that the Legislature is going to protect the taxpayer, the agency, and the environment. He stated he would like to amend the Resolution to elect a nine member board.

Legislators Parete and Ronk concurred the Committee should be discussing this but not at this meeting.

Legislator Bartels felt the Committee would be pulling it out of their back pocket right now and stated she was talking with people about the Resolution and not one of them said they did not want to see an elected official on the Board; be it a Supervisor or a member of the Legislature. She felt she was not prepared to say seven or nine or eleven members for the Board.

RRA Executive Director Rose stated he communicated with RRA Counsel in regards to the elected official issue and was told that in the State Public Authorities law, it does allow for elected officials but that it was the enabling act that did not allow their membership. He added, as things were volatile at the creation of the RRA, it was felt things would be better if Legislators were not on the Board. He noted at the time it was perceived the public did not see the Legislature as separate from the RRA which drew the Legislators in any way. He noted Rockland County does have elected officials and each of the five Supervisors gets a seat, the County Legislature gets two, the County Executive gets one, and the each of the Villages get one on its Board.

Chair Belfiglio asked if it was the intention of the sponsor that the Committee vote on this Resolution and move it on. **Legislator Rodriguez** stated he wanted a full, thorough and knowledgeable debate on what they wanted the Board makeup to be and wanted this to be a part of a full home rule request. He noted everyone had different perspectives but that the commonality was that they all wanted to see some changes in terms of the makeup of the Board and some acceptance of the idea to have stakeholders and other elected officials involved in the process.

Legislator Parete stated he supported expanding the Board membership significantly and would vote no on this resolution as he felt the Committee should spend another month to come up with the specifics.

Chair Belfiglio called for the vote.

| | |
|-------------------------------|--|
| Roll Call Vote: | None |
| Voting In Favor: | Legislators Belfiglio, Bartels, Lopez, Ronk, Wawro, and Wishnick |
| Voting Against: | Legislator Parete |
| No. of Votes in Favor: | 6 |
| No. of Votes Against: | 1 |
| Disposition: | Carried |

Administrative Update for Resolution 278:

Legislator Bartels noted in regards to the title and the first whereas, LWV Representative Emily Hauser presented at the last meeting, includes the words recycling material and is requesting it be changed to recyclable. She asked if this could be amended after it was passed. **Legislator Ronk** noted it could not be reconsidered as it had already passed. **Chair Belfiglio** noted it could be amended on the floor. **Legislator Bartels** wanted the Committee to be informed that she would be amending this on the floor at the December 18, 2012 session.

Review Budget Abstract:

Chair Belfiglio reviewed the two abstracts. He noted L47-3 was a contract with Verizon and was 100% paid by the County for telephone systems. He noted there may be cheaper options but as with all contracts, the Legislature was not part of the negotiation. He noted in regards to L47-4, a contract with New World Systems, this was for new software for the payroll and accounts payable system, including the implementation, training and support for one year. He noted the current contract was for one year and speculated that the second year costs would be lower in the second year. He noted in his communication with Budget Director Hanson he learned, within the software, the County departments would be able to submit electronic requisitions. He stated those request under \$50,000 would be determined by the Purchasing Agent and those over \$50,000 would have Finance Department review. He indicated the software would also allow for the printing of the payroll checks. He felt the cost was in line for an organization the size of the County.

New Business: Late Resolution #306

Chair Belfiglio noted this resolution was going before Laws and Rules and Ways and Means Committees and was not before the Environmental, Energy, and Technology Committee for discussion.

In response to **Legislator Bartels'** question of why it was late as they voted on it last month, **Legislator Ronk** noted the resolution could not be introduced prior to the holding of the public hearing and the public hearing was held after the Resolution deadline.

Adjournment

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Wawro

No. of Votes in Favor: 7

No. of Votes Against: 0

TIME: 7:36 PM.

Dated the 3rd day of December, 2012

Krista Barringer, Deputy Clerk

Minutes Approved on: February 7, 2013

Motion No. 2 Resolution No. 318 – December 6, 2012

Text of Motion: Resolved to approve Resolution No. 318 - Establishing And Reporting The Standard Work Day For Appointed Officials

Motion Made By: Legislator Robert Parete

Motion Seconded By: Legislator Provenzano

Resolution Summary: This Resolution establishes by the Ulster County Legislature the Standard Work Days for these appointed officials who are not covered by a collective bargaining agreement, and will report the days worked to the New York State and Local Employees' Retirement System based on the record of activities (ROA) maintained and submitted to the Clerk of the Legislature, or by participation in the County's time keeping system for the following officials. The Clerk of the Ulster County Legislature is directed to post a copy of this resolution on the County's website or official sign-board of the County for a period of not less than 30 days and will file a certified copy of this resolution along with an affidavit of posting with the Office of the New York State Comptroller within 45 days of the adoption of this resolution.

Discussion

Legislator Provenzano asked for clarification of the chart in the resolution showing some individuals did not take part in the time keeping system. She was concerned this would have an impact on their retirement.

Tantillo explained that the resolution establish the standard work day and calculates how many days individuals earn toward retirement. Individuals that use the time keeping system will record the days worked that way. The individuals who do not use the time keeping system kept a three month log of hours worked just as the Legislators did. That log was used to establish days worked for the purpose of retirement for those individuals.

Robert Parete asked if any of these employees increased their work day of if the resolution changed the work week hours for any of them. He felt that the committee should know what they were before and what they were changed to.

Tantillo explained that all of the Legislative staff, except for Counsel and Part Time Deputy Clerk, were hired at an 8 hour day/ 40 hour work week.

Roll Call Vote: No
Voting In Favor: Legislators Aiello, Belfiglio, Robert Parete, Provenzano
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Motion Passed

New Business:

Legislator Belfiglio introduced a resolution proposal for discussion. In light of the many personnel changes expected in the next year, he is concerned that it is not clear what is happening to positions only looking at the budget. He used the example of the new Deputy Director of Social Services who was moved from Golden Hill.

The resolution requested the County Personnel Officer provide a monthly accounting of all new county employees, employee department transfers, new contract employees, new Department and Deputy Department Head appointments, Department Head and Deputy Department Head transfers and resignations within all County departments.

Legislator Provenzano said she understood what Belfiglio was looking for and agreed the committee should get it but she did not feel a resolution was necessary. She feels the committee has the authority to request any information they want. She suggested the committee write a letter to Brenda Bartholomew, Personnel Director, to provide the information if they simply ask for it.

Belfiglio said if we do that and they agree to it – that would be fine. He is not submitting the resolution until next month. If they get the information they request it would be fine. If not he wants to move ahead with the resolution.

Legislator Parete agreed the committee needed more information but was not sure how to tie it into Charter changes requesting all civil service reclassifications on a quarterly basis. That Charter change “dove tails” into this resolution.

There was discussion about what should be in the letter. Counsel Guerin was asked to write a letter, share it with the committee members for them to sign.

Legislator Parete expressed concern about the wording of resolution requiring the information to be posted on the web site. He felt this was unnecessary and might even be an infringement on employee’s confidentiality.

Legislator Belfiglio explained the purpose of publishing the information on the web site was to two fold. It would keep the Legislature informed of various changes in personnel and insure the public would be aware of vacancies and possible job openings.

There was a brief discussion that most County jobs are Civil Service and individuals are hired from a list. The exams required to get on the list are posted on line.

Guerin suggested that any report should tie into proper personnel policy and accountability. She pointed out that the entire County workforce is impacted by policy matters like reclassification.

Belfiglio felt the discussion was off his original point was would welcome Bartholomew to attend the next meeting. He feels it is important for the public to know what positions are being filled. He suggested a compromise of just posting the job title and position number.

Guerin said she would draft a letter to Deputy Executive Ken Crannell requesting Brenda Bartholomew, Personnel Director, attend the next meeting of the committee.

Chairman Aiello pointed out that the county has 1700 employees. He didn't want the committee to come across as unreasonable. He suggested they ask Bartholomew and Crannell what reports they currently produce and go from there. He was happy to have them at the next meeting.

Adjournment

Motion Made By: Legislator Provenzano

Motion Seconded By: Legislator Robert Parete

No. of Votes in Favor: 4

No. of Votes Against: 0

TIME: 6:12 pm

Dated the 13th day of December, 2012

Fawn Tantillo, Deputy Clerk

Minutes Approved on: January 7, 2013

Law Enforcement & Public Safety Committee

Regular Meeting Minutes

DATE & TIME: November 27, 2012 @ 5:30 PM
LOCATION: Ulster County Office Building, Karen L. Binder Library, 6th Floor
PRESIDING OFFICER: Chairman Richard Parete
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Kenneth Ronk (5:39 pm), Mary Beth Maio and Carl Belfiglio
ABSENT: Legislator Thomas Briggs
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Clerk Victoria A. Fabella; Legislators Wishnick, Rodriguez, Fabiano and Rob Parete; Sheriff Paul VanBlarcum; Minority Council Chris Ragucci; Deputy Comptroller, Joseph Ariole; Senior Legislative Employee Frank Reggero and Legislative Deputy Sandy Mathes and Jack Hayes

Deputy Chairman Ronk called the meeting to order at 5:38 pm

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of November 13, 2012
Motion Made By: Legislator Belfiglio
Motion Seconded By: Legislator Maio
Roll Call Vote: No
Voting In Favor: Legs. Maio, Ronk, Rich Parete and Ronk
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 2

Resolution No. 284 – December 18, 2012

Text Of Motion: Resolved to approve Resolution No. 284 - Amending The 2012 Ulster County Budget, Transferring Funds From the Reserve Telephone Commissions Account And Appropriating the Funds For The Purchase Of Computer System Back-up Power Supplies – Ulster County Sheriff's Office

Discussion: **Sheriff VanBlarcum** reviewed the content of the Resolution with the Committee. **Leg. Belfiglio** inquired as to backup system to the computer system.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio
Roll Call Vote: No
Voting In Favor: Legs. Maio, Ronk, Rich Parete and Ronk
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 3

Resolution No. 285 – December 18, 2012

Text Of Motion: Resolved to approve Resolution No. 285 - Amending The 2012 Ulster County Budget, Transferring Funds From the Reserve Telephone Commissions Account And

Appropriating the Funds For The Purchase Of Jail Bunks And Seats – Ulster County Sheriff's Office

Discussion: Sheriff indicated that money had been generated from the previous purchase of bunks and believed the case would be the same with the additional purchase.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio
Roll Call Vote: No
Voting In Favor: Legs. Maio, Ronk, Rich Parete and Belglio
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

New Business: **Sheriff VanBlarcum** addressed the Committee to request that it consider sponsoring an amendment to the 2013 Budget scheduled for the upcoming meeting, for the purchase of vehicles. He stated that this was first year this request was included in the Capital Projects. Discussion ensued as to where the budget request was located. **Sr. Leg. Employee** and **Leg. Clerk Fabella** joined discussion to explain. **Leg. Ronk** requested that the Sheriff's plan and report, with regard to the vehicles, be provided to the Committee.

Jack Hayes presented a handout, "*Facing the Second Front, Building Bridges for Veteran Traffic Safety.*"

Leg. Rich Parete stated that a follow-up would be made with Phil Kirschner regarding the proposed scrap metal law. He stated that upon determination of the next Committee meeting, Sheriff VanBlarcum would be contacted to extend an invitation for Abe Markiewicz to attend.

There being no further business before the Committee, a motion was made by **Legislator Ronk**, seconded by **Legislator Maio**, and carried to adjourn the meeting at 6:08 p.m.

Dated the 3rd Day of December, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: January 8, 2013

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: November 7, 2012 / 8:00 PM
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building, 244 Fair Street,
Kingston, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Roberts, Donaldson, Loughran, Maio
ABSENT: Legislators Fabiano, Ronk and Robert Parete
QUORUM PRESENT: Yes
OTHER ATTENDEES: Langdon Chapman and Erica Guerin, Legislative Counsel; Bea Havranek, County
Attorney; James Hanson, Budget Director.

- Chairman Kevin A. Roberts called the meeting to order at 8:35 PM.

MOTION NO. 1 Approval of the October 17th Committee Meeting Minutes
MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Donaldson
DISCUSSION: Hearing none, moved to vote
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, Donaldson, Loughran, and Maio
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

RESOLUTIONS:

MOTION NO. 2 RESOLUTION No. 275 –November 13, 2012
TEXT OF MOTION: **RESOLVED to Approve Resolution 275** - Amending The Rules Of Order Of The
Ulster County Legislature To Change Legislative Meetings on Future September 11
Dates
Resolution Summary: Amend the Rules of the Legislature to read: If a regular or
committee meeting falls on a holiday, September 11 or if the Chairman determines the
safety and welfare of the public and members may be compromised due to inclement
weather or any other emergency, said regular session or committee meetings shall be
held on another day designated by the Chairman.
MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran
DISCUSSION: Chairman Roberts recognized Legislator Donaldson stated that he does not support
the resolution based on beliefs that terrorist acts should not impede the progress of
Government and stated that he will speak with the sponsor to insure there is no
misunderstanding.

Counsel Chapman added that because this Resolution requires two readings **Chairman Roberts** could put this Resolution to vote now and debate it on the second reading. **Legislator Donaldson** motions to table resolution for further debate, seconded by **Legislator Maio** and invite **Legislator Lopez** to the next scheduled meeting of the Laws and Rules Committee.

Chairman Roberts calls for vote on motion.

Motion to table Resolution unanimously adopted by Committee 4-0.

DISPOSITION: **Motion Passed, Resolution tabled until next Committee meeting**

MOTION NO. 3 **RESOLUTION No. 276 – November 13, 2012**

TEXT OF MOTION: **RESOLVED to approve Resolution 276** - Setting A Public Hearing On Proposed Local Law No. 12 of 2012 (A Local Law Amending Local Law No. 9 of 1991, Ulster County Solid Waste Management Law)

Resolution Summary: Public Hearing will be held on November 27, 2012 at 6:30 PM in the Legislative Chambers, Ulster County Office Building, 244 Fair Street, Kingston, New York

MOTION MADE BY: **Legislator Donaldson**
MOTION SECONDED BY: **Legislator Loughran**

DISCUSSION: **Chairman Roberts** recognized Legislative Counsel Chapman who stated that upon consultation with the County Attorney they both agree that the word "Municipal" in "Municipal Solid Waste" should be stricken. Counsel Chapman further stated that the Sponsor and Deputy Chair of the Laws and Rules Committee has agreed with proposed changes to the Local Law.

Chairman Roberts calls for further discussion regarding amended resolution, hearing none called for a vote.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Roberts, Donaldson, Loughran, and Maio**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **4**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 4 **LATE RESOLUTION No. 290 – November 13, 2012**

TEXT OF MOTION: **RESOLVED to approve LATE Resolution 290** - Authorizing The Ulster County Executive To Execute An Application For Assistance And Required Assurances Necessary To Receive An Allocation Of Funds From The New York State Office For The Aging, NY Connects System Integration Grant – Office For The Aging

Resolution Summary: The Ulster County Executive is authorized to execute the Program Application with Standard Assurances with the New York State Office for the Aging for the NY Connects Systems Integration Grant, in the form as filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran

DISCUSSION: Chairman Roberts calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, Donaldson, Loughran, and Maio
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 5 LATE RESOLUTION No. 291 – November 13, 2012

TEXT OF MOTION: RESOLVED to approve LATE Resolution 291 - Confirming Appointment Of Member
To The Ulster County
Board Of Ethics

Resolution Summary: The Ulster County Legislature confirms the appointment of Cappy Weiner to the Ulster County Board of Ethics.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran

DISCUSSION: Chairman Roberts stated that he will be a NO on this resolution based on lateness and time sensitivity for action by the Committee. Legislator Donaldson seconds Chairman Roberts opinion for objection.

Counsel Chapman advises that if a Legislative confirmation does not happen within the specified time frame the appointment becomes confirmed without action by the Committee.

Chairman Roberts asked when the resolutions were received by the Legislative staff. Committee Clerk Frank Reggero stated that the late resolutions were received today after the packets had went to print.

Chairman Roberts calls for further discussion on the motion to table the resolution, hearing none called for a vote.

Motion to table Resolution unanimously adopted by Committee 4-0.

DISPOSITION: Motion Passed, Resolution tabled until next Committee meeting

OTHER BUSINESS: Hearing none Chairman Roberts calls for a motion to adjourn.

Chairman Roberts asked if there is any other business before the Committee, hearing none recognized Legislator Donaldson for a motion to adjourn, seconded by Legislator Loughran at 8:45PM.

Dated the 7th of November, 2012
Franklin R. Reggero
Ulster County Legislature
Minutes Approved on: 17 December 2012 / frr

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: November 13, 2012 / 6:50 PM
LOCATION: Majority Room, 6th Floor, County Office Building, 244 Fair Street, Kingston, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Roberts, Robert Parete, Donaldson, Fabiano, Loughran, Maio and Ronk
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Langdon Chapman, Legislative Counsel; Susan Plonski, County Attorney.

- Chairman Kevin A. Roberts called the meeting to order at 6:50 PM.

RESOLUTIONS:

MOTION NO. 1

LATE RESOLUTION No. 292 –November 13, 2012

TEXT OF MOTION:

RESOLVED to Approve LATE Resolution 292 - Authorizing The Chairman Of The Ulster County Legislature To Execute Documents Related To The New York State And New York City Flood Buyout Program Property Acquisitions – Emergency Communications – Emergency Management

Resolution Summary: The Chairman of the Ulster County Legislature, (or if the Chairman is unavailable after the County Attorney shall have given 24 hours written notice of the scheduled closing to the Clerk of the County Legislature, then the County Executive), is hereby authorized to execute all contracts, modifications and amendments thereto, and/or related documents required for the County to perform pursuant to the flood buy-out programs as set forth in Capital Project Nos. 355 and 356.

MOTION MADE BY:

Legislator Donaldson

MOTION SECONDED BY:

Legislator Loughran

DISCUSSION:

Chairman Roberts recognized County Attorney Susan Plonski who stated that the resolution has been changed since submitted noting that the County Executive should remain the approving authority for buyout contracts.

Chairman Roberts recognized Legislative Counsel Langdon Chapman who stated that historically and procedurally the Chairman of the Legislature has and should sign real-estate contracts and that the resolution was amended by the sponsor. Ms. Plonski stated that due to the time sensitive nature of the contracts the approving authority should be the County Executive. Counsel Chapman stated that the Chairman will make herself available to review and sign the contracts in the specified timeline.

Deputy Committee Chairman R. Parete asked Ms. Plonski the routing procedure for real-estate contracts. Ms. Plonski stated the contracts either go to the seller or the seller's attorney for negotiation with the County Attorney office to reach an agreement. Once an agreement is reached the County Attorney will have to contact the Chairman for signing and to be present at each of the closings.

Counsel Chapman stated that he and the Chairman are here frequently and that these contracts will be reviewed and signed in a timely manner.

Legislator Donaldson motions to have a clause in the resolution that authorizes the County Executive to sign in the absence or at the approval of the Chairman.

Chairman Roberts calls for a motion to approve resolution as amended above in the summary, moved by **Legislator Donaldson** and seconded by **Legislator R. Parete**. Unanimously adopted 6-0.

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|-------------------------------|--|
| ROLL CALL VOTE: | No |
| VOTING IN FAVOR: | Legislators Roberts, Robert Parete, Donaldson, Fabiano, Loughran, Maio and Ronk |
| VOTING AGAINST: | None |
| NO. OF VOTES IN FAVOR: | 7 |
| NO. OF VOTES AGAINST: | 0 |
| DISPOSITION: | Motion Passed as amended in Committee |

OTHER BUSINESS: Hearing none **Chairman Roberts** calls for a motion to adjourn.

Chairman Roberts asked if there is any other business before the Committee, hearing none recognized **Legislator Donaldson** for a motion to adjourn, seconded by **Legislator Loughran** at 6:58PM.

Dated the 13th of November, 2012
Franklin R. Reggero
Ulster County Legislature
Minutes Approved on: 17 December 2012 / frr

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: November 27, 2012 / 6:10 PM
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building, 244 Fair Street,
Kingston, NY
PRESIDING OFFICER: Robert S. Parete, Deputy Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators R. Parete, Donaldson, Loughran, Maio and Ronk
ABSENT: Legislator Roberts
QUORUM PRESENT: Yes
OTHER ATTENDEES: Langdon Chapman, Legislative Counsel.

- Deputy Chairman Robert S. Parete called the meeting to order at 6:15 PM.

RESOLUTIONS:

MOTION NO. 1 RESOLUTION No. 293 –December 4, 2012

TEXT OF MOTION: **RESOLVED to Approve Resolution 293** - Amendment To The Rules Of The Ulster County Legislature To Permit Videoconferencing

Resolution Summary: Amend the Rules of the Legislature that Rule 10 of the Legislature is amended by adding a section labeled as "CC." To set forth the permanent change to the video-teleconferencing procedures.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran

DISCUSSION: Chairman R. Parete recognized Legislator Donaldson motions to amend the resolution by striking the sunset date of 1 January 2013 and adding language that limits the total amount of times a Legislator may video-conference session to twice annually, non-consecutive.

Chairman R. Parete calls for motion to strike the sunset clause date moved by Legislator Ronk and seconded Legislator Donaldson.

Chairman R. Parete calls for debate on limiting the amount of times a Legislator may video-conference. Legislator Donaldson stated he believes that video-conferencing should be permanent but limited to twice annually non-consecutive. Legislator Loughran seconded. Chairman R. Parete called for a vote on resolution as amended.

Resolution unanimously adopted as amended by Committee 5-0.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators R. Parete, Donaldson, Fabiano, Loughran, Maio and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

OTHER BUSINESS: Hearing none **Chairman R. Parete** calls for a motion to adjourn.

Chairman R. Parete asked if there is any other business before the Committee, hearing none recognized **Legislator Donaldson** for a motion to adjourn, seconded by **Legislator Loughran** at 6:27PM.

Dated the 27th of November, 2012
Franklin R. Reggero
Ulster County Legislature
Minutes Approved on: 17 December 2012 / fr

**Legislative Programs, Education & Community Services Committee
Regular Meeting Minutes**

DATE & TIME: Tuesday, November 27, 2012 – 5:00pm
LOCATION: Ulster County Legislature Chambers, 6th Floor, County Office Building, Fair St., Kingston, NY
PRESIDING OFFICER: Deputy Chair David Donaldson
RECORDER: Janet Salanitri, Adm. Assistant, SUNY Ulster County Community College
PRESENT: Deputy Chair Donaldson, County Legislature Chairman Terry Bernardo, Leg. Gregorius,
(note: Legs. Wawro and Lopez arrived at approximately 5:15pm)
ABSENT: Chairman Wayne Harris (Excused)
OTHERS PRESENT: Dr. Donald C. Katt, President, SUNY Ulster County Community College; Jose Colon and Melinda Herzog, both appearing for Cornell Cooperative Extension of Ulster County; Victor Melville, as Observer for the League of Women Voters; Jack Hayes, former Ulster County Legislator; and Frank Reggero, Ulster County Legislature and Earl Pardini of The Catskill Mountain Railroad.
QUORUM: Yes

Deputy Chairman Donaldson called the meeting to order at 5:07pm.

ULSTER COUNTY COMMUNITY COLLEGE:

Draft Resolution No. 310 – December 18, 2012:

MOTION #1:

Text of Motion: Resolved, to approve the appointment by the Ulster County Executive of Anna M. Brett to the Ulster County Community College Board of Trustees for a term to run from December 1, 2012 through June 30, 2018 pursuant to Draft Resolution No. 310.

Motion Made by: Leg. Gregorius

Seconded by: Leg. Chairman Terry Bernardo

Roll Call Vote: No.

Voting in Favor: Deputy Chair Donaldson, Leg. Gregorius, Leg. Chairman Bernardo. (Recorders Note; Several minutes subsequent to this vote Legs. Wawro and Lopez entered the meeting. This Motion was explained to them and they both requested that their favorable votes be entered in these minutes).

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: The Resolution to approve the appointment of Anna M. Brett to the Ulster County Community College Board of Trustees was unanimously approved as presented:

Report by: Donald C. Katt, President

Report: President Katt enumerated the qualifications of Anna M. Brett of Kingston, NY, who is the subject of the Resolution just passed by this Committee as the Ulster County Executive's appointment to The Ulster County Community College's Board of Trustees. He said Ms. Brett has been an educator and an administrator for many years, was formerly the Principal of The Chambers School in the Kingston School District, and her background in education will serve her and the College in good stead as a member of the Board. She will be replacing Trustee Bill LeDoux who was moving out of State.

The President distributed a list showing the number of students from each area high school currently participating in the Collegian program which Committee members had previously requested. He also said enrollment projections were originally for a 5% drop in Fall enrollment; however, we did see a 1.6% increase which translated to additional State dollars. President Katt said our Internet registration was a little down but were no longer the only ones offering between semester courses.

President Katt said all of the preliminary work has been done regarding the sale of the President's residence, and the SUNY Board of Trustees should be approving the sale at the next meeting on December 5th.

Resolutions: Draft Resolution No. 310 as set forth above.

CORNELL COOPERATIVE EXTENSION OF ULSTER COUNTY:

Report by: Jose Colon, Agricultural Program Leader and Melinda Herzog, Educator

Report: Mr. Colon said they were appearing at this meeting as Lee Reidy was currently tied up working with CCE of Sullivan County. They did not have anything specific to report but asked the Legislators present if they had any questions on anything they were particularly interested in knowing about. There were no questions from the Committee and Deputy Chairman Donaldson thanked them for coming and said they were more than welcome to appear in the future and report on their area of expertise.

Resolutions: None

VETERANS' SERVICES:

Report by: Jack Hayes, former Ulster County Legislator and Veterans' Advocate

Report: Mr. Hayes said he came before this Committee to help spread the word about a program which was part of the "Building Bridges for Veteran Traffic Safety Training", a free training for first responders, treatment communities and veterans' advocates regarding problems our returning war veterans are having once they get behind the wheel here in the States. The program is called "Facing the Second Front" and it will be held on December 5, 2012 from 8:00am to 12:00noon at the BRC in Kingston. Information or registration can be had by contacting Pamela Wanning at 687-5014. He urged the Committee members to get this information out to their constituents. Deputy Chair Donaldson and Legislature Chair Bernardo both agreed to put this information into the next bulletin and get staff to send out e-mails to area VFW's and American Legions.

Resolutions: None

CATSKILL MOUNTAIN RAILROAD:

Report by: Earl Pardini, President

Report: Mr. Pardini appeared before this Committee and requested to speak as he said there was a lack of communication between the Railroad and the Legislature. He described the efforts expended to promote the Railroad from elementary school forward, and even in pre-schools. He said since Hurricane Irene, part of the railroad line had been washed out, but his main concern was that most people didn't have much awareness of how to be around trains and that is evident by the accidents involving pedestrians and vehicles. He said the Catskill Mt. Railroad accommodates people with disabilities, both physical and mental and they were still trying to be able to run from Kingston to Phoenicia. He also wanted the Committee to be aware that the Railroad had never asked the County for any money although it does increase the value to County property by way of rebuilding tract and bridges and bringing in tourism. Mr. Pardini said the Railroad's claim for damages incurred by Hurricane Irene has been approved by FEMA so they will be getting some reimbursement.

Resolutions: None

OLD BUSINESS:

At this time Deputy Chairman Donaldson called for a Motion to approve the minutes of this Committee of the meeting of November 5, 2012.

MOTION #2:

Text of Motion: Resolved, to approve the minutes of the meeting of this Committee of November 5, 2012.
Motion Made by: Leg. Lopez
Motion Seconded by: Leg. Gregorius
Roll Call Vote: No
Voting in Favor: Deputy Chairman Donaldson, Legs. Wawro, Gregorius and Lopez
Voting Against: None
Abstaining: Legislature Chairman Bernardo
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Motion unanimously carried. The minutes of the meeting of this Committee of November 5, 2012 were unanimously approved.

ADJOURNMENT:

There being no further business before this Committee, a motion to adjourn was made by Leg. Gregorius and seconded by Leg. Lopez and Deputy Chairman Donaldson declared meeting duly adjourned at 5:24pm.

Dated the 4th day of December, 2012

Janet Salanitri, Recorder

Minutes approved on the 9th day of January, 2013.

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: November 28, 2012 @ 5:00 PM
LOCATION: Karen L. Binder Library, 6th Floor County Office Building
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Franklin Reggero
PRESENT: Chairman Dean Fabiano, Thomas Briggs, James Maloney and John Parete
ABSENT: Kevin Roberts
QUORUM PRESENT: Yes
OTHER ATTENDEES: Elliott Auerbach, County Comptroller; Bob Sudlow, Deputy County Executive.

Chairman Fabiano:

- Called the meeting to order at 5:00 PM

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of October 31, 2012, meeting.
Motion Made By: Legislator T.J. Briggs
Motion Seconded By: Legislator Jim Maloney
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney and John Parete
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 2 **Resolution No. 302, December 4, 2012**

Text Of Motion: RESOLVED to approve Resolution No. 302 – Authorizing The Chairman Of The Ulster County Legislature To Enter Into Two Lease Agreements With Astor Services For Children And Families As Lessee, For Office Space To Provide Family Mental Health Services To The Community – Department Of Public Works (Buildings And Grounds).

Resolution Summary: The Chairman of the Ulster County Legislature is hereby authorized to enter into two lease agreements with Astor Services for Children and Families for office space consisting of 588 square feet in Ellenville for a term of three years commencing December 15, 2012, and for 2080 square feet in Kingston for a term of three years commencing January 1, 2013, and at a cost to Astor of \$5,880 annually for the Ellenville location, and a cost of \$20,800 annually for the Kingston location.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Parete

Discussion: **Chairman Fabiano** recognized Mr. Sudlow who explained that this Resolution along with Resolution 303 address revenue for the County as paid by Astor Services.

Chairman Fabiano recognized Mr. Auerbach who stated that there is a typographical error in the sixth Whereas. The Resolution has \$5,550.00 and it should read \$5,880.

Chairman Fabiano acknowledged the error and directed the Clerk to make the correction.

Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 3 **Resolution No. 303, December 4, 2012**
Text Of Motion: RESOLVED to approve Resolution No. 303 – Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Agreement With Gateway Community Industries, Inc. To Provide Offices For Ulster County Mental Health – Department Of Public Works (Buildings And Grounds).

Resolution Summary: The Chairman of the Ulster County Legislature is hereby authorized to enter into a lease agreement with Gateway Community Industries, Inc. for 3,720 square feet of office space located at 137 North Chestnut Street, New Paltz, N.Y, for the Ulster County Mental Health Department, for a term of three (3) years commencing January 1, 2013 through December 31, 2015, at an annual cost of \$23,510.40.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Parete

Discussion: **Chairman Fabiano** recognized Legislator Maloney who asked is the revenue based on on the fact that these facilities are County property. Mr. Sudlow stated yes and further clarified that the County does not have to pay these agencies for services so the above Resolutions are revenue for the County. **Chairman Fabiano** called for further discussion, hearing none.

Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney and Parete.
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 4 **Resolution No. 313, December 18, 2012**
Text Of Motion: RESOLVED to approve Resolution No. 313 – Amending The 2012-2017 Capital Program For Capital Project Nos. 339 And 340 To Appropriate Additional Funds For The Ulster County Courthouse Roof And Ulster County Pool Bathhouse Roof – Department of Public Works (Buildings & Grounds)

Resolution Summary: Capital Project No. 339 (Bathhouse Roof), adopted in the 2011-2016 Capital Program, is hereby increased by \$36,565.00 (\$8,000 for additional architectural/inspection costs, \$13,000 for additional construction costs and \$15,565.00 for construction contingency) and made available to cover the cost of the Project; and Capital Project No. 340, adopted in the 2011-2016 Capital Program, is hereby increased by \$21,375.00 (\$12,000.00 for additional architectural/inspection costs and \$9,375.00 for construction contingency) and made available to cover the cost of the Project.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Maloney

Discussion: **Chairman Fabiano** recognized Legislator Maloney who asked Mr. Sudlow what the original estimate was. Mr. Sudlow stated that the lowest bid on the project exceeded the budgeted amount therefore requiring the Capital Project Bond amount to be adjusted.

Chairman Fabiano called for further debate, hearing none called for a vote on amended version of Resolution.

Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney and Parete
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 5 Resolution No. 315, December 18, 2012

Text Of Motion: RESOLVED to approve Resolution No.315 – Amending Capital Project No. 336, Repaving South Putt Corners Road, Town Of New Paltz – Transportation Improvement Project (TIP) Not On The State Highway System And Authorizing The County Executive To Execute An Agreement With The New York State Department Of Transportation – Department Of Public Works (Highways And Bridges).

Resolution Summary: the Ulster County Legislature hereby authorizes Ulster County to pay in the first instance 100% of the federal and non-federal share of the cost of the additional preliminary engineering and right-of-way incidentals work for the Project or portions thereof; and that the Ulster County 2012-2017 Capital Program be amended to increase the Project by \$163,000.00 from \$178,000.00 to \$341,000.00.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Maloney

Discussion: **Chairman Fabiano** recognized Mr. Sudlow who clarified the reasoning for the funding increase based on moving the project to the top of the list. **Chairman Fabiano** asked Mr. Sudlow how long approximately how long does it take for the County to receive outside funding. Mr. Sudlow stated that it may take years for the County to receive funds.

Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney and Parete
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

New Business: **Chairman Fabiano** recognized Bob Sudlow, Deputy County Executive for a hurricane Sandy FEMA update who stated that FEMA established deadlines for processing claims. Mr. Sudlow stated that the amount of damage from Sandy is significantly lower than Irene last year. Some areas in County were affected and are being addressed.

Old Business: no further discussion. **Chairman Fabiano** calls for any further discussion or debate, hearing none.

The next regularly scheduled Committee Meeting is February 6, 2013 at 5:00 PM.

There being no further business before the meeting, on the motion duly made by **Legislator T. J. Briggs**, seconded by **Legislator James Maloney**, and carried, the meeting adjourned at 5:28 pm.

Dated the 28th day of November, 2012

Franklin R. Reggero, Committee Clerk

Minutes Approved on: the 6th day of February 2013 / frr

Social Services Committee Regular Meeting Minutes

DATE & TIME: November 26, 2012, 6:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Mary Wawro
LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk
PRESENT: Legislators Craig Lopez and Hector S. Rodriguez
EXCUSED: Legislators Richard A. Parete and Kenneth J. Ronk
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Erica Guerin, Vincent McLaughlin, and Mid Hudson News Reporter R. Walters.

- Chair Wawro called the meeting to order at 6:38 PM.

Motion No. 1 - RESOLVED To Approve the Minutes of the Social Services Committees held November 8, 2012

Discussion:

Chair Wawro noted she was not in attendance at the November 8th meeting. **Legislator Rodriguez** noted without her vote the minutes cannot be approved. The minutes were held pending the attendance of the full Committee.

Legislative Counsel Guerin noted the minutes reflected Legislator Rodriguez as being excused. **Legislator Rodriguez** indicated he was in attendance and also noted the minutes show the meeting concluding prior to the start time. **Deputy Clerk Barringer** indicated she would review the minutes prior to the next meeting.

Resolution No. 289 – December 18, 2012

Text of Motion: Resolved to approve Resolution No. 289 - Authorizing Ulster County To Pay For The Cost of The Safety Net Program Thereby Relieving The Various Municipalities Of Responsibility For Payment (*For discussion purposes only, passed at 11/8/12 meeting*)

Discussion:

Chair Wawro noted this Resolution was presented for discussion purposes only as it was passed at the November 8, 2012 meeting of the Environmental, Energy, and

Technology Committee. **Legislative Counsel Guerin** clarified this was presented as it was not addressed by the full Legislature as approved by the Committee on November 8, 2012. **Deputy Clerk Barringer** noted this was an “FYI” reminder that this Resolution would be coming before the full Legislature at the December 18th Legislative Session.

Legislator Rodriguez noted procedurally Chair Roberts withdrew his name as sponsor of the Resolution and was replaced by Chair Wawro. **Legislative Counsel Guerin** confirmed this procedural action.

Legislative Counsel Guerin noted at last month’s meeting of the Social Services Committee, Chairman Roberts requested to come off as the Chair and he reported that Legislator Wawro would be replacing him. She noted Chairman Roberts stated he would not be in attendance at this meeting and was resigning as Chairman.

Chair Wawro noted she appreciated Chairman Roberts’ good job as Chair of the Social Services Committee.

Legislator Lopez stated he was happy with the Resolution and that it would fair well for the Town of Wawarsing. He indicated he would like to see it over a longer period of time but ultimately, at three years, it will be best for the community.

Legislator Rodriguez suggested seeing what happened in the budget process as all sorts of things may be floating in the budget process.

Legislator Lopez noted the Town budgets were done and to not pass this Resolution may pose a problem. **Legislator Rodriguez** stated he did not disagree but that there are a lot of things within the budget apparently that are in flux.

Motion No. 2 Resolution No. 308 – December 18, 2012

Text of Motion: Resolved to approve Resolution No. 308 - Authorizing The Chairman Of The Ulster County Legislature To Execute Certain Inter-Municipal Agreements For Domestic Violence Investigators – Department Of Social Services

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Resolution Summary: This Resolution authorizes the Chairman of the Ulster County Legislature to execute Inter-Municipal Agreements, and any amendments thereto, with the Town of Ulster in the amount of \$100, 972.00 and the New York State Division of State Police in the amount of \$202,578.00, to provide Ulster County with the services of domestic violence investigators for the term January 1, 2013 through December 31, 2013, in the form as filed with the Clerk of the Ulster County Legislature or as

modified with the approval of the County Attorney. In the event that funding for this program is eliminated, then the program will be eliminated as well.

Discussion:

Legislator Rodriguez noted out of the overall package, the County is paying less than a third for the program. He stated he did not remember how long the County was running the program.

Legislator Lopez asked what exactly the agreement was providing, just two positions. **Legislative Counsel Guerin** indicated the request was to continue the program and to have the investigators from the Town of Ulster and the State Police. She noted there is a Court for Domestic Violence and a program that was established to investigate domestic violence as it is prevalent these days and even more so under difficult economic times. Through the Chair, she noted as a former prosecutor, she found domestic violence to be a serious issue and especially during difficult economic times it tends to go up more. She further noted to have people go out and do domestic violence investigations, which can be very tricky and very difficult to prosecute, especially when it involves children, it is worthwhile to continue.

Legislator Lopez asked if the \$200,000 included the cost of the program or if it is just the cost of the salary. **Legislator Rodriguez** stated he did not research this one and although he normally tries to look up the material before the meetings, this Resolution he knew a lot less about.

Legislator Rodriguez stated he served on the Board of a domestic violence shelter and noted these are some of the hardest cases to prosecute and having the investigators is a huge help to the County.

Legislator Lopez stated he wanted to know exactly what he was voting on. **Legislative Counsel Guerin** stated she asked Legislative Clerk Fabella for the back up on a couple of the other Resolutions and although she did not request information for this Resolution, she indicated she would happily look up information for this Resolution. **Legislator Lopez** requested to know what the \$200,000 is exactly for, whether it for salary or covers part of the program expenses. **Legislator Rodriguez** noted there are two allocations and the request should be for the whole program, which is the \$300,000 overall. He noted the request should include how many positions, what is the break out on the budget. He noted it might only be \$50,000 to the investigator and the rest goes to the programmatic investigations. **Legislative Counsel Guerin** indicated she would ask for a copy of the agreement that has already been generated, review it, and provide a brief synopsis.

Legislator Rodriguez noted the Resolution is for the December 18th meeting of the Legislature and the Committee is not meeting again until the new year. He asked if Legislator Lopez felt comfortable moving the Resolution forward to the full floor. **Legislator Lopez** indicated he felt comfortable moving it forward.

Legislative Counsel Guerin clarified Chair Wawro's desire to distribute to all members of the Committee a copy of her synopsis to be prepared for Legislator Lopez. **Chair Wawro** agreed to this distribution.

Roll Call Vote: No
Voting In Favor: Legislators Lopez, Rodriguez, and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: Carried

Motion No. 3 Resolution No. 310 – December 18, 2012

Text of Motion: Resolved to approve Resolution No. 310 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Office Of Children And Family Services To Accept A Grant For The Child And Family Safety Program – Department Of Social Services

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Resolution Summary: This Resolution authorizes the Chairman of the Ulster County Legislature to execute an agreement (NYS Contract # C026728), and any amendments thereto, with the New York State Office of Children and Family Services for the Child and Family Safety Program, in the amount of \$149,722.00, in the form as filed with the clerk of the Ulster County Legislature or as modified with the approval of the County Attorney. If funding for this program is eliminated, then the program will be eliminated as well.

Discussion:

Legislator Rodriguez noted the County has been running this program for a while. He indicated he felt comfortable passing it on.

Legislator Lopez clarified the funding was all State dollars. **Legislator Rodriguez** confirmed this.

Roll Call Vote: No
Voting In Favor: Legislators Lopez, Rodriguez, and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: Carried

Review of the December 18, 2012 Abstract

Discussion:

Legislator Rodriguez asked if the Committee was provided with the actual agreements. **Legislative Counsel Guerin** indicated they were provided. **Deputy Clerk Barringer** noted one hard copy was available at the meeting. **Legislative Counsel Guerin** noted she reviewed the documents prior to the meeting.

Through the Chair, **Legislator Rodriguez** asked if Legislative Counsel Guerin found any issues with the agreements. **Legislative Counsel Guerin** indicated she found none.

Legislator Rodriguez noted the Cornell Cooperative Extension Nutrition program has been provided for a while. He felt it was pretty solid program that they have been running for years and supported it.

Legislative Counsel Guerin noted the second agreement was for copiers at the Department of Social Services. She noted the service provider reduced their rate and it is for eight month to allow the Department to evaluate what they would like to do next. She stated there were a number of copiers that were provided for as part of the contract; on the abstract.

Legislator Rodriguez indicated he would not go crazy over a bloody copier but felt it was strange that the County leases copiers. He understood why the County did not want to buy because of the usage they end up getting. He further noted at the end of the day the County would be paying for depreciation and as it is not a business, the County would be able to write it off. He noted he would like to see how big the copier is that the County is paying almost \$7,000 for.

Legislative Counsel Guerin noted there were other contracts. **Legislator Rodriguez** noted Purchasing reviewed the contract.

Through the Chair, **Legislative Counsel Guerin** indicated she has a small copier that does faxing and her buy out on the lease right now is just over \$3,000 and she has had the copier for five years. She noted even through leasing, copiers are expensive. She indicated to buy the copier outright is \$4,500. **Legislator Rodriguez** stated he was definitely not suggesting that. He stated he got the value of leasing but was just wondering if it was a high end copier and can do thousands upon thousands of copies very quickly, in color, with staples, etc. **Legislative Counsel Guerin** indicated she did not think it could do color as that would be a chunk of change.

Legislative Counsel Guerin noted the agreement was for the service of the copiers. **Legislator Rodriguez** clarified there was a service contract included in the agreement. **Legislative Counsel Guerin** confirmed the agreement was extending the current service contract and reducing the rates resulting in a savings.

Motion to Move the Contract Packages Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Voting In Favor: Legislators Lopez, Rodriguez, and Wawro

Voting Against: None

No. of Votes in Favor: 3

No. of Votes Against: 0

Disposition: Carried

New Business: **Legislator Rodriguez** noted the Safety Net discussion will be held on the floor which is one of the largest things that the Committee has had to deal with. He noted the Comptroller had indicated the development of an additional report on the Social Services Department. He noted the Comptroller had done some work on trying to audit the Department and to gain an understanding of what is happening with Social Services but felt there had been no communication from him since. **Chair Wawro** and **Legislator Lopez** indicated they had not heard anything. **Legislator Rodriguez** suggested this may be something as a Committee that they would like to approach him again. **Chair Wawro** indicated she would still like to take the tour. **Legislator Rodriguez** concurred and noted since her departure as Chair of the Social Services Committee, the Committee has not actually gone and taken the tour. He suggested actually spending a little time with the Commissioner. **Chair Wawro** noted the Committee had not since him since the meeting at which he was appointed. **Legislator Rodriguez** noted he did attend the meeting following his appointment. **Chair Wawro** asked Deputy Clerk Barringer to contact Deputy County Executive Crannell to arrange an appointment. **Deputy Clerk Barringer** clarified the Committee use to meet at the Department of Social Services and asked if they could schedule another meeting there in conjunction with a tour. **Chair Wawro** noted they were agreeable to having a meeting on any other day or time. **Legislator Rodriguez** noted Legislator Ronk and Legislator Parete needed advance notice if the meeting would be held earlier in the day. **Chair Wawro** noted the preference was to hold the meeting that allowed the Committee members to meet the Department Heads as well. She noted the last time it was scheduled, before it was cancelled, it was at 4:45 and as the building closed at 5:00, they were not able to meet with the Department Heads.

Old Business: None

Adjournment

Motion Made By: Legislator Lopez

Motion Seconded By: Legislator Rodriguez

No. of Votes in Favor: 3

No. of Votes Against: 9

TIME: 6:56 PM

Dated the 27th day of November, 2012

Krista Barringer, Deputy Clerk

Minutes Approved on: February 4, 2013

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: December 4, 2012 5:00 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.
ABSENT: Legislators Harris and Maio
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Bartels and Wishnick; Langdon Chapman, Legislative Counsel; Sandy Mathes, Deputy Clerk Finance; Paul Van Blarcum, Sheriff; Elliot Auerbach, Joe Ariole, Comptroller Office; Ken Crannell, Deputy County Executive; Burt Gulnick, Arthur Smith, Finance; James Hanson, Budget Director; Bea Havranek, Sue Plonski, Roland Bloomer, County Attorney Office; Patricia Doxey, Daily Freeman.

- **Chairman Gerentine called the meeting to order at 5:05 PM.**
-

I. MOTIONS:

MOTION NO. 1 Draft Resolution No. 289

TEXT OF MOTION: **RESOLVED**, Authorizing Ulster County To Pay For The Cost of The Safety Net Program Thereby Relieving The Various Municipalities Of Responsibility For Payment.

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Rodriguez

DISCUSSION: Chairman Gerentine stated for clarity that this Resolution is only for Fiscal Year 2013.
Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 2 Draft Resolution No. 294

TEXT OF MOTION: **RESOLVED**, Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law.

MOTION MADE BY: Legislator Rodriguez
MOTION SECONDED BY: Legislator Gregorius

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 9

Draft Resolution No. 302

TEXT OF MOTION:

RESOLVED, Authorizing The Chairman Of The Ulster County Legislature To Enter Into Two Lease Agreements With Astor Services For Children And Families As Lessee, For Office Space To Provide Family Mental Health Services To The Community – Department Of Public Works (Buildings And Grounds).

MOTION MADE BY:

Legislator Provenzano

MOTION SECONDED BY:

Legislator Rodriguez

DISCUSSION:

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

5

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 10

Draft Resolution No. 303

TEXT OF MOTION:

RESOLVED, Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Agreement With Gateway Community Industries, Inc. To Provide Offices For Ulster County Mental Health – Department Of Public Works (Buildings And Grounds)

MOTION MADE BY:

Legislator Rodriguez

MOTION SECONDED BY:

Legislator Gregorius

DISCUSSION:

Chairman Gerentine called for discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

5

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 11

Draft Resolution No. 304

TEXT OF MOTION:

RESOLVED, Adopting the Ulster County Budget For Fiscal Year Commencing January 1, 2013 And Making Appropriations For The Conduct Of County Government

MOTION MADE BY:

Legislator Gregorius

MOTION SECONDED BY:

Legislator Rodriguez

DISCUSSION:

Chairman Gerentine recognized **Legislator Provenzano** who stated that she would reserve her vote for the Legislative Budget Session based on amendments that may occur on the floor of the Legislature.

Legislator Gregorius stated that he would like to know of any amendments that the Chairman may have or know about. **Chairman Gerentine** stated that he has a plan to fund the Net Service Fee for the UCRRA should the Flow Control Law not pass the Legislature. **Legislator Provenzano** stated that if Flow Control does not pass that will jeopardize the County takeover of Safety Net and further asked **Chairman Gerentine** what his amendment is. **Chairman Gerentine** stated that he has a plan in the event that Flow Control does not pass the full Legislature to fund the UCRRA for a three month time frame.

Legislator Gregorius stated that if **Chairman Gerentine's** amendment includes some of the favorable predictions from the Budget Consultants those funding sources should not be

relied upon and rather kept in the General Fund should those findings materialize. **Chairman Gerentine** stated that he had looked at using some of the favorable findings for the plan if it becomes necessary to fund the Net Service Fee.

Legislator Provenzano that she called the Consultants herself and asked them to explain the favorable findings and their recommendations to her. She further stated that they advised her as they did in their summary to maintain favorable findings in the General Fund.

Legislator Donaldson asked the purpose of the \$20,000 for the franchising study of municipal solid waste and is concerned that the money be spent wisely. **Chairman Gerentine** stated that he has explained his plan to the Ways and Means Committee and the Environmental Committee. **Legislator Donaldson** stated the one of the positive aspects of Flow Control is that it levels the playing field by standardizing tipping fees at the UCRRA and further stated that franchising of such an operation may have the reverse affect on smaller businesses. **Chairman Gerentine** stated that he is looking at all aspects of solid waste management not only pick-up but disposal as well with the ultimate goal of helping the tax payers and the UCRRA.

Legislator Gregorius stated his concern is for his constituents that may not have a choice in who they removes their waste.

Chairman Gerentine recognized **Legislator Wishnick** who stated that he is unaware of any County in the northeast that currently franchises solid waste and further asked if it is even legal. **Chairman Gerentine** stated that he spoke Mr. Cahill and will have Legislative Counsel also investigate the legal aspects of franchising solid waste. **Chairman Gerentine** further added that in the event that Flow Control does not cover the Net Service Fee it is the responsibility of the Legislature to decide on how to cover the Fee. **Legislator Bartels** agrees that if Flow Control does not pass the Legislature has to find the funds to cover the operation of the RRA and must be prepared to do so. **Legislator Bartels** asked **Chairman Gerentine** what amount of time his proposal would cover costs for the RRA. **Chairman Gerentine** stated that he is currently looking at a three month period of time based on the amount of money that is involved and has not considered funding for the entire Net Service Fee. **Legislator Bartels** stated that by not passing Flow Control the Legislature has to have a plan moving forward to cover the operation of the RRA; however also agrees that other options should be looked at including regulated recyclables, the possibility of franchising solid waste and the siting of a land fill.

Legislator Gregorius stated that it is the responsibility of the Ways and Means Committee to solve the fiscal problems including the RRA and is not comfortable with a three month plan.

Legislator Rodriguez stated that a vote on Flow Control must be conducted prior to the vote on the budget, agreed by **Legislator Gregorius**.

Legislator Provenzano stated that she was under the impression that the franchise proposal was to part of Flow Control and would not support a motion to delay implementation.

Chairman Gerentine called for a comprehensive plan including franchising and flow control and not the piecing together of a plan and further stated that the plan should be enacted as a solution to the pick-up and disposal of municipal solid waste with a start date.

Legislator Gregorius stated that he does not believe that a comprehensive plan is necessary at this point; however stated that Flow Control must be enacted immediately in order to cover the Net Service Fee.

Legislator Rodriguez motions to call a vote on Resolution 306 (Adopting Proposed Local Law No. 12 of 2012, A Local Law Amending Local Law Number 9 of 1991, Ulster County Solid Waste Management Law) **based on the debate. Seconded by Legislator Maloney**

Chairman Gerentine recognized **Legislator Provenzano** who stated that Flow Control is a change to attempt to eliminate the Net Service Fee; however the UCRRA could still ask for the Net Service Fee based on the Legislative responsibility to cover costs of the UCRRA.

Legislator Rodriguez stated that with Flow Control it will facilitate the expansion of the RRA looking at enhanced organics and regulated recyclables as revenue sources. He also added that a Draft Resolution exists that will modify the composition of the UCRRA board that would provide more accountability and representation to the Legislature.

Chairman Gerentine called for further discussion on **Resolution 306**, hearing none.

Chairman Gerentine called for further discussion on **Resolution 304**, motion by **Legislator Provenzano** and seconded by **Legislator Gregorius** to postpone vote until the Budget Session. Unanimously adopted 5-0.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.
DISPOSITION: Motion Passed

MOTION NO. 12 Draft Resolution No. 305

TEXT OF MOTION: RESOLVED, Adopting Ulster County Capital Program For 2013 – 2018

MOTION MADE BY: Legislator Gregorius
MOTION SECONDED BY: Legislator Rodriguez

DISCUSSION: **Chairman Gerentine** reminded the Committee of the Legislative amendment that would recommend the Sheriffs Capital Projects plans for automobiles.

Chairman Gerentine called for discussion, a motion by **Legislator Provenzano** and seconded by **Legislator Gregorius** to postpone vote until the Budget Session. Unanimously adopted 5-0.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Maloney, Provenzano and Rodriguez.
DISPOSITION: Motion Passes

MOTION NO. 13 LATE Draft Resolution No. 306

TEXT OF MOTION: RESOLVED, Adopting Proposed Local Law No. 12 of 2012, A Local Law Amending Local Law Number 9 of 1991, Ulster County Solid Waste Management Law.

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Rodriguez

DISCUSSION: **Chairman Gerentine** called for discussion, See discussion for Resolution 304.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gregorius, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: Legislator Gerentine
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 1
DISPOSITION: Motion Passes

III. MISCELLANEOUS DISCUSSION:

Chairman Gerentine called for further discussion or debate, hearing none.

- **There being no further business before the Committee, a motion was made by Legislator Rodriguez seconded by Legislator Gregorius and carried to adjourn the meeting at 5:54 PM.**
-

Dated the 4th day of December, 2012
Franklin R. Reggero, Legislative Staff
Minutes Approved On: 11th of December 2012 / frr

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: December 11, 2012 5:00 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.
ABSENT: NONE
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Bartels and Wishnick; Langdon Chapman, Legislative Counsel; Sandy Mathes, Deputy Clerk Finance; Elliot Auerbach, Comptroller; Burt Gulnick, CJ Rioux, Finance; James Hanson, Lisa Cutten Budget Office; Sue Plonski, Roland Bloomer, County Attorney Office; Susan Renga, DPW.

- Chairman Gerentine called the meeting to order at 5:10 PM.
-

I. MOTIONS:

MOTION NO. 1 Draft Resolution No. 284 and 285

TEXT OF MOTION: Amending The 2012 Ulster County Budget, Transferring Funds From The Reserve Telephone Commissions Account And Appropriating The Funds For The Purchase Of Computer System Back-up Power Supplies - Ulster County Sheriff's Office

And

Amending The 2012 Ulster County Budget, Transferring Funds From The Reserve Telephone Commissions Account And Appropriating The Funds For The Purchase Of Jail Bunks And Seats - Ulster County Sheriff's Office

DISPOSITION: WITHDRAWN BY SPONSOR

MOTION NO. 2 Draft Resolution No. 308

TEXT OF MOTION: **RESOLVED**, Authorizing The Chair Of The Ulster County Legislature To Call A Public Hearing As Required Under Article 25AA Of New York Agriculture And Markets Law Regarding the 8-Year Review Of Ulster County Agricultural District No. 1 – Department Of Planning

MOTION MADE BY: Legislator Rodriguez
MOTION SECONDED BY: Legislator Maloney

DISCUSSION: Chairman Gerentine called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.

VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 6 Draft Resolution No. 313

TEXT OF MOTION: **RESOLVED**, Amending The 2012-2017 Capital Program For Capital Project Nos. 339 And 340 To Appropriate Additional Funds For The Ulster County Courthouse Roof And Ulster County Pool Bathhouse Roof – Department of Public Works (Buildings & Grounds)

MOTION MADE BY: **Legislator Rodriguez**
MOTION SECONDED BY: **Legislator Gregorius**

DISCUSSION: **Chairman Gerentine** recognized **Legislator Provenzano** who asked Ms. Ronga if this is additional funding for a previously approved Capital Project. Ms. Ronga stated that this resolution is requesting additional funding required to complete the project. **Chairman Gerentine** asked Ms. Ronga to provide historical documentation on this project. Ms. Ronga agreed to provide the documentation to the Committee. **Chairman Gerentine** called for discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.**
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 7 Draft Resolution No. 315

TEXT OF MOTION: **RESOLVED**, Amending Capital Project No. 336, Repaving South Putt Corners Road, Town Of New Paltz – Transportation Improvement Project (TIP) Not On The State Highway System And Authorizing The County Executive To Execute An Agreement With The New York State Department Of Transportation – Department Of Public Works (Highways And Bridges)

MOTION MADE BY: **Legislator Rodriguez**
MOTION SECONDED BY: **Legislator Gregorius**

DISCUSSION: **Chairman Gerentine** motioned for the 5th Resolved to be discussed with the County Attorney for modification and be addressed at next weeks Committee meeting calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.**
VOTING AGAINST: **Legislator Maio**
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 1
DISPOSITION: Motion Passed

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: December 18, 2012 5:00 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Harris, Maio, Maloney, Provenzano and Rodriguez.
ABSENT: Legislator Gregorius
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Bartels; Langdon Chapman, Legislative Counsel; Elliot Auerbach, Comptroller; Ken Crannell, Deputy County Executive; Burt Gulnick, Finance; James Hanson, Budget Director; Bea Havranek, Roland Bloomer, County Attorney Office; Sue Ronga, David Bolles DPW; Charles Landi, Tim Rose, Steve Wing, Leon Smith UCRRA; Patricia Doxey, Daily Freeman.

- Chairman Gerentine called the meeting to order at 5:04 PM.
-

I. MOTIONS:

MOTION NO. 1 Draft LATE Resolution No. 321

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman of The Ulster County Legislature To Apply For And Accept Section 5311 Federal And State Funding Under the Terms Of An Existing Continuing Agreement With The New York State Department Of Transportation For The Purchase of Two Diesel Buses For Fiscal Year 2014 – Department Of Public Transportation (Ulster County Area Transit)

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Maloney

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 2 Amendment to Draft Resolution No. 315

TEXT OF MOTION: **RESOLVED**, Amending Capital Project No. 336, Repaving South Putt Corners Road, Town Of New Paltz – Transportation Improvement Project (TIP) Not On The State Highway System And Authorizing The County Executive To Execute An Agreement With The New York State Department Of Transportation – Department Of Public Works (Highways And Bridges).

MOTION MADE BY: Legislator Rodriguez
MOTION SECONDED BY: Legislator Harris

DISCUSSION: Chairman Gerentine explained that the Counsel to the Legislature and the County Attorney are in agreement to the proposed amendments and further stated that the resolution will be amended on the floor of the Legislature.

Chairman Gerentine recognized Ms. Havranek for the summary of recommended amendments to the Resolution.

Chairman Gerentine stated a motion to amend the Resolution will be introduced on the floor of the Legislature.

Chairman Gerentine calls for further discussion, hearing none.

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|-------------------------------|--|
| ROLL CALL VOTE: | No |
| VOTING IN FAVOR: | Legislators Gerentine, Harris, Maio, Maloney, Provenzano and Rodriguez. |
| VOTING AGAINST: | None |
| NO. OF VOTES IN FAVOR: | 6 |
| NO. OF VOTES AGAINST: | 0 |
| DISPOSITION: | Motion Passed |

II. MISCELLANEOUS DISCUSSION:

Chairman Gerentine recognized County Attorney Beatrice Havranek for comment on the County lease agreement with the Catskill Mountain Railroad. Ms. Havranek provided a historical explanation of the relationship with Ulster County and the Catskill Mountain Railroad. Ms. Havranek further stated that there have been several breaches of contract by the CMRR, in addition to several portions of the railroad being non-operational.

Chairman Gerentine stated that he would like a more inclusive discussion between the County and the Legislature regarding the future plans and problems encountered with the railroad.

Chairman Gerentine recognized Mr. Hanson who stated that there are several components regarding the CMRR one being the sale of rail located west of Phoenicia, NY and the long term sustainability of the CMRR.

Chairman Gerentine called for further discussion or debate on the CMRR, hearing none.

Chairman Gerentine recognized **Legislator Provenzano** who stated that the information provided by the Department of Public Works concerning the contracted work being done on the county courthouse was sufficient in order to account for work being conducted. Ms. Ronga provided documentation to the Committee that tracked the progress and the status of the construction.

Chairman Gerentine stated in regards to Resolution 317, Contract number L47-4 pertaining to software upgrades, that this is the first of several to follow in regards to the County's new accounting and budget system that was approved a few months ago. **Chairman Gerentine** recognized Mr. Hanson for further clarification on the contract.

Chairman Gerentine recognized Zachary Harris, grandson of **Legislator Wayne Harris**, as an honorary guest of the Committee.

Chairman Gerentine recognized the Ulster County Resource Recovery Agency Executive Board for an explanation as to why the Legislature was not informed sooner of the New York State Comptroller's Report. **Chairman Gerentine** stated with the amount of cooperation and joint work in recent months between the UCRRA and the Legislature he did not understand why the Executive Board did not inform the Legislature of the report. Tim Rose, Executive Director of the UCRRA, stated that the initial findings by the NY State Comptroller were classified confidential and he was informed not to share the report.

Chairman Gerentine recognized **Legislator Provenzano** who stated that in the future she would appreciate more communication from the board of the UCRAA in regards to all matters concerning the agency. Leon Smith, Chairman of the UCRRA Board, stated that it was his understanding the request for the State Comptroller to conduct the audit was initiated by the Legislature, therefore the Legislature was also notified of the findings. **Chairman Gerentine** stated that he was unaware that the audit was being conducted and would have appreciated notification from the UCRRA Board.

Chairman Gerentine recognized **Legislator Rodriguez** who provided a historical background of the initiation of the audit. **Legislator Rodriguez** stated that he recalls the former Chairman of the Legislature requesting the State Comptroller to audit the UCRRA.

Chairman Gerentine recognized **Legislator Maio** stated that she is extremely disappointed that the Board of the UCRAA did not include the Legislature in the process. She further stated that with all the communication between the Legislature and the UCRAA in recent months the report should have been discussed.

Chairman Gerentine recognized **Legislator Harris** stated that in recent months the cooperation between the UCRAA and the Legislature has been commendable however he also feels disappointed that the audit was not shared with the Legislature.

Chairman Gerentine calls for further discussion, hearing none.

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- **There being no further business before the Committee, a motion was made by Legislator Rodriguez seconded by Legislator Maio and carried to adjourn the meeting at 5:58 PM.**
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Dated the 18th day of December, 2012
Franklin R. Reggero, Legislative Staff
Minutes Approved On: 5th day of February 2013 / frr