

NAME OF COMMITTEE: Governmental Services, Environmental & Administrative Committee & Environmental Subcommittee

DATE: November 15, 2010

TIME: 6:30 PM

PLACE: Library Conference Room, 6th Floor
County Office Building, 244 Fair Street
Kingston, New York

LEGISLATORS PRESENT: Chairman Kevin A. Roberts, Deputy Chairman Hector Rodriguez, Legislators Carl Belfiglio, Robert Parete, Laura Petit, and Ken Ronk

LEGISLATORS ABSENT: Legislators Dean Fabiano, Richard Parete and Brian Shapiro

OTHERS PRESENT: Terry Bernardo, County Legislator
Robert Sudlow, Deputy County Executive
Dan Heppner, Esq.
Steve Noble, UC Resource Recovery Agency
Katherine Beinkafner, UC Resource Recovery Agency
Timothy Rose, UC Resource Recovery Agency
Leon Smith, UC Resource Recovery Agency
Dennis Helm, UC Resource Recovery Agency
Robin Peruso, Director, Purchasing
Brian Cunningham, Adm. Mgr., Buildings & Grounds
Michael Novinson, Reporter, Times Herald-Record
Paula Sirc, Reporter, Shawangunk Journal
Victor J. Melville, LWV-Observer Corp
Len Bernardo, Chairman, Independence Party
Karen L. Binder, Clerk of the Legislature, Recording

- 1. Chairman Roberts called the meeting to order at 6:35 PM.**
- 2. Approve minutes from committee meeting held on October 18, 2010**

Legislator Rodriguez motioned, seconded by Chairman Roberts to approve the minutes. All in favor.

3. Resolutions

Chairman Roberts asked for a motion to bring Resolution No. 282 and Resolution No. 283 to the floor - taken out of order. Legislator Robert Parete motioned, seconded by Legislator Rodriguez to move the resolutions. All in favor.

Robin Peruso stated that she felt the resolutions were redundant since the SOP is addressing this issue. She asked that if the committee is going to pass the green resolutions that they consider adding after *Green Seal* the words "or equal."

Legislator Parete asked Robin Peruso how many standards there are? She responded "five."

There was discussion about certification, the standards and who sets the standards, and changing products in the future.

Chairman Roberts stated that he believes Robin Peruso and Brian Cunningham are capable of handling their jobs.

Brian Cunningham said they do have the capability of researching the products and they follow the healthy schools guidelines.

Resolution No. 282 - Requiring The Purchase And Use Of Green Cleaning Products In All County Facilities

Legislator Rodriguez motioned, seconded by Legislator Ronk to amend the resolution adding "or equivalent" to the "RESOLVED." Motion to amend the resolution approved (6 - 0) All in favor. Motion to approve the resolution: Approved: (6 - 0). All in favor.

Resolution No. 283 - Requiring The Purchase And Use Of Low Or No Volatile Organic Compounds (VOC) Paints And Coatings In All County Facilities

Brian Cunningham discussed that previously most painting was done after hours which required the payment of overtime. Now the labor is being done during business hours so it is like comparing apples to apples - the product costs more but the labor is now costing less.

Legislator Belfiglio motioned, seconded by Legislator Ronk to amend the resolution adding "or equivalent." Motion approved (6 - 0). All in favor. Motion to approve the resolution. Approved (6 - 0). All in favor.

Resolution No. 250 - Approving The Execution Of Various Contracts And Change Orders In The Amount Of \$50,000.00 Or In Excess Of \$50,000.00 Entered Into By The County

Addition of L22-11 to Abstract - see attached.

Chairman Roberts explained the reason for the resolution appearing on this committee's agenda -- the Contract Management Office added an additional agreement to the Abstract.

Legislator Rodriguez motioned, seconded by Legislator Petit to approve the resolution to include the additional agreement. Motion to approve the resolution. Approved (6 - 0). All in favor.

4. Late Resolutions

- **Confirming Appointment of Members to the Ulster County Community Services Board, the MR/DD Subcommittee and the Substance Abuse Subcommittee**

Chairman Roberts motioned, seconded by Legislator Petit to approve the resolution. Approved (6 - 0). All in favor. Resolution was previously approved by the Health and Human Services Committee.

- **Authorizing Distribution of Mortgage Tax Receipts Pursuant to Section 261 of the Tax Law**

There was no discussion on this resolution. Legislator Rodriguez motioned, seconded by Legislator Ronk to approve the resolution. Approved (6 - 0). All in favor.

- **Authorizing the Chairman of the Ulster County Legislature to Execute an Agreement to Provide the City of Kingston with Work Crew Supervisor - Department of Probation**

There was brief discussion regarding the financial impact and the term of the agreement. Legislator Rodriguez motioned, seconded by Legislator Ronk to approve the resolution. Approved (6 - 0). All in favor.

- **Amending Capital Project No. 327 - Energy Efficiency and Conservation Project - Allocation of Project Funds and Increasing Federal Revenues for Energy Efficiency and Conservation Block Grant - Department of the Environment**

There was no discussion on this resolution. Legislator Rodriguez motioned, seconded by Legislator Robert Parete to approve the resolution. Approved (6 - 0). All in favor.

- **Establishing Policy For The Electronic Distribution Of The Ulster County Personnel Manual For Ulster County Department Heads, Managerial Staff, Legislative Employees And Board Of Election Employees**

Legislator Bernardo explained the value and savings that electronic distribution would create.

Legislator Ronk motioned, seconded by Legislator Petit to approve the resolution. Approved (6 - 0). All in favor. Resolution was previously approved by the Government Operations and Efficiency Committee.

- **Declaring That Certain Real Property Owned by Ulster County and Located at Chapel Hill Road in the Town of Lloyd, Known as the "Lloyd Garage" is no Longer Necessary for Public Use & Authorizing the Right for the Bid to be Re-Issued and Said Real Property Be Sold to the Highest Bidder Pursuant to Sections 215(6) of the County Law**

There was brief discussion regarding the financial impact. Legislator Ronk motioned, seconded by Legislator Petit to approve the resolution. Approved (6 - 0). All in favor.

5. Old Business

Resolution - Requesting a Performance Audit and Investigation of the Ulster County Resource Recovery Agency

There was discussion about deleting sections of the resolution so that it only includes a performance audit.

Legislator Petit stated that although the Comptroller can perform an audit at any time that most everyone feels a resolution would be appropriate. Legislator Rodriguez suggested that someone make a motion to postpone consideration of this resolution until after the RRA is heard tonight. Legislator Petit motioned to postpone, seconded by Legislator Ronk. Motion approved (6 - 0). All in favor.

6. Ulster County Resource Recovery Agency

There was brief discussion regarding the Agency's organizational chart which appears on their website.

Legislator Ronk motioned that the committee enter Executive Session, seconded by Legislator Belfiglio. Executive Session is required for discussion of certain matters pertaining to possible litigation. Motion approved (6 - 0). All in favor. **Time: 7:23 PM**

Legislator Belfiglio motioned that the committee leave Executive Session, seconded by Legislator Rodriguez. Motion approved (6 - 0). All in favor. **Time: 8:02 PM**

Chairman Roberts questioned the need to hire outside counsel for the RRA and why wasn't it done by resolution? RRA member offered that funding was available to do this.

Legislator Belfiglio mentioned that this has been an embarrassing situation for everyone involved and the Legislature shouldn't have been reading all of the comments and allegations in the newspapers. If things were overheard from outside the doors of a closed room during Executive Session, it would be wise to make the room more sound proof.

Katherine Beinkaufer stated that in the future everyone would have to leave the building and not be allowed to hang outside closed doors or windows during Executive Session given that the room is designed poorly.

Chairman Roberts asked if anyone had anything else they wished to ask or address at this time.

Legislator Petit offered that it was time to move forward and not to discount what the Agency is doing. It would be unhealthy to remain working so hard to discount the Agency.

Chairman Roberts offered that he has confidence that Tim Rose will do a good job.

Legislator Rodriguez stated that he was inclined to postpone further action on the resolution at this time. He wishes to wait to see what the RRA will report.

Legislator Belfiglio commented that it was unfortunate this came out in the press. The public does have a right to know what has transpired and we cannot move forward unless we know what happened. Perhaps the RRA needs more oversight rather than less. We all need to work together to reach the same goal.

Legislator Rodriguez spoke of the need for corrective measures in order to restore faith in the Agency. He believes this can be a great Agency and would like to see it move forward.

Tim Rose, Acting Director stated that he is an engineer by trade and likes to think outside the box. He also expressed that he hopes to see the Agency move forward.

There was no further discussion.

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

Meeting adjourned at 8:14 PM.

Respectfully submitted,

Karen L. Binder, Clerk
Ulster County Legislature