



Ulster County Legislature
Standing Committee Meeting Minutes

July 2012

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

Economic Development & Tourism Committee

Regular Meeting Minutes

DATE & TIME: July 10, 2012 /5:30 PM
LOCATION: Library, 6th Fl., County Office Bldg., Kingston, NY 12402
PRESIDING OFFICER: James Maloney, Chairman
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Loughran, Maio, Roberts, and Wishnick
ABSENT: Legislator Roberts
QUORUM PRESENT: Yes
OTHER ATTENDEES: Langdon Chapman, Legislative Counsel; Ken Crannell, Deputy County Executive; Susan Plonski, County Attorney; Robert DiBella, UCAT; Kristin Gumaer, County Attorney; Frank Faluotico, Sheriff; Dennis Doyle, UC Planning Dept.; Patricia Doxsey, Daily Feeman

- Chairman Maloney called the meeting to order at 6:07 PM.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the June 6, 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. 175- July 17, 2012
RESOLVED to approve Resolution No. 175 - Appointing Alternate Member To The Ulster County Planning Board – Town Of Olive

Resolution Summary:

Pursuant to Section C- 49(A) of the Ulster County Charter and Section A7-5(A) of the Administrative Code: "There shall be a County Planning Board consisting of 25 members and associated alternate members. Members and their alternates shall be appointed by the County Legislature to serve for four-year terms. The Town Board or Village Board of each town and village in Ulster County shall recommend for consideration and appointment by the Legislature, one person and one alternate from that town or village." Daniel J. LeFever of 283 Mountain Road, Shokan, NY 12481, is appointed as an alternate to the Ulster County Planning Board for a term that shall coincide with the appointed incumbent Board Member, Helene Grant from January 1, 2009 through December 31, 2012.

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Wishnick
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. 3
TEXT OF MOTION:

RESOLUTION No. 178 – July 17, 2012

RESOLVED to Approve Resolution No. 178 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The State University Of New York At New Paltz For the Erection And Maintenance Of Bus Shelters – Department of Public Transportation (Ulster County Area Transit)

Resolution Summary:

Ulster County presently operates a public transit system which includes ingress and egress to SUNY New Paltz. The County wishes to enhance the service by improving passenger safety and convenience through the installation of bus shelters on the campus. The Director of Public Transportation is requesting the Chairman of the legislature to execute an intermunicipal agreement with SUNY New Paltz for the distribution of the bus shelters and SUNY New Paltz will be responsible for installation and upkeep as well as maintenance of adequate insurance coverage.

Questions:

Chairman Maloney: Asked how many shelters were being considered.

Answer- Robert DiBella: Six (6).

MOTION MADE BY: Legislator Wishnick
MOTION SECONDED BY: Legislator Loughran
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. 4
TEXT OF MOTION:

RESOLUTION No.185 – July 17, 2012

RESOLVED to approve Resolution No.185 – Approving And Authorizing Holding The HITS Hunter Mountain Triathlon Through Portions Of The Town of Shandaken

Resolution Summary:

HITS has decided to move the 2012 New York State Triathlon from Cooperstown to a course running through Ulster and Greene Counties. The Hunter Mountain Triathlon on September 22-23, 2012 and proposed course will traverse State Routes 42, 28 and 214, all located in the Town of Shandaken and will be affected Saturday, September 22 from 9:00 AM through 5:00 PM. The Triathlon will result in no road/lane closures on any of the roadways. HITS is required to obtain a permit from NYS DOT to hold the Triathlon and NYS DOT requires approval of the event from the Ulster County Legislature as a prerequisite to the granting of the permit

Discussion: Deputy Executive Crannell briefly explained process of approval. Map of the Routes involved presented (on file with the Clerk of the Legislature).

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Wishnick
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. 5
TEXT OF MOTION:**

RESOLUTION No. 186 – July 17, 2012

RESOLVED to approve Resolution No.186 - Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County As Recommended By The Ulster County As Recommended By The Ulster County Agricultural and Farmland Protection Board – Department of Planning

Resolution Summary:

This resolution seeks to include lands requested to be included as additional lands in the Agricultural Districts within Ulster County pursuant to Section 303(b) of the New York Agriculture and Markets law. Ulster County established an annual 30-day review period for farmers which currently, resulted in the submission of 10 requests consisting of 12 parcels for a total of 652 acres. On May 10, 2012, the Ulster County Legislative Chairman transmitted the requests for inclusion to the Agricultural Farmland Protection Board. The Board met and reviewed the requests on May 16, 2012 and recommend the inclusion of lands in Agricultural Districts in Ulster County that consist of predominately viable agricultural land that would serve public interest by assisting in maintaining a viable agricultural industry within the district. The Agricultural Farmland Protection Board recommends that with the exception of the lands of Preston in the Town of Rosendale, all requests seeking addition should be granted and the Board has filed the recommendations with the Clerk of the Legislature.

Discussion:

Chairman Maloney recognized Director Dennis Doyle to review the process and parcels requesting to be added to the Ulster agricultural district.

Leg. Loughran asked what the financial impact of adding the parcels would be as far as the tax base.

Leg. Maloney asked if some of the parcels are not an actual farm at this time.

Director Doyle indicated that there is a \$10,000.00 gross sales requirement within two-year period to establish requirement. He indicated that small farmers should be encouraged to be in agricultural districts early. Stated there were good applications this year.

Leg. Loughran asked if the properties were going to be taken off tax rolls.

Discussion transpired between Leg. Loughran, Legislators and Director with regard to requirements to become agricultural exemptions, the effects on the tax rolls, etc.

Counselor Chapman reviewed portion of the Right to Farm Law.

MOTION MADE BY: Legislator Maio
MOTION SECONDED BY: Legislator Wishnick
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. 6
TEXT OF MOTION:**

RESOLUTION No. 187 – July 10, 2012

RESOLVED to approve Resolution No.187 – Appointing Member And Alternate Member To The Ulster County Planning Board – Town Of Rosendale

Resolution Summary:

Ulster County includes 4 Agricultural Districts certified by the NYS Department of Agriculture and Markets, Districts 1, 2, 3 and 4. According to Law, eight-year reviews are required according to respective anniversary dates. The reviews required substantial district analysis, landowner notifications, public hearings, mapping and reporting in accordance with specs and deadlines contained in the Agricultural and Markets Law Article 303(a). The Agricultural Districts 1, 2 and 3 have anniversary dates all occurring within one 12-month period which imposes an undue burden on the UC Planning Department as well as the Agricultural Farmland Protection Board and may lead to confusion in the farming community and the affected municipalities. Counties with multiple districts with review dates within a 12-month period may petition the NYS Agricultural Commissioner for an extension of up to four years for district review. The UC Agricultural and Farmland Protection Board met on 5-16-12 and unanimously agreed to request UC Legislature to petition the NYS Agricultural Commissioner to extend the anniversary dates of Agricultural Districts 1, 2 & 3.

Discussion:

Director Doyle provided explanation to the Committee of the content of the Resolution and reasons being made to request extension for the reviews.

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

There being no further business before the Committee, a motion was made by Legislator Loughran, seconded by Chairman Maloney, and carried to adjourn the Meeting at 5:55 PM.

Dated the 18th day of July, 2012

Lisa K. Mance, Legislative Employee

Minutes Approved on August 6, 2012

Discussion

Chairman Belfiglio stated that he had asked the Legislators for input with a prior deadline. He received various e-mails, one being from Gerald Benjamin which referenced study from 2010 (available on-line). Regional approach was suggested in the report with regard to waste management.

Leg. Wishnick had read e-mail and wished to pass on his thoughts on its content- 1) Concept that municipalities could be more efficient in the manner in which trash was collected and how it was prepared for transfer – suggested that instead of competition for collection – one entity, under contract or franchise, could be selected to collect for a community and 2) regionalization of drop off centers or points of transfer of materials and savings that could be realized at the municipal level. On a larger scale, a multi-county solid waste system potential is being considered but may be many years in the making and mechanisms needed to be put into place. Leg. Wishnick believed the matter was worthy of further discussion/consideration.

Leg. Bartels asked about the “entity” and if County was getting involved in hauling.

Leg. Wishnick interpreted that it focused on the concept of one entity performing the collection rather than the mechanics of collection and that it was a voluntary municipal agreement. City of Kingston wasn't addressed in terms savings within the report.

Leg. Belfiglio presented documentation from Emily Hauser which included “Alternatives to Flow Control;” “Recommendations for Solid Waste Disposal in Ulster County, New York 1998-2003;” letter from David Straus, Ph.D., Chairman EMC-LWV; Recommendations from the cash & Cahill Report, 2 draft local laws “establishing a Non-Residential Solid Waste User Fee” all on file with the Clerk of the Legislature. Proposal to enhance the Environmental and Financial Sustainability of Ulster County's Solid Waste System presented by Legislators Wishnick and Belfiglio. Stated that he had requested the entire Legislature for ideas and to provide written recommendations. Chairman Belfiglio together with Leg. Wishnick had provided their proposal and he was considering Board President's documents of two months ago, as his plan since there was nothing further written. Asked Leg. Parete if he had something precise that could be discussed.

Leg. John Parete responded that he had mentioned previously that were policy positions, not plans. Indicated the Legislators' responsibility was to present policy ideas to the Committee, not present them in writing and wasn't going to unless specifically requested to do so. Wanted to continue to keep public informed and operate business as usual.

Chairman Belfiglio wanted to clarify that he had requested proposals in writing since the minutes don't necessarily reflect every word.

Further discussion between Chairman Belfiglio and Leg. Parete ensued with regard to requests made for proposals in writing, timeframes and issue of meeting with the leadership committee.

Leg. Bartels acknowledged Leg. J. Parete's frustration and commented that there was financial staff to address financial questions.

Chairman Belfiglio indicated that he didn't want to arbitrarily try to convey his interpretation of Leg. J. Parete's proposal.

Leg. Ronk addressed statement made by Deputy Ken Crannell with regard to the disagreement as to whether mismanagement was the only reason to have the RRA transferred to a County Department as opposed to a public benefit corporation. On the Legislative side, suggestion was made based upon accountability and there would be more control of the day-to-day management.

J.J.Hansen wanted to quickly comment in sharing Leg. Bartels position in that can't go further with proposal until there's a better understanding of the financial impact. Confronted T. Rose with the need for the financial analyst to review factors before an understanding of what the impacts are. Stated to move such a large organization like RRA into a County management structure, on its face, isn't dealing with fundamental issues and should be considered by the Agency.

Leg. Wishnick stated the proposal as it exists was laid out in a way wherein there are no County funds required...complete self-contained system which would be 100% funded by the users.

Chairman Belfiglio stated that getting the Agency in a solvent position, what would be done with labor after would be management within the County. Money can't be spent to self support for revenues and then pay retirement benefits.

Leg. John Parete stated that the Agency has lost money (\$28,000,000.00) over the past 15 years and has run in the red – asked if County is performing a "bail out."

Leg. Wishnick addressed Chairman noting that there was a lot speculation, comments and implications being made without an explanation of how the proposal works and how it was crafted. The actual content of the proposal was one in which whatever the costs of the system turn out to be, whatever options the Legislature chooses, will be self supported by that system chosen. If the recommendation goes through, it would be the obligation of Legislature to ensure proper policies guide the future of solid waste and recycling activities of the County. Commenting on potential consequences of accepting the proposal are not in order without first understanding what the actual proposal is.

Charles Landi wanted to clarify that he had just received document from G. Benjamin for review and wanted to comment that RRA has not been mismanaged. The management he had witnessed since his involvement has been efficient. He believed the RRA needs policy direction, possibly flow control, etc. Mr. Landi asked if intention was to submit proposals.

Chairman Belfiglio answered that the proposals were for public record giving a history of the proposals that were given to him and he was submitting them to the Committee. Since it was a public meeting, he wished the documents to be available to the Committee and to be part of public record. There was never the intent to indicate that the Agency was mismanaged.

Charles Landi asked that documents be forwarded to the members of the Resource Recovery Agency Board. He also wanted to reiterate need of Agency for a direction in which to go, not that there was mismanagement in the Agency. Attorney Steven Wing would have no problem defending flow control laws in Court, given the Supreme Courts direction.

Leg. Bartels stated speaking for herself, she believed the Agency was very well managed but that, discussing need to increase volume and revenue, understanding was that it couldn't be enacted simply to increase volume and revenue, that it wasn't allowed for purely financial reasons. A real argument can be made for the enactment of flow control. The Legislature is feeling the "bite" of the net service fee. The net

service fee is half of the debt service and the Agency was working to keep up with crippling debt that was pushed on previous RRA Board and it was still now being paid. It was result of bad policy decision not the result of mismanagement at the RRA Board. She perceived urgent need to make policy decision about what was going to be done with County's waste. Stated that they would need Legislature's financial analyst to provide information. Wanted to understand benefit control under County Executive.

Leg. Belfiglio asked of Tim Rose if Agency itself was voting on bond to upgrade equipment. Stated that plan could work the same way with the RRA Board in place, it was the tipping fees would get regulated. Accountability was that the Board would have everything and the County would still be stuck with a possible net service fee that was deficient. Although it may not be a County Department, it should be set up in a way that the tipping fees could be controlled by the Legislature.

Timothy Rose stated that the recycling operations is still making money. As far as the accountability, good reference was the City of Kingston water system.

Leg. Wishnick stated different issues of proposal were being discussed without understanding of what the actual proposal was. Consolidation of volume could result in being able to obtain lower tipping fees.

Charles Landi wanted to assure that the Board is looking at tipping fee numbers and wanted to look towards standardizing them. Stated there seemed to be a reluctance to step over the flow control line and support it. Further asked for a resolution being submitted with a "sunset clause" saying that certain criteria had to be met or it would be null and void and then let Legislature decide what would be done with the Agency.

Leg. Wishnick – the proposal was being presented as a system that addresses recycling, flow control, tipping fee costs, standardizing of fees and systematic way in which to create a self-sustaining system in every respect. Something needs to be done within the next few months because, in its absence, services would be cut from discretionary non-mandated programs and individuals would lose jobs.

Leg. J. Parete – debated issue of raising rates and equated net fee to a service tax.

Leg. Belfiglio duly noted Leg. Parete's statements and continued review of points of proposal.

Leg. John Parete discussed issues of flow control versus raising rates with Committee Legislators.

Chairman Belfiglio noted that proposal wasn't much different than which existed when Agency was created.

Leg. Wishnick stated original 1993 Solid Waste Plan and Agreement with the RRA, upon which bonding was based, predicated that there would be a system in which the tipping fees would pay all the system cost and order to do that, flow control enacted by the County Legislature would be required. The system didn't occur because of the Carbone decision that made flow control illegal but decision was amended, and flow control was made legal. Nothing was done to follow through with the original plan. Proposal now hinged on how to get 1993 plan back into place based upon the way it was intended. Leg. Wishnick went on to review various other points of the document at length.

Chairman Belfiglio indicated that the County Executive's office and the Legislature were involved in determining what was going to be done with the RRA.

Leg. Ronk suggested Committee review all of the ideas and proposals and select the one that would be least costly/intrusive. Acknowledged questions posed by Legs. Bartels and J. Parete.

Leg. Wishnick noted that the proposal presented had been reviewed by CPA Tim McGrath.

Leg. Bartels criticized neglecting to list issue of a landfill site being considered.

Motion to reconvene at 8:00 p.m. made by Leg. Bartels and seconded by Chairman Belfiglio.

Leg. Bartels totally opposed to privatization and selling of RRA and that it was a public benefit corporation for a reason. Indicated that she wanted to see numbers.

Chairman Belfiglio wanted to ask Board to discuss proposal and expected full cooperation from Board with any questions that may exist. Not sure of obligation to present flow control law for vote and set a public hearing.

Leg. Bartels stated that there was no obligation.

Leg. Ronk indicated that Attorney Guerin was looking into requisite bonds and would look into flow control law.

Mr. Rose indicated that Mr. West was willing to come to Ulster County to discuss flow control issues.

Manna Jo Greene stated costs of exporting were missing from the discussion. Wanted to ask, in support of issue that Leg. Bartels raised, was location being chosen for residual waste. In her opinion, driving waste was a tax, cost and climate change "sin." Supported putting stakeholders on the RRA Board, including supervisors.

Dare Thompson referenced letter (on file with Clerk of the Legislature).

Susan Holland addressed the Committee considering future goal of zero waste.

Motion to adjourn - Legislator Ronk second Legislator Bartels

Meeting adjourned 8:30 PM

Dated the 11th day of July, 2012

Lisa K. Mance
Ulster County Legislature

Minutes Approved On: August 2, 2012

Health and Personnel Committee

Regular Meeting Minutes

DATE & TIME: July 17, 2012 / 6:45 PM
LOCATION: Majority Room, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Robert T. Aiello, Chairman
LEGISLATIVE STAFF: Fawn Tantillo, Deputy Clerk
PRESENT: Legs. Jeanette Provenzano, Carl Belfiglio, Kenneth Ronk, Jr. and Robert S. Parete
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Tracey Bartels, Erica Guerin, Majority Counsel, James J. Hanson, Budget Director

- Chairman Aiello called the meeting to order at 6:47 PM

Discussion

There was a brief discussion about the rescheduling of the meeting from July 2 to July 17. Chairman Aiello explained the only resolution for them to consider was a "housekeeping" resolution and he felt it was not practical or prudent to make everyone drive in on a hot July evening (July 2, 2012) for a ten or fifteen minute meeting.

Motion No. 1 **Resolution No. 176 – July 17, 2012**
Text of Motion: Resolved to approve Resolution No. 176 – Confirming Appointments To The Ulster County Board of Health

Resolution Summary: Pursuant to Article V, Section C-42(A) of the Ulster County Charter and Article V, Section A5-3(A) of the Administrative Code The Legislature must confirm appointments made by the Ulster County Executive. The Executive appointed Walter E. Woodley, MD and Peter Case Graham, Esq. This resolution would confirm those appointments.

Motion Made By: Leg. Ronk
Motion Seconded By: Leg. Belfiglio
Roll Call Vote: No
Voting In Favor: Legs. Aiello, Provenzano, Belfiglio, Ronk and Parete
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Motion Passes

Abstract for July 17, 2012 Session

L43- 3 – Jackson & Coker Locum Tenens Inc. /Provide temporary psychiatric services to UCDMH clients.

Questions and/or Comments:

Leg. Belfiglio questioned why we are having trouble recruiting providers.

Hanson explained that that there is a general shortage in psychiatrist and the county has high turn over due to a demanding work schedule and perhaps insufficient salaries compared to other locations. The savings from vacant

lines along with other department funds will pay for this contract. He suggested there may be a net savings using contract services on an as needed basis vs. hiring our own staff psychiatrist due to added expense like "moving costs" that are routinely part of their hiring contract.

Leg. Wishnick suggested that contract that included "moving cost" should have a caveat that physicians must remain in Ulster County's employment for a period of time, perhaps 18 months to two years. They should reimburse Ulster County if they don't stay.

MOTION NO. 2

RESOLVED To Approve the Minutes of June 4, 2012

MOTION MADE BY: Robert S. Parete
MOTION SECONDED BY: Carl Belfiglio
ROLL CALL VOTE: No
VOTING IN FAVOR: Legs. Aiello, Provenzano, Belfiglio, Ronk and Robert S. Parete
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

Legislator Aiello reminded the committee that there will be Lyme Disease Forum in the Legislative Chambers on July 31 at 7 PM.

Next scheduled Committee meeting is July 30, 2012 at 5:30 p.m., County Office Building, 6th Floor Legislative Library.

There being no further business before the committee, on the motion duly made by Leg. Belfiglio, seconded by Leg. Ronk, and carried, the meeting adjourned at 7:03 p.m.

Dated the 17th day of July, 2012

Fawn A. Tantillo, Deputy Clerk

Minutes Approved on August 6, 2012

Law Enforcement & Public Safety Committee

Regular Meeting Minutes

DATE & TIME: July 3, 2012 / 5:30 PM
LOCATION: Ulster County Law Enforcement Center, Rotunda 53
PRESIDING OFFICER: Richard Parete, Chairman
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Ronk, Belfiglio, Briggs, Maio and Bernardo
ABSENT: None
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Paul Blarcum, Sheriff; Frank Faluotico, Undersheriff; Vincent Altieri, Deputy Sheriff; Legislative Counsel, Sandy Mathes, Deputy Leg. Clerk; Michael Freer. Deputy Sheriff; JM Tiano, UCDSBPZ

- Chairman Parete called the meeting to order at 5:32 PM.

MOTIONS:

MOTION NO. 1

TEXT OF MOTION: **RESOLVED to approve the June 5, 2012 Meeting Minutes**
MOTION MADE BY: **Legislator Belfiglio**
MOTION SECONDED BY: **Legislator Briggs**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Belfiglio, Briggs, Maio, Parete, Ronk and Bernardo**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 2

RESOLUTION No. 174 – July 17, 2012

TEXT OF MOTION: **RESOLVED to approve Resolution No. 174** – Authorizing the Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Division of Criminal Justice Services For The Aid To Defense Program – Department Of Public Defender

Resolution Summary:

The Public Defender has requested that the Ulster County Legislative Chairman execute an Agreement pursuant to NYS Contract #T128125 and any amendments thereto, with the NYS Criminal Justice Services for participation in the NYS Aid to Defense Program. The purpose of the the program are to 1) enhance defense services designed to expedite processing of of violent and serious felony cases through the courts, and 2) ensure thorough case processing and effective defense representation.

Additional Questions and/or Comments: None

MOTION MADE BY: **Legislator Ronk**
MOTION SECONDED BY: **Legislator Briggs**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Belfiglio, Briggs, Maio, Parete, Ronk and Bernardo**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 3
TEXT OF MOTION:

RESOLUTION No. 184 – July 17, 2012
RESOLVED to approve Resolution No. 184 – Amending The Annual Salary Of The District Attorney As Required By The New York State Judiciary Law- District Attorney

Resolution Summary: New York State Legislature increased the annual salary of the Ulster County Court Judge to \$153,800 effective April 12, 2012. Section 183-A of the NYS Judiciary Law requires the annual salary of the District Attorney be equivalent to that of the County Court Judge. It is necessary to increase the annual salary of the District Attorney from \$131,400.00 to \$153,800. 00.

Additional Questions and/or Comments:

Counselor Chapman clarified wording contained with the proposed Resolution in which first "Whereas" clause amended to add the word "annual."

Chairman Parete conveyed regrets of DA Carnright for absence and wanted to clarify that request for increase wasn't made by DA Carnright. Chairman Parete asked if this had to be done.

Counselor Chapman specified that the State requires the payment.

Chairman Parete relayed message from District Attorney which indicated that State Aid would cover increase for this year.

Leg. Maio inquired as to why the increase wasn't made at budget time.

Counselor Chapman responded that it was based upon State budget.

August 29, 2011 Final Report of the Special Commission on Judicial Compensation on file with the Clerk of the Legislature.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Briggs
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Belfiglio, Briggs, Maio, Parete, Ronk and Bernardo
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes to Adopt Resolution as Amended

• **MONTHLY REPORTS: 2012 Ulster County Sheriff's Revenues (on file with Legislative Clerk)**

Sheriff VanBlarcum indicated that his Office is on track with both board revenue and telephone revenue. Board revenue was a bit higher. Sheriff had asked Executives' Office for budget review before being finalized but has not yet received a response. Appointment scheduled on July 18th for review.

Undersheriff Faluotico indicated that County Comptroller has frozen assets and budget of URGENT task force without explanation. Had meeting with Deputy Comptroller and rationale was that Kingston PD has pulled out and until it is determined what money is owed, money cannot be spent. Sheriff's office is expecting to incur late fees and bad credit ratings as a result of bills not being able to be paid. Indicated County funds were also frozen but later released the County funds but asset forfeiture funds still frozen. Those funds are used to pay telephones and month to month operations. Unclear as to amount being sought by the City of Kingston.

Sheriff VanBlarcum made reference to the recall of two patrol cars leased and insured by the County. Sheriff requested the vehicles back since KPD.

Chairman Bernardo asked if there was anything that could be done by the Committee.

Undersheriff Faluotico stated that the leases were paid out in the Fall for the cars but governments do not have option to buy out. The cars' leases could have been bought out with asset forfeiture monies for about \$25,000.00,

Chairman Bernardo asked if letter to Comptroller requesting timeframe be specified regarding the issue could be made.

Motion by Leg. Ronk to write letter asking Comptroller for timeframe on resolution of the issue be made, 2nd by Leg. Briggs. Chairman Parete to write letter, copy Committee and will forward to Comptroller.

Chairman Ronk inquired as to the power of the County Comptroller to unilaterally freeze funds.

Sheriff VanBlarcum asked as to what recourse would be with regard to frozen funds.

Counselor Chapman asked for clarification as to what purchases the funds were being disbursed for.

Undersheriff Faluotico indicated that overtime had been incurred as a result of the investigation of the death of the child in New Paltz.

New Business

Chairman Ronk recognized Chairman Bernardo and informed the Committee that she, together with Deputy Mathes had met with a representative from Motorola with regard to the Countywide Emergency Communication System which needed to be upgraded but costs have been a concern.

Chairman Bernardo – Blue Wing had been contacted by County approximately 1 year ago to address Legislature but presentation to the Legislature had been cancelled. Federal Government requires that there be one system.

Government Relations Specialist met with Chairman Bernardo, Deputy Mathes, local town Fire Commissioner who spoke at length about Onondaga County which took a regional approach in western New York. Chairman Bernardo is proposing that other Counties be approached with regard to Emergency Communication System. Chairman Bernardo indicated that she would like, in conjunction with Chairman Parete, to reach out to neighboring county executives and chairman of legislatures in surrounding counties to coordinate effort to join in the Emergency Communication System.

Deputy Mathes indicated that present system is over 50 years old or older. Regional approach with centralized hub would be the most cost effective way to obtain State grants and options available. Start needs to be made and no other local Counties have made a concrete effort at this time. Substantial State support and possibly Federal funds would be available. Needs a well-planned approach so that when time comes to make decision, Legislature will be well-informed.

Chairman Bernardo indicated that she had brought issue up to County Executive at the last leadership meeting who responded that it was being looked into.

Undersheriff Faluotico stated that the County is already testing a system. Geographically, Ulster requires different powers than those such as Long Island due to the topography in this region. Recommended that Art Snyder be contacted.

Leg. Ronk stated that a consulting company, Blue Wing, was ready last July to give presentation but was not able to complete presentation. Recommended that towns start putting money away into a capital reserve account now in anticipation.

Leg. Belfiglio questioned if the purchase of system had to go out to bid.

Chairman Bernardo stated that different leaders needed to be contacted to see if they were willing to put out a unified proposal which would enable the determination of what type of pricing and grants that may be available.

Motion to reach out to surrounding counties made by Leg. Ronk and seconded by Mary Beth Maio.

Chairman Bernardo extended her thanks to the Sheriff's assistance with the fire at the Rainbow Diner in Kerhonkson the prior day.

Leg. Ronk indicated that UHF frequencies have been held hostage.

Undersheriff Faluotico indicated that the 400 range was free but hasn't been approved for use.

Chairman Bernardo recommended that an attempt be made by next month at the criminal justice Committee, reach out to Motorola and possibly, other vendors to attend.

Leg. Ronk recommended that John Quick from the Town of Ulster be invited.

It was also recommended that Art Snyder be invited and **Sheriff VanBlarcum** offered to contact him with invitation.

Counselor Chapman revisited the issue with the Sheriff's funds being held and the Comptroller's obligation and ability to certify the availability of the funds.

- **There being no further business before the Committee, a motion was made by Legislator Ronk, seconded by Legislator Briggs, and carried to adjourn the Meeting at 6:10 PM.**

Dated the 6th day of July, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: July 31, 2012

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: July 3, 2012 / 7:00 PM
LOCATION: Library Conference Room, 6th Floor, County Office Building, 244 Fair Street, Kingston, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Bernardo, Ronk, Donaldson, Loughran, Maio and Robert Parete
ABSENT: Legislator Fabiano
QUORUM PRESENT: Yes
OTHER ATTENDEES: Hector Rodriguez, Ulster County Legislator, Langdon Chapman, Esq., Counsel to the Legislature, Christopher Raggiuci, Esq., Minority Counsel, Sandy Mathes, Deputy Clerk Finance, League of Women Voters: Victor J. Melville, Dare Thompson, Charter Revision Commission: Cynthia Lowe, Thomas P. Kadgen, Richard Cahill, Rod Futerfas, Jay Kaplan Eric Stock, County Attorney, Paula Sirc, Shawangunk Journal

- Chairman Kevin A. Roberts called the meeting to order at 7:15

Chairman Roberts asked for a moment of silence for the passing of Karen L. Binder, Clerk of the Legislature and of the Laws and Rules Committee. The Chairman also recognized and thanked the members of the Charter Commission who are present.

Chairman Roberts then gives privilege of the floor to Langdon Chapman to review recommended modifications to the Ulster County Charter as proposed by the Ulster County Charter Revision Commission.

DISCUSSION

1. §C-10 Commission on Reapportionment

Mr. Chapman asked if all had copy of the modified of Charter. He indicated that he and Chris Ragucci had reviewed proposed Charter revisions and believed both were in agreement on recommendations.

Subparagraph B. Mr. Chapman asks if there is a consensus to change the person who is responsible for maintaining the pool of names from which the Commission shall be formed from the County Executive to the County Clerk.

Chairman Roberts supports the idea based on the neutrality of the County Clerk in the process.

Leader Donaldson asks for clarification on the appointment of two people from the Majority and the Minority.

The committee further discusses the advantages and disadvantages of shifting the responsibility from the County Executive to the County Clerk.

Chairman Roberts calls for a vote on the change, in favor 6, Opposed 1, Legislator Loughran.

2. §C-11.1 Audit Committee

Mr. Chapman clarifies the process in how the audit committee would be formed; to have legislators on the committee or have the Chairman appoint members. Mr. Chapman states that he has spoken to the Comptroller who believes that the audit committee be composed of members that are not legislators.

Leader Donaldson asks the opinion of the Charter Commission. Mr. Chapman states that the Charter Commission recommended that the audit committee be comprised of legislators. Leader Donaldson supports the commission's decision on having the audit committee consisting of Legislators.

Leader Ronk asks what the negative aspects of the Legislature are with appointing a Certified Public Accountant (CPA) to the audit committee.

Leader Donaldson does not see a problem with a CPA being on the committee but believes that it should be a majority of Legislators than anyone else.

Chairman Roberts states that this gives the Chairman of the Legislature and Minority Leader the option of choosing an independent committee or Legislators.

Legislator Robert Parete states that his has supported the idea of an independent committee from the last meeting.

Leader Donaldson supports giving the Chairman and the Minority Leader the option to select either Legislators or independent members of the Audit Committee.

Chairman Roberts recognizes Mr. Chapman who further states that during June 19, 2012, meeting of the Ways and Means Committee, a unanimous decision in favor of supporting the Charter Commissions decision in regards to the composition of the Audit Committee. Mr. Chapman emphasizes that it is a policy question.

Leader Donaldson would like to consider a hybrid consisting of Legislators and independent members.

Chairman Roberts recognizes the motion from Leader Donaldson to have the audit committee consist of a combination of Legislators and independent members. Motion seconded by Chairman Roberts. All in favor and none opposed.

3. §C-15 Confirmation of Appointments

Mr. Chapman reads the proposed change that requires the Legislature to vote on appointments made by the County Executive, confirming with a majority of votes in favor.

4. §C-20 Counsel to the Legislature; Minority Counsel

Subparagraph C. Maintaining of a part-time Minority Counsel.

Subparagraph D. Gives the Legislature authority to appoint and approve Special Counsel to the Legislature, should the need arise.

5. §C-25 Powers and Duties of the County Executive

Subparagraph A. Authorizing the County Executive 120 days to appoint a vacant Department head or the Legislature may then appoint.

Subparagraph P. Removal of subpoena power from the County Executive.

Subparagraph Q. Requires the County Executive to file monthly reports on reclassifications

6. §C-29 Acting County Executive

Subparagraph C.1. Timeline for the holding of a special election to fill the office of County Executive in the event of a vacancy.

Chairman Roberts recognizes Legislator Rodriguez for comment on timeline; further recommends that it should coincide with the next general election.

Leader Ronk agrees taking into account for Legislative confirmation for interim person to continue to the next general election.

Chairman Bernardo recommends primary and/or general elections; the difference being the primary election in September or the general election in November.

Leader Donaldson asks Mr. Chapman for clarification; Mr. Chapman states that at the State level, routinely the Governor will call for a special election within 45 days.

Chairman Roberts recognizes Legislator Rodriguez maintains that most people vote in the general election which supports his proposal.

Leader Ronk disagrees based on a sitting County Executive running for a different office and the acting County Executive would assume the position for more than 270 days.

Leader Donaldson motions to leave in place greater than 270 hold a special election within 90 days rule, less than 270 the vacancy will be filled at the next general election.

Leader Ronk states that he is not in support of anything over 180 days.

Chairman Roberts maintains the motion before the committee, 270/90 day rule calls for a vote.

Leader Donaldson in favor, Legislators Bernardo, Ronk, Donaldson, Loughran, Maio and Robert Parete opposed.

Chairman Roberts asks for a 180 day motion, Leader Ronk motions for 180 days, seconded by Legislator Robert Parete. Legislators Bernardo, Ronk, Donaldson, Loughran, Maio and Robert Parete in favor; Leader Donaldson opposed.

7. §C-57 Powers and Duties of the Comptroller

Subparagraph K. Requirement to submit any report or audit to the Legislature and the County Executive 5 days prior to public distribution.

Leader Ronk confirms with Mr. Chapman that the Comptroller changes are included.

8. §C-106 Membership; appointment; compensation

Board of Ethics term limitations and procedure.

Leader Donaldson asks the deciding factor as to who will serve the shorter term given different circumstances.

Mr. Chapman states that it will be at the discretion of the County Executive and reinforces that notion that appointments should be made wisely.

9. §C-116 Inter-municipal Collaboration Council

Determining the conditions when the council shall meet; at the Order of the County Executive or upon the call of any three members.

Chairman Roberts asks for further debate.

Leader Donaldson questions the decision of appointing the Clerk of the Legislature with the majority of the Legislature confirming the appointment.

Mr. Chapman advises that Chairman Bernardo recommends that effective January 1, 2014, the Clerk of the Legislature will be confirmed by a majority of the Legislature and further that the Clerk in December of 2013 hold over until such a time the Legislature confirms the appointment.

Chairman Roberts calls for further debate. Seeing none opens the meeting to the public.

Charter Revision Commission Cynthia Lowe states that how would a person be removed from the Ethics Board if "at the pleasure of the County Executive is removed".

Mr. Chapman states by resignation or operational law.

Leader Donaldson asks in the circumstance that a member of the Ethics Board does not participate or show to meetings, what is the process for removal.

Mr. Chapman again stresses the importance of good decisions during the appointment process.

Leader Donaldson and Legislator Rodriguez question whether it would be wise to include conditions for removal from the board.

Mr. Chapman states that if the will of the committee is to include such language then it should be included.

Leader Ronk asks the frequency at which the Ethics Board meets, twice annually.

Mr. Chapman states that unless there is an established process it would be difficult to protect against abuse by a board member through either truancy or malicious intent.

Chairman Roberts recognizes Commissioner Cahill who states that it should be considered to include the language "unexcused absences" to ensure the integrity of the absence.

Leader Ronk and Donaldson agree that a person or persons on the Ethics Board could be detrimental to the process and the responsibilities of the Board.

Mr. Chapman offers language that would provide for the removal of a Board member by the Legislature for cause.

Legislator Robert Parete states that if a removal process is established for one committee then one should be established for all.

Leader Donaldson reinforces the importance and implications of the Ethics Board.

Leader Ronk states that the committee should be independent from the legislature.

Chairman Roberts asks for a motion or halt debate and move on. Legislator Loughran makes the motion to move on, seconded by Leader Ronk.

Chairman Roberts recognizes Mr. Chapman, whose intent is to provide the Laws and Rules Committee with a document to be reviewed by the committee at a special meeting, before setting of a public hearing on the Charter Revision.

Legislator Robert Parete asks if there should be an information session for the full legislature prior to setting a public hearing.

Discussion on timeline and the setting of a public hearing

The Committee is in agreement that a public hearing date can be established at the July 17, 2012 regular meeting of the legislature.

Leader Ronk motions to go into attorney client session with Legislative Counsel, seconded by Legislator Loughran. Legislators Bernardo, Roberts, Ronk, Loughran, Maio and Robert Parete in favor; Leader Donaldson opposed. So ruled by Chairman Roberts at 8:15pm.

Chairman Roberts recognizes Legislative Counsel, Mr. Chapman for clarification of Attorney Client privilege who further states that Section 4503 of Civil Practice Law establishes attorney client privilege under State Law, therefore exempting the open meetings law.

Attorney Client session carried and so ruled by Chairman Roberts.

At approximately 8:40pm Chairman Roberts called the Laws and Rules Committee meeting back to order.

Leader Donaldson states that he is now aware of the reasoning behind the attorney client session and concurs with the ruling of the committee.

Chairman Roberts called for further debate or discussion; hearing none stated that at the next regularly scheduled Laws and Rules Committee meeting the Revised Charter document will be voted on.

OTHER BUSINESS: NONE

No further Discussion

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- **There being no further business before the Committee, a motion was made by Legislator Loughran, seconded by Legislator Ronk, and carried to adjourn the Meeting at 8:45 PM.**

Dated the 3rd of July, 2012

**Franklin R. Reggero
Ulster County Legislature**

Minutes Approved on: 17th of July 2012 (frr)

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: July 17, 2012 / 5:45 PM
LOCATION: Library Conference Room, 6th Floor, County Office Building, 244 Fair Street, Kingston, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Donaldson, Fabiano, Loughran, Maio and Robert Parete
ABSENT: Legislator Ronk
QUORUM PRESENT: Yes
OTHER ATTENDEES: Langdon Chapman, Esq., Counsel to the Legislature, Christopher Ragguci, Esq., Minority Counsel, Sandy Mathes, Deputy Clerk Finance, James Hanson, County Executive, Susan Plonski, County Attorney, Roland Bloomer, County Attorney, Frank Faluctico, Ulster County Sheriff, Patricia Doxsey, Daily Freeman

- Chairman Kevin A. Roberts called the meeting to order at 5:45

MOTIONS:

MOTION NO. 1 **RESOLUTION No. 190**
TEXT OF MOTION: RESOLVED to approve Resolution No. 190 - Memorializing The Dedicated Service Of Karen L. Binder, Clerk of the Ulster County Legislature

Resolution Summary: the people of Ulster County have experienced a significant loss by the passing of Karen L. Binder, who, at the time of her death was Clerk of the Ulster County Legislature. The Legislative Library Conference Room on the 6th floor of the County Office Building, 244 Fair St, Kingston, NY, be hereafter known as the "Karen L. Binder Library Conference Room".

DISCUSSION: **Chairman Roberts** recognizes **Leader Donaldson** who further introduces a motion to amend Resolution 190 by adding a Resolved that would name the current library that is shared by the Executive and the Legislature the "Karen L. Binder Library".

Chairman Roberts concurs and states that he has spoken to the County Executive and to **Legislator Provenzano** who will make the amendment on the floor during the regular session.

Leader Donaldson concurs with **Chairman Roberts**.

MOTION MADE BY: Legislator Parete
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Donaldson, Fabiano, Loughran, Maio, Robert Parete, and Roberts
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

NEW Business:

Chairman Roberts states that there is no new business with the exception of the Charter Revision special informational session scheduled for the 18th of July at 6:00PM.

Leader Donaldson recommends that each caucus go over the changes individually to clarify any changes to the respective caucuses.

Chairman Roberts states that he is confident the Laws and Rules Committee is in agreement with the changes that were made to the Charter.

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- **There being no further business before the Committee, a motion was made by Legislator Parete, seconded by Legislator Loughran, and carried to adjourn the Meeting at 5:50 PM.**

Dated the 23rd July, 2012

**Franklin R. Reggero
Ulster County Legislature**

Minutes Approved on: July 23, 2012

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: July 23, 2012 / 7:00 PM
LOCATION: Library Conference Room, 6th Floor, County Office Building, 244 Fair Street, Kingston, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Donaldson, Fabiano, Loughran, Maio, and Ronk
ABSENT: Legislator Robert Parete
QUORUM PRESENT: Yes
OTHER ATTENDEES: Wayne Harris, UC Legislator, Jeanette Provenzano, UC Legislator, Tracey Bartels, UC Legislator Erica Guerin Esq., Counsel to the Legislature, Susan Plonski, County Attorney, League of Women Voters: Victor J. Melville, Dare Thompson, Charter Revision Commission: Cynthia Lowe, Thomas P. Kadgen, Richard Cahill, Rod Futerfas, Thomas Rocco, Michael Catalinatto, James McGarry, Patricia Doxey, Daily Freeman

- Chairman Kevin A. Roberts called the meeting to order at 7:10

Chairman Roberts asked for a moment of silence for the victims of the Colorado shooting.

MOTIONS:

MOTION NO. 1 Approval of July 17, 2012 Laws, Rules and Governmental Service Committee Meeting Minutes
TEXT OF MOTION: RESOLVED to approve Minutes from the July 17th meeting - Approval of Minutes
MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Fabiano
ROLL CALL VOTE: No
VOTING IN FAVOR: Fabiano, Donaldson, Loughran, Maio, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2 RESOLUTION No. 191
TEXT OF MOTION: RESOLVED to approve Resolution 191 - Adopting Introductory Local Law No.1 Of 2012 (A Local Law Of The County Of Ulster, New York Known As The "Hydraulic Fracturing Brine Prohibition Act") Hereinafter Known As Local Law No. 6 of 2012

Resolution Summary: Laws and Rules, Governmental Services Committee has met and reviewed said request with a majority of the members voting approval so that Local Law 6 may be voted on by the Legislature.

Discussion: Deputy Chairman Robert Parete recused himself because of possible conflict of interest. Robert Parete requested to be removed from the resolution which was approved by the Chair.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Donaldson
ROLL CALL VOTE: No
VOTING IN FAVOR: Donaldson, Loughran, Maio, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

Chairman Roberts opens the floor for discussion on Proposed Local Law No. 11 of 2012, a document provided by the Laws and Rules, Governmental Services:

DISCUSSION

Chairman Roberts opens discussion on § C-10 Commission on Reapportionment, sub-section B, entertains motion to change the responsibility for establishing the pool of Commission names back to County Executive made by **Legislator Fabiano** and seconded by **Legislator Loughran**, 6 in favor, 0 opposed.

Chairman Roberts recognizes **Leader Donaldson** for discussion on § C-10, sub-section G, last sentence. **Leader Donaldson** explains that the addition of the last sentence in above paragraph, in regards to the omission of expenditure of funds by the Commission sentence was an oversight and the Charter Revision Commission language should be returned to the Proposed Local Law.

Chairman Roberts opens discussion on § C-11.1 Audit Committee, the deletion of "of the two members appointed by the Chairman of the Legislature and the Minority Leader, at least one appointed by the Chairman shall be a member of the County Legislature and at least one appointed by the minority leader shall be a Member of the County Legislature. It shall take the affirmative action of three out of the 5 voting members to act." No debate.

Chairman Roberts opens discussion on § C-15 Confirmation of Appointments. **Legislator Loughran** makes a motion to return section § C-15 to original charter language with the following amendments: Change the amount of time the Legislature has to confirm appointments from 15 to 30 days and "When an appointment is rejected by the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive during his or her term of office." To one (1) year, second by **Leader Donaldson**. Debate continues.

Leader Ronk motions for the paragraph to contain language that requires a majority vote of the Legislature is required for the confirmation process and give the Legislature up to 60 days to vote. Ms. Lowe, Chairman, Charter Revision Commission is recognized by the **Chairman Roberts**. Ms. Lowe asks for clarification of Rejection and Confirmation claiming that they are not the same. **Leader Donaldson** explains the vote process for passing legislation, a majority of the Legislature is required to pass legislation; therefore the same should apply for confirmation. **Leader Ronk** concurs with **Leader Donaldson** definition of the confirmation process. **Legislator Bartels** is recognized by the Chair, for clarification on a majority vote and questions what the outcome would be if the vote was 11 to 11. Counsel Guerin states that the language is specific "a confirmation of the Legislature and all its elected members." **Legislator Harris** states that the use of "reject" and "confirm" is misleading and recommends "reject" be removed. **Legislator Bartels** asks for clarification on current charter language on whether it allows for an 11 to 11 vote outcome. Counsel Guerin says yes that is correct also adds that if the Legislature does not vote within the specified amount of time or the appointment is confirmed. **Legislator Loughran** states that the failure to acquire a majority of the vote in favor of confirmation is a rejection. **Chairman Roberts** recognizes Ms. Lowe for clarification of a tie vote for confirmation. **Leader Donaldson** is not in favor of the Legislature not taking any action. **Chairman Roberts** recognizes Counsel for language clarification, "if the legislature fails to vote upon the nomination, the nomination shall be deemed confirmed within 30 days". **Legislator Maio** makes motion to add Counsel language, second by **Leader Ronk**. 6 in favor, 0 opposed.

Chairman Roberts opens discussion for § C-19 Clerk of the Legislature. **Legislator Loughran** motions that the Clerk of the Legislature shall serve at the pleasure of the legislature not just the chairman, second by **Legislator Fabiano**. 6 in favor, 0 opposed. **Chairman Roberts** recognizes **Leader Donaldson** for discussion on removing "The Chairman may appoint such Deputy Clerks and employees as the Legislature may require"; moves motion, second by **Legislator Loughran**. **Leader Ronk** questions the committee if they are certain that the sentence is not needed.

Chairman Roberts and **Leader Donaldson** agree that the process for hiring employees of the Legislature should be an internal function not needed in the Charter. 6 in favor, 0 opposed.

Chairman Roberts states that he believes he addressed all of the changes made since the last meeting and recognizes Ms. Lowe for a question. Ms. Lowe asks for clarification on § C-25 Powers of the County Executive, section Q, recommends the language be more definitive to only requiring a monthly report on reclassifications. **Chairman Roberts** recognizes **Legislator Provenzano** for debate who states that if the County Executive is required to report reclassifications then the Chairman of the Legislature should be required to do the same thing. **Leader Ronk** agrees and would support language that applied to both. Counsel Guerin states that this paragraph is specific to the Duties of the County Executive so any change that is proposed to pertain to the Legislature should be applied to the appropriate section of the charter. **Legislator Loughran** supports **Leader Ronk's** proposal. **Leader Donaldson** supports the requirement of the County Executive having to report reclassifications. **Chairman Roberts** recognizes **Legislator Bartels** for discussion and further states that the proposed language is broad and may be interpreted to require reporting more often than monthly. **Legislator Bartels** is also concerned that the language "unless otherwise prescribed by Law" may be a way for the Legislature to introduce a law that will prohibit the reclassification of employees by the County Executive. **Chairman Roberts** recognizes Ms. Lowe for debate asking for further clarification on whether the intent of the new section is to control or simply be informational. **Chairman Roberts** asks for a motion to except the new paragraph as it stands, moved by **Leader Donaldson**, second by **Leader Ronk**, 6 in favor, 0 opposed. **Chairman Roberts** recognizes Ms. Lowe for an amendment to the proposed new section by adding "at least but no more than monthly", which was moved by **Legislator Loughran**, seconded by **Leader Ronk**, 6 in favor, 0 opposed.

Chairman Roberts recognizes **Leader Donaldson** for further debate. **Leader Donaldson** requests discussion be focused on the § C-29 Acting County Executive and the confirmation process for designating those to perform those duties in the absence of the County Executive. **Leader Donaldson** further states that the confirmation process will only be applicable to those designated and only for the title of Acting County Executive. Ms. Lowe emphasizes the current language in the Charter that states "only person's incumbent in County Government would be eligible to be designated as Acting County Executive. **Legislator Harris** confirms the definition of language reads that the legislative confirmation is only for consideration on the position of Acting County Executive. **Legislator Harris** further clarifies that the Legislature is not seeking additional confirmation power rather only for designees for Acting County Executive. **Legislator Loughran** concurs. **Chairman Roberts** recognizes Commissioner Catalinatto for comment, who states that Legislators are trustees of the people and if they collectively feel as though they require the confirmation of the Acting County Executive, then so be it. Ms. Lowe states that Mr. Catalinatto's comment is not that of the Charter Revision Commission but rather the opinion of one Commissioner.

Chairman Roberts recognizes **Leader Donaldson** for further discussion on § C-10 Reapportionment. **Chairman Roberts** initiates discussion by introducing debate on the Legislature having final approval of the redistricting plan but has no interest in amending the final plan brought fourth by the Reapportionment Commission. **Chairman Roberts** recognizes **Legislator Bartels** for debate referencing Dr. Benjamin's testimony at the public hearing supporting keeping the redistricting plan out of the hands of interested parties during the entire process. **Legislator Bartels** further explains that she cannot support a proposal that would put any part of the Reapportionment process subject to the Legislative approval. **Legislator Bartels** may support a motion to allow for a permissive referendum by the public to challenge the plan proposed by the Commission, as suggested by **Legislator John Parete**.

Chairman Roberts recognizes Ms. Lowe for discussion on a provision for a permissive referendum by the public. Ms. Lowe further adds that the Charter Revision Commission is researching the permissive referendum idea. Ms. Lowe states that the majority of the Revision Commission members are not in favor of the Legislature having the ability to amend the Reapportionment Commission's final plan and has concerns of granting the Legislature a up or down vote on the plan. **Chairman Roberts** recognizes **Leader Ronk** for debate. **Leader Ronk** reaffirms his position on the Legislature not having the authority to amend the Reapportionment Commission's plan; however, having an up or down vote for approval of the plan in its entirety. **Leader Ronk** supports his position based the last Reapportionment Commission process and the amount of constituent calls regarding the plan and not having the ability to voice the concerns of the public. **Leader Donaldson** also references the last Reapportionment Commission process and agrees with **Leader Ronk** that there needs to a process that ensures the democratic process and the voice of the public is heard having decisions made by their elected officials. **Chairman Roberts** recognizes Mr. Catalinatto who clarifies the last Reapportionment Commission's process and ensures it was conducted in a democratic manner. **Leader Ronk** motions that the Legislature has the final say as in current charter and ask not to be misquoted or represented. **Chairman Roberts** recognizes **Legislator Harris**. **Legislator Harris** introduces the idea of creating a provision that would require a Legislative super-majority (2/3) to defeat a Reapportionment Commission plan. **Leader Ronk** does not support a super-majority requirement.

Chairman Roberts recognizes Mr. Catalinatto and other Charter Revision Commission members who state that they believe that any Legislative involvement may be considered gerrymandering. **Chairman Roberts** recognizes **Legislator Provenzano** supports the provision that provides for an independent commission not the Legislature. **Leader Donaldson** does not support the third failsafe provision where commission members are drawn from a receptacle and would prefer a judge be the final say in the event the process goes to the third fail safe. **Legislator Bartels** does support a failsafe provision that provides for names being drawn from a receptacle as opposed to the Reapportionment Plan going to court. **Leader Donaldson** is opposed to the receptacle drawing of names. **Chairman Roberts** Legislative staff Fawn Tantillo for timeline clarification. **Chairman Roberts** tables current debate and schedules the next meeting of the Laws and Rules Committee for 25 July 2012, at 5:30PM.

Chairman Roberts recognizes **Legislator Loughran** for a motion to adjourn, second by **Leader Ronk**.

OTHER BUSINESS: No further Discussion

- There being no further business before the Committee, a motion was made by Legislator Loughran, seconded by Legislator Ronk, and carried to adjourn the Meeting at 9:12 PM.

Dated the 23rd of July, 2012

Franklin R. Reggero
Ulster County Legislature

Minutes Approved on: August 7, 2012

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: July 25, 2012 / 5:30 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 Donaldson, Fabiano, Robert Parete, Maio, and Ronk
ABSENT: Legislator Loughran
QUORUM PRESENT: Yes
OTHER ATTENDEES: Carl Belfiglio, UC Legislator, Don Gregorius, UC Legislator, Langdon Chapman Esq., Counsel to the Legislature, Elliott Auerbach, Comptroller, Joe Eriole, Deputy Comptroller, Ken Crannell, Deputy County Executive, Susan Plonski Esq., County Attorney, Roland Bloomer, County Attorney, Kristin Gumaer, County Attorney, League of Women Voters: Victor J. Melville, Charter Revision Commission: Cynthia Lowe, Thomas P. Kadgen, James McGarry. Patricia Doxey, Daily Freeman, Michael Novinson, Times Herald Record, Geoff Goldberg, Times Herald Record.

- Chairman Kevin A. Roberts called the meeting to order at 5:35

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: **RESOLUTION No. 192**
RESOLVED to approve Resolution 192 - Issuing A Negative Declaration With Respect To The Adoption Of Introductory Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York Known As The "Hydraulic Fracturing Brine Prohibition Act") Hereinafter Known As Local Law No. 6 of 2012

Resolution Summary: Laws and Rules, Governmental Services Committee has met and reviewed said request with a majority of the members voting approval so that Local Law 6 may be voted on by the Legislature.

MOTION MADE BY: Legislator Robert Parete
MOTION SECONDED BY: Legislator Ronk
DISCUSSION: No Further Debate
ROLL CALL VOTE: No
VOTING IN FAVOR: Donaldson, Fabiano, Robert Parete, Maio, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

DISCUSSION: **RESOLUTION No. 189**
TEXT OF DISCUSSION: **Resolution 189** - Setting A Public Hearing On Proposed Local Law No. 11 of 2012 (A Local Law Amending The Ulster County Charter To Modify Various Provisions Of The Ulster County Charter) To Be Held On Tuesday, August 14, 2012 at 7 PM, Or As Soon Thereafter As The Public Can Be Heard

Chairman Roberts opens discussion by announcing that Resolution number 189 will not be put to vote at this meeting but rather a discussion regarding the timeline and to hear comments from the Comptroller and Deputy.

Chairman Roberts recognizes Legislative Counsel Chapman for timeline clarification. Counsel Chapman advises that the Legislature should take up Local Law Number 11 on or about August 14, 2012, ensuring that there is sufficient time to vote. This will facilitate ample time should the Local Law be vetoed and returned to the Legislature for potential override vote.

Chairman Roberts recognizes **Leader Donaldson**. **Leader Donaldson** asks for clarification on when the Local Law must be at the Board of Elections. Counsel Chapman states that the BOE deadline is October 1, 2012; however, because of the process as prescribed by the Charter, the public hearing must be held no later than August 14, 2012.

Chairman Roberts recognizes the Comptroller, Elliott Auerbach for comments, who defers to the Deputy Comptroller Joe Eriole to speak. Deputy Eriole advocates for changing language under § C-11.1 Audit Committee to more precise in Legislative appointments adding further that a strictly Legislative Committee may not be best practice. Through the appointment of outside competent professionals along with Legislators may in fact be a more sound process. Mr. Eriole asks if language could be modified to read, one of the two legislative appointees will be a Legislator and the other a competent professional in that field? Mr. Eriole further advocates for the Comptroller to be a voting member of the Committee. Mr. Eriole's third comment is in regard to the differences in the Comptroller succession requirements and the County Executive succession requirements and further advocates for a special election or an election in due course in § C-60 Comptroller Vacancy. Current language provides for the Legislature to appoint a vacancy in the Comptroller position.

Chairman Roberts states that he will address the Comptroller's concerns at the next scheduled meeting.

Chairman Roberts recognizes Cynthia Lowe for comment. Ms. Lowe clarifies the number of members (7) on the Audit Committee of which only (5) vote, so by providing for the Comptroller voting authority it would have (6) voting members. Ms. Lowe further adds that the Charter Revision Commission was reluctant to take Legislative power that has been established; therefore the Commission did not consider modifying the Comptroller succession plan. **Chairman Roberts** recognizes Deputy Eriole for comment. Mr. Eriole further advocates that the Comptroller is an elected position and should be considered as such to justify the special or election in due process to fill a vacancy.

Chairman Roberts will address the concerns of the Comptroller and the Charter Commission at the next meeting due to time and further announces that the next meeting of the Laws and Rules, Governmental Services Committee will be August 6, 2012, at 6:00PM. Counsel Chapman advises that it is important to keep the timeline at the forefront based on the legal notification process as prescribed in the Charter and risk a technical default and defines the timeline. **Chairman Roberts** announces that the next scheduled meeting is to be determined based on clarification of the timeline.

Chairman Roberts recognizes **Leader Ronk** for a motion to adjourn, second by **Leader Donaldson**.

- **There being no further business before the Committee, a motion was made by Leader Ronk, seconded by Leader Donaldson, and carried to adjourn the Meeting at 5:52 PM.**

~~Dated the 25th of July, 2012~~

Franklin R. Reggero
Ulster County Legislative Staff

Minutes Approved on: 13th of August, 2012

ULSTER COUNTY LEGISLATURE
Legislative Programs, Education & Community Services Committee
Regular Meeting Minutes

DATE & TIME: July 3, 2012, 5:00pm
LOCATION: St. John Conference Room (Rm.118), George Clinton Hall, SUNY Ulster County Community College, Cottekill Road, Stone Ridge, New York
CHAIRMAN: Wayne Harris
RECORDER: Janet Salanitri, Adm. Assistant, SUNY, Ulster County Community College
PRESENT: Legs. David Donaldson, Craig Lopez and Donald Gregorius
ABSENT: Leg. Mary Wawro
OTHERS PRESENT: Dr. Donald Katt, President of SUNY Ulster County Community College; Lydia Reidy, Executive Director and Mary Marsters, both of Cornell Cooperative Extension; Eve Madalengoitia, Director of Programs & Arts Services, Dutchess County Arts Council; Soledad Hyppolite, Assistant to Leg. Lopez; Victor Melville, Observer for The League of Women Voters; Kenneth Crannell, Deputy Ulster County Executive and Evelyn Clarke, Director of The Ulster County Youth Bureau

QUORUM: Yes

A QUORUM BEING PRESENT, CHAIRMAN HARRIS CALLED THE MEETING TO ORDER AT 5:05PM

MOTION:

Text of Motion Resolved to approve the Minutes of the meeting of this Committee of June 5, 2012.
Motion Made Leg. Donaldson
Seconded Leg. Lopez
Voice Vote Yes
In Favor Chairman Harris, Legs. Donaldson, Gregorius and Lopez
Opposed None
No. in Favor 4
No. Opposed 0
Disposition Motion unanimously carried. Minutes of June 5, 2012 meeting approved as presented.

SUNY, ULSTER COUNTY COMMUNITY COLLEGE:

Report by: Dr. Donald Katt, President

Report: Dr. Katt discussed with the Committee the proposed move of the BRC to the Sophie Finn School, which move has been precipitated by the county needing room to consolidate its other Human Services offices into the areas of the BRC now occupied by the College. He said the college had looked to other sites with an eye to the more financially practicable lease/purchase, but even those would cost upwards of \$100,000 annually more than the College is now paying. The President said he believes this move will benefit the County, the College, the Kingston School District and the taxpayers, and cited advantages such as location between the high school and the hospital. Renovation is expected to start July 1, 2013 if all goes well, with classes to start in the Spring semester of 2014.

Mr. Carnell said there are other things that have to come first such as the Kingston School Board of Ed. voting to close the school, and the finalization of the Dyson Foundation Grant. He also said the County will surplus two buildings currently used by other County Departments after the College vacates the BRC, and that resolutions should come to this Committee in August or September.

President Katt said square footage for academic offerings at the BRC is about 30,000 and Sophie Finn would give the College about 32,000 sq. feet. Also, we may need to install an elevator to comply with ADA regulations and possibly add a modest addition, but we have to wait until we can get into the site and really see what we need to do.

The President also discussed the \$150 per FTE increase in base state aid for 2012-13, and said enrollment appears to have hit a ceiling in 2010-11, and the College is projecting a 2% per year enrollment decrease to return to the level of enrollment realized prior to the beginning of the recession in 2008-09. The College is also projecting a 2% increase in operating costs per year. He thanked the Committee for their support of next year's budget request.

Resolutions: None

DUTCHESS COUNTY ARTS COUNCIL:

Report by: Eve Madalengoitia, Director of Programs and Arts Services

Report: Ms. Madalengoitia thanked UCCC for the use of its facilities for the judging panel recently. She said May 1st was the deadline. Total of \$91,000 in applications for a \$37,500 fund and there were 2 review seminars. She described the review process which is quite extensive. Panelist were Susan Linn, Cynthia Lowe, Ward Mintz, Walter Marquez and Susan Spencer Crowe. Letters went out on Friday to 9 organizations and the following were funded:

Shadowland Theatre	New Play Series	\$5,840
Mount Tremper Arts	Capacity Building (staff)	\$7,000
Upstate Films/Woodstock, NY with Center		
Photography at Woodstock	Photo/film Series	\$4,345
Woodstock Film Festival	Rosendale Outreach	\$4,830
Arm-of-the-Sea Productions	Expanded Staff Position	\$5,500
Women's Studio Workshop	Data Base Development	\$2,000
Phoenicia Festival of the Voice	Marketing	\$2,985
Kairos: A Consort of Singers	Publicity Director	\$5,000

She said everyone is also reminded that all prior projects have to be completed before any additional funds can be allocated. Ms. Madalengoitia said a pot luck reception and check delivery has been tentatively scheduled for Thursday, August 16th – time and place to be announced.

Resolutions: None

CORNELL COOPERATIVE EXTENSION OF ULSTER COUNTY:

Report by: Lee Reidy, Executive Director and Mary Marsters, Program Director

Report: Ms. Reidy said they are waiting to hear who the County Legislature will be appointing to the Cornell Cooperative Extension Board of Directors. One Legislator is appointed. She is also interested in the budget process recommendations and procedure for this year which should be coming up shortly. She asked to be advised of the time limits, format, etc. as soon as they are formulated. Chairman Harris said the Clerk of the Legislature would let her know. Ms. Reidy said her office is continually engaged in looking for grants and other funding to leverage county funding and they are currently working on 3-4 grant proposals, among them a way to supplement CCE's expanded agricultural programs.

They are partnering with Family of Woodstock, said Ms. Reidy, on holding a Hudson Valley Harvest Festival on September 22-23 at the Ulster County Fairgrounds featuring local music, garden and orchard products, vendors and children's attractions, and urged everyone to attend. Continuing, she reminded everyone that this year is the 125th Anniversary of the Ulster County Fair which opens on Tuesday, July 31st. Opening Day Ceremonies will be on Wednesday, August 1st at 6:00pm and she said everyone should have received an invitation.

Resolutions: None

ULSTER COUNTY YOUTH BUREAU:

Report by: Evelyn Clarke, Director

Report: Ms. Clarke referenced two (2) resolutions before this Committee. She said the first (#179) was because they did not have the actual allocation at the time the budget was filed. The second resolution (#180) was to confirm the Ulster County Executive's appointment of five (5) members of the Youth Bureau's Board. She said they still need one more member and are working on that.

Resolutions: As follows:

MOTION ON RESOLUTION #179 FOR THE JULY 17, 2012 SESSION OF THE LEGISLATURE:

Text of Motion: Resolved to Amend the New York State Office of Children and Family Services 2012 Resource Allocation Plan, Amending the 2012 Ulster County Budget – Youth Bureau

Motion Made: Leg. Donaldson

Seconded: Leg. Gregorius

Voice Vote: Yes

In Favor: Chairman Harris, Legs. Donaldson, Lopez and Gregorius

Opposed: None

No. in Favor: 4

No. Opposed: 0

Disposition: Motion unanimously carried. Resolution #179 approved as presented.

MOTION ON RESOLUTION #180 FOR THE JULY 17, 2012 SESSION OF THE LEGISLATURE:

Text of Motion: Resolved Confirming Appointment by Ulster County Executive of Members to the Ulster County Youth Board as follows: Loretta Cherryann Norfleet, Yvette Armstead, James M. Porter, MA, CPC, Marco Ochoa and Nidia Martinez-Godfrey, BS, CASAC.

Motion Made: Leg. Donaldson

Seconded: Leg. Lopez

Voice Vote: Yes

In Favor: Chairman Harris, Legs. Lopez, Donaldson and Gregorius

Opposed: None

No. in Favor: 4

No. Opposed: 0

Disposition: Motion unanimously carried. Resolution #180 approved as presented.

ULSTER COUNTY OFFICE FOR THE AGING:

Report by: Chairman Wayne Harris and Kenneth Crannell, Deputy Ulster County Executive

Report: Chairman Harris offered a Resolution regarding an additional allocation of funds due to the Ulster County Office for the Aging. Mr. Crannell said these funds will be received by the local agency due to an increase in the number of senior citizens in the county as per the latest census. He said all of the funds received will go to direct services for our senior citizens. He also advised the Committee that an RFP had been sent out for the Meals on Wheels program which has a return date of August 31, 2012.

Resolution: As follows:

MOTION ON RESOLUTION #177 FOR THE JULY 17, 2012 SESSION OF THE LEGISLATURE:

Text of Motion: Resolved to amend the 2012 Ulster County Budget to include an additional allocation of funds to Ulster County from the New York State Office for the Aging – Office for the Aging.

Motion Made: Leg. Donaldson

Seconded: Leg. Lopez

Voice Vote: Yes

In Favor: Chairman Harris, Legs. Gregorius, Lopez and Donaldson

Opposed: None

No. in Favor: 4

No. Opposed: 0

Disposition: Motion unanimously carried. Resolution #177 approved as presented.

NEW BUSINESS:

Chairman Harris called on Leg. Lopez who wished to speak on a proposed resolution he was working on. Leg. Lopez wished the committee to be aware of his interest in obtaining some oversight of the various county owned facilities to make sure ADA requirements were being met. He wanted to make sure of it in both county owned and leased facilities and that not only were everyday handicapped facilities in place but that there were procedures for the visually and hearing impaired and for those with unseen disabilities. He would like to see the range made a little more broad and not so specific. He said he has been working on this with Langdon Chapman, Counsel for the Legislature. He would also like to see some place or person a citizen can go to if they have a problem or if they want information on whether a building or an area is handicapped accessible.

ADJOURNMENT:

There being no further business, a motion to adjourn was made by Leg. Gregorius and seconded by Leg. Donaldson and Chairman Harris declared the meeting of this Committee duly adjourned at 6:25pm.

Dated the 10th day of July, 2012

Janet Salanitri, Recorder

Minutes Approved on: July 31, 2012

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: July 3, 2012 @ 5:00 PM
LOCATION: Library Conference Room, County Office Building
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Franklin Reggero
PRESENT: Chairman Dean Fabiano, James Maloney, John Parete
ABSENT: Legislators Kevin Roberts and Thomas Briggs
QUORUM PRESENT: Yes
OTHER ATTENDEES: Langdon Chapman, Counsel to the Legislature

Chairman Fabiano:

- Called the meeting to order at 5:02 PM

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of June 6, 2012.
Motion Made By: Legislator James Maloney
Motion Seconded By: Legislator John Parete
Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, John Parete
Voting Against: None
No. Of Votes In Favor: 3
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 2

Resolution No. 172, July 17, 2012

Text Of Motion: RESOLVED to approve Resolution No. 172 – Amending Capital Project No. 260 - Bailey Bridge (BIN 3347090) For Additional Right-Of-Way Acquisition Work, Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications Or Reimbursement Requests For Federal Aid On Behalf Of Ulster County, With The New York State Department Of Transportation, And Amending the 2012 Capital Fund Budget – Department Of Public Works (Highways And Bridges)

Resolution Summary: Project for Denning Road over the East Branch of the Neversink Creek in the Town of Denning, the Bailey Bridge is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ration of 80% federal funds 20% non-federal funds. The Chairman of the Ulster County Legislature is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Ulster County with the New York State Department of Transportation (NYSDOT). In addition to the Chairman of the Ulster County Legislature, the following municipal titles: Commissioner of Public Works and Director of Purchasing, are also hereby authorized to execute any necessary Agreements, certifications or reimbursement requests on behalf of the Municipality with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement

Additional Questions and/or Comments: No further debate.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Parete
Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, Parete
Voting Against: None
No. Of Votes In Favor: 3
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 3 **Resolution No. 182, July 17, 2012**
Text Of Motion: RESOLVED to approve Resolution No.182 – Amending the 2012 – 2017 Capital Program To Establish Capital Project No. 369 – Reconstruction And Rehabilitation Of Ulster Heights Road (County Road #56) Due To Damages Resulting From Hurricane Irene – Public Works (Highways & Bridges Division)

Resolution Summary: The Ulster County Commissioner of Public Works requests funds to provide for the reconstruction and rehabilitation of Ulster Heights Road (Ulster County Road #56) due to damage caused by Hurricane Irene. Ulster Heights Road (County Rd. #56) has been closed to the traveling public since receiving significant damage during Hurricane Irene, and it received a Federal Highway Administration (FHWA) designation making it ineligible for reimbursement through FEMA. FHWA reimbursement guidelines would cause a minimum two year delay for the commencement of the construction, thereby extending excessive difficulties in the daily lives of the community and compromising the safety of the traveling public. This resolution authorizes the Ulster County Department of Public Works – Highways & Bridges Division to reconstruct and rehabilitate Ulster Heights Road during the current construction season by establishing a capital project. Capital Project No. 369 is hereby established and that the 2012 – 2017 Ulster County Capital Program for the Ulster Heights Road.

Additional Questions and/or Comments: Legislators John Parete and James Maloney verify with the Chairman the history of this particular project. Chairman Fabiano explains and confirms the history and is satisfied that this project is underway.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator J. Parete
Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, Parete
Voting Against: None
No. Of Votes In Favor: 3
No. Of Votes Against: 0
Disposition: Motion Passes

Abstract for June 19th Session: No further debate

New Business: Chairman Fabiano wants to invite Bob Sudlow to the August 1, 2012, Committee meeting to address the final figures for the Lloyd Bridges and also invite Gary Capella (Soil and Water Program Director) to discuss project crossover between Public Works and Soil and Water. Chairman Fabiano states that Bob Sudlow would like to see increase communication between the two departments to clarify responsibilities as they relate to future projects.

Legislator John Parete asks if Chairman Fabiano would contact Mr. William Bruning, Town of Denning Supervisor regarding shared services and assistance in the maintenance of certain roads within the Town of Denning. Chairman Fabiano stated he will contact Mr. Bruning after the 4th of July.

Old Business: No further discussion.

The next regularly scheduled Committee Meeting will be held on August 1st at 5:00 PM in the Library Conference Room, 6th Floor of the COB.

There being no further business before the meeting, on the motion duly made by Legislator John Parete, seconded by Legislator James Maloney, and carried, the meeting adjourned at 5:20 pm.

Dated the 3rd day of July, 2012

Franklin Reggero, Fiscal Analyst

Minutes Approved on: August 1, 2012

Social Services Committee

Regular Meeting Minutes

DATE & TIME: July 9, 2012 @ 6:30 PM
LOCATION: Library Conference Room, County Office Building
PRESIDING OFFICER: Chairman Kevin Roberts
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Craig Lopez, Richard Parete and Hector Rodriguez
ABSENT: Kenneth Ronk
QUORUM PRESENT: Yes
OTHER ATTENDEES: Deputy Executive Kenneth Crannell

- Chair Roberts called the meeting to order at 6:34 PM

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of June 4, 2012.
Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Lopez
Roll Call Vote: No
Voting In Favor: Legislators Lopez, Parete, Rodriguez, and Roberts
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

Contracts –

- Abstract Number L42-1 – Gateway Community Industries/Professional Services

Description:

Annual Agreement to provide a Food Stamp Employment and Training Program for recipients of Supplemental Nutritional Assistance Program benefits (food stamps) in accordance with the Food Stamp Act of 1977 and 1985, as amended.

Motion to approve Contract made by Leg. Rodriguez, seconded by Leg. Lopez to send to Ways and Means. Motion passes 4 – 0.

Discussion:

Deputy Crannell indicated that L42-1 was a continuing Contract.

All in favor of the abstract.

New Business:

Safety Net Discussion –

Chairman Roberts gave the floor to Leg. Rodriguez to discuss Safety Net. Leg. Rodriguez specified that there were many directions that could be taken among which included linking safety net with sales tax, changing percentages back to previous split that the Towns had budgeted for (negotiate separately with City of Kingston with regard to sales tax and safety net). Leg. Rodriguez requested input.

Leg. Parete asked why certain Towns would not have budgeted for Safety Net.

Discussion ensued with regard to payments made by certain Towns, when and how payments were or were not made, when changes occurred, what payments weren't being made.

Leg. Roberts asked for explanation from Deputy Crannell on the Safety Net Expenditures 2009-2011 and the Town/City Sales Tax Share v. Safety Net Local Share informational handouts provided by the Deputy (on file with the Clerk of the Legislature).

Deputy Crannell indicated Ulster County is only County in New York that hasn't absorbed the safety net costs. Indicated ongoing issue of the Towns not budgeting costs.

Chairman Roberts indicated that Committee should meet with the Town Supervisors and get their feedback with regard to safety net issue.

Dep. Crannell indicated that there may be distinction with the City of Kingston. When costs are absorbed, all administrative functions are taken over. When it comes to City, the City must affirmatively vote to give up administrative part of the program.

Leg. Rodriguez suggested meeting with the Supervisor Association.

Chairman Roberts directed Leg. Employee to contact Supervisor Valk to meet with the Committee. Asked Deputy how they determine amount each town receives with regard to sales tax.

Dep. Crannell indicated it is dictated by percentage based upon population and assessment.

Leg. Parete noted that higher populated properties received higher revenues.

Leg. Rodriguez referred to property assessments and indicated that revenues were based upon that.

Chairman Roberts asked Deputy Crannell when sales tax agreements comes up for the City of Kingston. Asked if there's a deadline for safety net solution...looking at October as possibly being the deadline. Agreed that decision by Committee should be in place by August.

Dep. Crannell offered to provide documentation with regard to how other Counties share sales tax revenues, etc.

Leg. Parete asked what percentage was being looked at and what were the goals of other members of the Committee. Asked what direction the County Executive was leaning towards. Stated that if Ulster was only County in New York State which Towns were absorbing safety net costs, it must be wrong.

Chairman Roberts set Agenda and selected July 23, 2012 as date to meet with the Supervisors and Mayors in Legislative Library.

Next Scheduled Committee Meeting is July 23, 2012 @ 5:15 PM, COB, 6th Floor Legislative Library with the regularly scheduled meeting being 7/30/12.

There being no further business before the meeting, on the motion duly made by Legislator Rodriguez, seconded by Legislator Lopez, and carried, the meeting adjourned at 7:35 PM.

Dated the 16th day of July, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: July 23, 2012

Social Services Committee

Regular Meeting Minutes

DATE & TIME: July 23, 2012 @ 5:15 PM
LOCATION: Library Conference Room, County Office Building
PRESIDING OFFICER: Chairman Kevin Roberts
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Craig Lopez, Richard Parete, Hector Rodriguez and Kenneth Ronk(5:34 p.m.)

ABSENT: None

QUORUM PRESENT: Yes

OTHER ATTENDEES: Chairman Bernardo, Legislators Donaldson, Harris 6:45 p.m., Provenzano and Bartels, Mayor Shane Gallo, Town Supervisors Wilber, Walsh, Quigley, Osborn, Valk, Osberg and Brunning, John Tuey, City Comptroller, Krista Barringer, Deputy Leg. Clerk, Mark Longto, Co. Executive's Office, Joe Eriole, Deputy Comptroller, Hugh Reynolds, Ulster Publishing, Erica Guerin, Leg. Counsel, Frank Reggero, Sr. Legislative Employee, Eve Smith, Shandaken Social Services

- **Chairman Roberts acknowledge the Committee's first meeting in what is now the Karen L. Binder Library called the meeting to order at 5:20 PM and paused for a moment of silence in remembrance of the victims of the movie theatre massacre in Aurora, Colorado.**

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of July 9, 2012.

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Roll Call Vote: No

Voting In Favor: Rodriguez, Roberts, Lopez and Ronk

Voting Against: None

No. Of Votes In Favor: 5

No. Of Votes Against: 0

Disposition: Motion Passes

Safety Net Discussion – Mayor Shane Gallo

Mayor Gallo addressed issues concerning City of Kingston regarding Safety Net costs. Point in last 10 years, through acquiescence of City officials and without (or possibly with) the knowledge of the County officials, the City of Kingston has become a "passee for a county housing problem for those in need." Plethora of social service organizations that set up shop in Kingston, one regarding County benefits. 30-day residency has created boom not only for individuals receiving benefits but also for other non-for-profit organizations. Question for County would be to recommend a 90-day waiting period. Access to services which was about \$300.00 10 years ago is most likely about \$1,000.00 per tax period at this time. Mayor commented is disparity in services between comparison of Dutchess and Ulster County.

Mayor Gallo addressed Family Assistance Bonus. Mayor asked that out of funds which aren't dedicated, County take into account costs of City of Kingston, allocate portion of these funds to help offset increase in costs. Mayor deferred to his Comptroller, John Tuey, for his input.

Comptroller Tuey concurred that Mayor was on point.

Chairman Roberts inquired as to what authority had jurisdiction over the 30-day residency allowance.

Mayor Gallo suggested issued be visited with Assemblyman Cahill or Larkin.

Chairman Roberts asked Mayor if he would be willing to swap dollar-for-dollar – sales tax revenues in lieu of Safety Net dollars.

Mayor Gallo indicated in the negative with an explanation in support of that opinion. He believed Kingston is subsidizing for every other township in Ulster County due to the Safety Net services provided. Asked why City should be required to also give up sales tax revenues. Doesn't want to co-mingle sales tax proceeds with an issue that was technically, an unfunded mandate issued by the State. There is an existing "social services industry" in the City of Kingston.

Leg. Donaldson –Concurred that City of Kingston sales tax existed before County tax and shouldn't be related to Safety Net.

Chairman Roberts - Proposal for 1 to 1 sales tax swap, dollar for dollar with a cap at the 2012 levels wasn't acceptable to either Mayor Gallo or Comptroller.

Leg. Rodriguez indicated cap wasn't solving short-term problem and discussion ensued between Mayor, Chairman, Comptroller and Legislators Ronk and Rodriguez. Issue of low-income housing was debated.

Mayor Gallo indicated concern about creating budget with very little to work with. Mayor clarified that the first option on the table was sales tax and second option was to cap at the 2012 rate. Mayor indicated that the 90-day bill was on the table and Chairman Roberts stated that Counselor Guerin could look into proper governing body to determine the residency requirement.

Leg. Ronk submitted suggestion to cap all municipalities at 50/50 and remove the State increase put upon the cities with the County taking over the 21%.

Chairman Roberts stated without a representative from the County Executive's office, he would not make a comment.

Mayor Gallo asked Chairman about visiting the temporary assistance bonus and Chairman responded that he would contact County Executive office to determine what fund was available.

Chairman Roberts indicated that costs had been shifted to closely to a local level and should be at the State level, the State mandated the costs.

Comptroller Tuey asked about gradual plan to which Chairman indicated that at this time, there is no answer.

Chairman Roberts asked that Supervisors be asked in and Mayor Gallo was excused at 5:47 p.m.

Meeting called back to order at 5:55 p.m.

Safety Net Discussion – Town Supervisors

Round table introduction of Legislators and Supervisors was made.

Supervisor Valk given privilege of the floor and expressed displeasure at the Safety Net costs being linked to the Sales Tax revenues. Reflected that certain Towns would benefit, others would not, if County were to take over Safety Net costs. Supervisor Valk believes absorption should be phased into the Town Budgets. Supervisor Valk deferred to second Vice-Chair of Supervisors Assn. – James Quigley.

Supervisor Quigley recited brief from County Attorney James Murray to the Court on behalf of the Ulster County Legislature at the time, split was equitable because County had responsibility for Social Services costs and the City, because it's nature as the County Seat, had burden of providing services for which real estate tax revenues weren't paid. Supervisor Quigley concurs with extending service eligibility timeframe from 30 to 90 days. Supervisor also advocated for a stringent enforcement of the rules for eligibility. Discussed "where found" issues related to benefit recipients and the location of such individuals with the County and the location of services provided at the Business Resource Center in the Town of Ulster. Supervisor Quigley would like to see a long-term solution. Supervisor Quigley questioned the existence of the Bonus Funding to offset Safety Net and referenced letter. (to be on file with Clerk of the Legislature). Unclear as to whether funds are available or not. Supervisor Quigley wanted to use money to construct a program to offset the Safety Net program from going forward and he believed that monies can be programmed in future years – if State appropriates the funds, it would be used for Safety Net. Supervisor researched Sales Tax Revenues growth and those appropriated in past budgets. If unexpected revenues had been dedicated to this problem, it would have been solved. Supervisor Quigley took issue with handout 2009-2011 Town/City Sales Tax Share vs. Safety Net Local Share that was provided by Executive's office to the Committee. Supervisor Quigley cited that Town of Wawarsing has a major problem with Safety Net in excess of the Sales Tax. Asked Chairman to think harder with regard to a solution.

Legislator Rodriguez deferred to Supervisor Wilber for his opinion.

Supervisor Wilber acknowledged that they have the highest valued real estate in County with a low tax rate, but residents aren't paying low taxes. Supervisor Wilber didn't dispute what had been said but wanted an equitable solution and wanted equitable distribution to the poor. Supervisor Wilber wanted to compare the property revenues and how they were apportioned town- to- town.

Leg. R. Parete agreed with points made by Supervisor Wilber. Used various comparisons such as how City of Kingston had no bridges that were but had monies allocated other towns' roads/bridges.

Leg. Donaldson concurred with Leg. Parete and recounted the origination of the Safety Net costs. Supported the 5-year phase-in and recognized Towns such as Wawarsing with a limited tax base as compared to other municipalities.

Chairman Roberts stated sales tax/safety net are linked and that timeframe within which to remedy is irrelevant—that if the issue isn't resolved, it will be resolved at the suggestion of the County Executive in October.

Supervisor Walsh reviewed cycle that created the conditions which result in safety net costs, stating it was a County issue. Discussion followed with Eve Smith, Leg. Ronk and Supervisor Wilber.

Chairman Bernardo recognized the viewpoint of the Rosendale Supervisor.

Chairman Roberts put forth suggestion to Supervisors to entertain swapping sales tax to safety net, dollar – for – dollar with a cap at 2012 levels. Whatever number would be capped from that point forward and no additional safety net costs would be incurred.

Supervisor Quigley disagreed with statement. Question was what happened to future growth in the sales tax.

Chairman Roberts indicated it would still be received.

Supervisor Walsh asked why Committee wasn't looking at safety net as something that shouldn't be compared to property values.

Debate ensued with contradiction to points made by Leg. Rodriguez.

Supervisor Quigley had 2 points to make in response to Leg. Parete's statement on the sales tax agreement which includes three terms including different percentages. Asked how terms can be changed without changing the contract. Second point directed to Chairman was that he put point on table with regard to the 2013 Bonus Funding for Family Assistance. He referred to e-mail received.

Discussion followed with regard to the funds available to TANF Federal Program to offset the safety net costs incurred and Resolution from 2011 with regard to same.

Chairman Roberts specified to Supervisor Quigley that matters were being looked into for the Mayor and would be looked at also for the Supervisors.

Chairman Bernardo asked Supervisor Quigley, with regard to TANF, what he was looking at the Legislature to do?

Supervisor Quigley responded that he was looking for a repeat of the 2011 Resolution, that it not be a one-time shot, something Town's could depend upon in subsequent budgets. Wanted policy decision from the Legislature so Towns can budget for 2013.

The being no further business before the meeting, on the motion duly made by Legislator Rodriguez, seconded by Legislator Ronk, and carried, the meeting adjourned at 6:55 p.m.

Dated the 26th day of July, 2012.

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: July 30, 2012

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: July 10, 2012 5:00 PM
LOCATION: Legislative 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: Ken Crannell, Deputy County Executive, James Hanson, Budget Director, Lisa Cutten, Deputy Budget Director, Susan Plonski, County Attorney, Kristin Gumaer, County Attorney, David Bolles, Department of Public Works.

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

MOTION NO. 1 **Draft Resolution No. 172**
TEXT OF MOTION: **RESOLVED**, Amending Capital Project No. 260 - Bailey Bridge (BIN 3347090) For Additional Right-Of-Way Acquisition Work, Authorizing The Chairman Of The Ulster County Legislature To Execute Agreements, Certifications Or Reimbursement Requests For Federal Aid On Behalf Of Ulster County, With The New York State Department Of Transportation, And Amending the 2012 Capital Fund Budget – Department Of Public Works (Highways And Bridges)

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

MOTION NO. 2 **Draft Resolution No. 177**
TEXT OF MOTION: **RESOLVED**, Amending The 2012 Ulster County Budget To Include An Additional Allocation Of Funds To Ulster County From The New York State Office For The Aging – Office For The Aging.

MOTION MADE BY: Chairman Gerentine
MOTION SECONDED BY: Legislator Harris
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 Passes

MOTION NO. 3
TEXT OF MOTION:

DRAFT RESOLUTION No. 179
RESOLVED, Amending The New York State Office Of Children And Family Services 2012 Resource Allocation Plan, Amending The 2012 Ulster County Budget – Youth Bureau.

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

MOTION NO. 4
TEXT OF MOTION:

DRAFT RESOLUTION No. 181
RESOLVED, Authorizing The Payment Of Administrative Fees To The Ulster County Development Corporation For The Town Of Saugerties Shovel Ready Fund Water and Sewer Projects – Amending The 2012 Ulster County Budget.

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Harris
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 Passes

MOTION NO. 5
TEXT OF MOTION:

DRAFT RESOLUTION No. 182
RESOLVED, Amending the 2012 – 2017 Capital Program To Establish Capital Project No. 369 – Reconstruction And Rehabilitation Of Ulster Heights Road (County Road #56) Due To Damages Resulting From Hurricane Irene – Public Works (Highways & Bridges Division).

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

MOTION NO. 6
TEXT OF MOTION:

DRAFT RESOLUTION No. 184
RESOLVED, Amending The Annual Salary Of The District Attorney As Required By The New York State Judiciary Law– District Attorney.

MOTION MADE BY: Legislator Maloney
MOTION SECONDED BY: Legislator Harris
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: 0
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 7
TEXT OF MOTION:

DRAFT RESOLUTION No. 188
RESOLVED, 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.

MOTION MADE BY:
MOTION SECONDED BY:

Legislator Maloney
Legislator Rodriguez

DISCUSSION:

Chairman Gerentine recognized Mr. David Bolles from the Department of Public Works to explain a LATE contract to be added to this resolution and the Legislative Abstract for the July 17th Session. The contract is regarding CHIPS funding for a contract with Gorman Brothers Inc., to provide road reclamation of various County and Town roads.

Chairman Gerentine clarifies that the contract will be funded entirely by CHIPS received by the County and asks for further question or debate. Hearing none the Resolution is moved.

ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISPOSITION:

No
Legislators Gerentine, Harris, Maio, Maloney, Provenzano and Rodriguez.
None
6
0
Motion Passes

MOTION NO. 8
TEXT OF MOTION:

DRAFT LATE RESOLUTION No. 189
RESOLVED, Setting A Public Hearing On Proposed Local Law No. 11 of 2012 (A Local Law Amending The Ulster County Charter To Modify Various Provisions Of The Ulster County Charter To Be Held On Tuesday, August 7, 2012 at 7 PM, Or As Soon Thereafter As The Public Can Be Heard

DISCUSSION:

Chairman Gerentine recognized **Legislator Provenzano** for debate and further states that she does not support this resolution because no one has yet to address the Legislature regarding the modifications to the Charter.

Chairman Gerentine tables Resolution 189 until a later date after the Legislature has received an informational session on the proposed changes to the Charter.

DISPOSITION:

Resolution 189 is postponed until a later date.

III. DISCUSSION: NONE

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- There being no further business before the Committee, a motion was made by Legislator Harris, seconded by Legislator Rodriguez and carried to adjourn the meeting at 5:25 PM.

Dated the 14th day of July, 2012

Franklin R. Reggero, Ulster County Legislature

Minutes Approved On: 17th day of July 2012 (frr)

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: July 25, 2012 5:45 PM
LOCATION: Legislative Chambers, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Fawn Tantillo
PRESENT: Legislators Gerentine, Gregorius, Harris, Maio, and Rodriguez.
ABSENT: Legislators Maloney and Provenzano
QUORUM PRESENT: Yes
OTHER ATTENDEES: Sandy Mathes, Budget Director for the Legislature, Krista Barringer, Deputy Clerk, Ken Crannell, Deputy County Executive, James Hanson, Budget Director, Patricia Doxey, Daily Freeman.

- Chairman Gerentine called the meeting to order at 5:47 PM.
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I. MOTIONS:

MOTION NO. 1 Draft Resolution No. 191
TEXT OF MOTION: **RESOLVED**, Adopting Introductory Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York Known As The "Hydraulic Fracturing Brine Prohibition Act") Hereinafter Known As Local Law No. 6 of 2012.

MOTION MADE BY: Legislator Gregorius
MOTION SECONDED BY: Legislator Harris
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: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2 RFP to Hire an Outside Financial Consultant for 2013 Budget Analysis
TEXT OF MOTION: Due to the lack of financial personnel on the Legislative staff, Chairman Gerentine motions to hire an outside consultant for the 2013 Budget analysis if funds are sufficient in the Legislative lines.

MOTION MADE BY: Legislator Harris
MOTION SECONDED BY: Legislator Maio
DISCUSSION: Chairman Gerentine asks legislative staff who will be responsible for the actual drafting of the RFP. Deputy Tantillo will consult with the Clerk to outline the process. Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Harris, Maio, Maloney, and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION:

III. DISCUSSION: Chairman Gerentine recognizes Legislator Gregorius for discussion. Legislator Gregorius introduces the idea of having Safety Net being moved under the Ways and Means Committee, as opposed to Social Services Committee. Legislator Gregorius references last years fiscal problems with Golden Hill and does not want the same outcome with Safety Net and Sales Tax Revenue sharing. Chairman Gerentine asks that Legislative

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: July 17, 2012 5:30 PM
LOCATION: Legislative 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: Ken Wishnick, UC Legislator, Frank Faluotico, UC Sheriff, Sandy Mathes, Budget Director for the Legislature, James Hanson, Budget Director, Lisa Cutten, Deputy Budget Director, Susan Plonski, County Attorney, Roland Bloomer, County Attorney.

- Chairman Gerentine called the meeting to order at 5:31 PM.
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I. MOTIONS:

MOTION NO. 1 Addition to Resolution No. 188
TEXT OF MOTION: **RESOLVED**, 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. CHIPS funding for road reclamation contract in the amount \$900,000.

DISCUSSION: Chairman Gerentine explains the addition to Legislative Abstract 42; a contract for road reclamation within Ulster County. Further explains that because this contract is directly related to the Public Works it should also be referred Dean Fabiano, Chairman of the Public Works Committee for review and approval.

Sue Plonski and James Hanson from the County Executive Office will comply with the request of the Chair.

Chairman Gerentine calls for further discussion, hearing none.

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Maloney
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

III. DISCUSSION: NO FURTHER.

- 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 5:36 PM.
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Dated the 17th day of July, 2012
Franklin R. Reggero, Ulster County Legislature
Minutes Approved On: 25th day of July, 2012

staff draft a formal letter to the Social Services Committee requesting that the Ways and Means Committee be included on all meetings regarding Safety Net.

Legislator Harris ask James Hanson, Budget Director, if his office provided the current spreadsheets regarding Safety Net and Sales Tax Revenue. Mr. Hanson said yes his office did.

Legislator Gregorius would like to be informed during the process and does not wish to accept any shortfalls by default. Chairman Gerentine asks Mr. Hanson to advise the Ways and Means Committee on any plans to Budget the Safety Net shortfalls. Mr. Hanson agrees that he will keep the Committee informed and further states that he does not anticipate a \$9 million shortfall as with Golden Hill last year. Legislator Gregorius states that his understanding is shortfalls in Safety Net expenses will be taken out of Sales Tax Revenue sharing and obtaining the \$9 million shortfall. Mr. Hanson states that Ken Crannell and Legislator Roberts are currently working the issue through the Social Services Committee; however, time is running out for the issue not be considered in the 2013 Budget. Mr. Hanson stresses that the deadline for a solution is October 5, 2012.

Mr. Hanson introduces the fiscal implications of the Resource Recovery Agency (RRA), that was budgeted for \$1.3 million in 2012 and this year according to the RRA needs \$2.4 million. Mr. Hanson again stresses the timeline for the Legislature to act on the RRA before the final budget. Legislator Gregorius understands that the RRA money needs to be budgeted regardless of the number; further the problems exist with Golden Hill deficit and a policy decision in regards to Safety Net.

Chairman Gerentine advises Legislative staff to draft a letter to Legislator Roberts expressing a sincere concern and interest in Safety Net and Sales Tax Revenue policy issues and request to be included in the process. Legislator Harris asks Chairman Gerentine if Safety Net will be included in the next meeting of Ways and Means and further requests an update from the Social Services Committee as to where they are in the process of addressing the issue. Chairman Gerentine asks Legislative to include that request in the letter.

Chairman Gerentine recognizes Mr. Hanson for an explanation of the Separation Incentive for County Employees, \$12,500. Mr. Hanson anticipates 5% participation which would equate to a \$400,000 savings.

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- **There being no further business before the Committee, a motion was made by Legislator Harris, seconded by Legislator Maio and carried to adjourn the meeting at 5:53 PM.**
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Dated the 25th day of July, 2012

Franklin R. Reggero, Legislative Staff

Minutes Approved On: 14th day of August, 2012