



Ulster County Legislature
Standing Committee Meeting Minutes

June 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: June 6, 2012 / 6:30 PM
LOCATION: Library Conference Room, 6th Floor, County Office Building
PRESIDING OFFICER: James Maloney, Chairman
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Loughran, Maio, Wishnick and Roberts
ABSENT: None
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Terry Bernardo, Legislative Chairman; Langdon Chapman, Legislative Counsel; Vic Melville, League of Women Voters; Sandy Mathes, Leg. Deputy Clerk; Legislator David Donaldson; Michael Novinson, Times Herald-Record; Patricia Doxsey, Daily Freeman

- Chairman Maloney called the meeting to order at 6:30 PM.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the May 2, 2012 Meeting Minutes
MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Roberts
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Maloney, Maio, Roberts, Loughran and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2
TEXT OF MOTION: RESOLUTION No. 154 – June 19, 2012
RESOLVED to approve Resolution No. 154 – In Support Of Building And Operating A Class III Gaming Casino At The Nevele Hotel Site In The Town Of Wawarsing And The Inclusion Of The Nevele Hotel Site In Any State Constitutional Amendment, Law, Regulation Or Policy Which Lists Or Proposes Sites Eligible For The Operation Of Casino Gaming

Resolution Summary:

The idea of building casinos in the Catskills has been previously debated by the Ulster County Legislature and the Legislature, in the past, has taken note of the position of municipalities not in favor of locating casinos within their borders. An opportunity now may arise that would allow the building and operation of a casino at the Nevele Hotel site in the Town of Wawarsing by Nevele Investors, LLC. The Nevele Hotel, which was once an economic engine not only for the Town but for the County of Ulster, is now underutilized and its current use is outdated. The Nevele Hotel does not provide sufficient employment for the surrounding community, does not generate revenue for the local economy and presently, is not economically viable. The building and construction of a business plan by the Nevele Investors, LLC which is dependant upon Class III Las Vegas style casino table gaming will provide an immediate injection into the local economy, and subsequent operation will provide a large number of employment opportunities to local residents in addition to generating a substantial and continued amount of revenue. The Town Board of the Town of Wawarsing has unanimously approved and supported locating a gaming casino at the Nevele site through the passage of Resolution No. 11 of 2012 and the Village Board of the Village of Ellenville has unanimously voted to support the revitalization of the Nevele site by the construction of a casino by the Nevele Investors, LLC as evidenced by Resolution No. 022712-15.

Discussion:

Attorney Chapman indicated that there would have to be implementing legislation by the State Legislature, before vote next November, if any. The type of local share, if any, would be determined by the State Legislature. The State inacts implementing legislation and the State may or may not provide for local share.

Leg. Loughran inquired as to Ulster County having "home rule," to which Attorney Chapman responded in the negative for this particular instance because it was a constitutional amendment which required definition by the State Legislature to enact and legislation to give benefits or not.

Attorney Chapman referred to the year 2006, during which the last serious consideration for casinos in New York was given. Leg. Attorney Chapman recalled that Gov. Pataki supported the creation of 5 casinos within Sullivan County and that there was argument with regard to local fund. Gov. Pataki had submitted a bill to provide for local fund but casino never happened.

Attorney Chapman indicated that the County of Ulster had entered into a compact with the existing nation at that time, but these issues involved a different scenario. He stated that previously, the County entered into a compact with whatever nation it was at that time, which was a separate contract with a separate nation. In this instance the County would be entering into a contract with a private sector non-gaming as defined by the State Legislature and there is no provision presently allowing for a local share.

Leg. Loughran - inquired as to why the resolution was being voted on at this time.

Attorney Chapman - specified that this was merely a memorializing resolution that put Albany on notice that Ulster County was interested in being considered in the location of a casino.

Leg. Loughran - indicated concern with regard to having some type of agreement in place before advancing support.

Chairman Maloney - indicated his understanding of what had been conveyed by Attorney Chapman, that this was a different situation than what had occurred in 2006 in that the County may or may not get a local share.

Attorney Chapman - addressed Leg. Loughran's point, stating that this is a policy argument and asked if they would be in a stronger position if a contract existed with the entity being "blessed."

Leg. Loughran - believed that there should be some type of agreement before support is given.

Attorney Chapman - reflected his perception that Legislature wanted the best deal for the County and reviewed hypothetical issues that could exist - roads involved and a traffic impact study may be required, that union scale wages may be guaranteed at the facility if the casino were to come to Ulster County. Arguments in favor of the support was that any type of operation could only benefit what was now, a significantly economically depressed area.

Leg. Loughran - didn't believe the argument was whether it should exist but that endorsement may not be given without a type of agreement. He felt that in approving resolution now, support would already be given 100%.

Chairman Maloney - expressed that if there's a possibility that after Wawarsing and Ellenville endorse the introduction of the casino, then the Chairman had no problem supporting.

Leg. Loughran - Believed this was "Putting cart before horse" - if casino was to be opened, there should be an economic benefit to the County and he is being told there may not be, beyond the normal jobs.

Chairman Maloney - Stated there was possibility there may or may not be economic benefit.

Attorney Chapman - Indicated that it depended on what the implementing legislation looked like as to whether there would be a specific share for Ulster County.

Leg. Loughran - stated it was a policy issue and everybody would have their own view to which Counselor indicated that he had no opinion on the policy issue but directed that the Committee refer to paragraph 3 of the Resolution (third "whereas") regarding the verbiage "has now arisen, advising that it should state "may arise." Attorney indicated that it was a technical matter but that the rest of the document involved policy issue before the Committee.

Leg. Wishnick - Acknowledged Leg. Loughran's position and inquired as to when the State Legislature would be addressing the issue.

Attorney Chapman – Interpreted that the document before the Committee was a statement that indicated the County supported the concept of Class III gaming at the Nevele. It indicated that Ulster County would like to have the Nevele listed for consideration and the State Legislature will not be making decision until late this year or next year.

Leg. Wishnick - suggested that the wording of Resolution may want to be considered before approval.

Chairman Bernardo - noted that Legs. Briggs and Lopez where not present and were both individuals that sponsored the Resolution. It had been conveyed that the Town of Wawarsing desperately desired the location of the casino at the Nevele.

Chairman Maloney - suggested that Mr. Trainer be present to address the Committee together with Leg. Briggs and Lopez.

Leg. Loughran - asked that the Resolution be tabled since the State Legislature hadn't passed the required resolution as of yet.

Chairman Maloney - asked the wishes of the Committee.

Leg. Wishnick – asked if there were any consequences to tabling the Resolution, if there's a reason why action this moth would be more beneficial than to putting it off to obtain more information.

Dep. Mathes - indicated that he had met with the developer, Supervisor Carlson and both Legislators, Lopez and Briggs. He indicated that there was some urgency to a nonbinding resolution that simply said that the County was supportive of the location being considered. The process had already begun and the County should be on record. Host County hopefully will get share of the revenue. Deputy Mathes viewed Resolution as a nonbinding document of the County's support and that it would be helpful for the Nevele and that area of the County.

Chairman Maloney - stated that Leg. Loughran's concern about local share was one he also shared and asked that Mr. Trainor may come to address the issue

Dep. Mathes - indicated that the State would be the controlling entity, that the developer wouldn't have control over share of revenues.

Leg. Donaldson - indicated that if any particular Legislator didn't support the Nevele, it would be understandable to vote against Resolution but it was nonbinding and was enabling legislation that wouldn't hurt to support.

Dep. Mathes - stated developer's strong willingness to talk to the Legislature and address any questions that may be made.

Chairman Maloney - asked Mathes to extend invitation to developer to attend next months meeting in July.

MOTION MADE BY: Legislator Roberts
MOTION SECONDED BY: Legislator Maio
ROLL CALL VOTE: No
VOTING IN FAVOR: Maio, Roberts, Wishnick and Maloney
VOTING AGAINST: Loughran
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 1
DISPOSITION: Motion Passes

MOTION NO. 3 **Resolution No. 157 – June 19, 2012**

TEXT OF MOTION: **RESOLVED to approve Resolution No. 157** - Requesting That The Ulster County Industrial Development Agency (IDA) File An Annual Report Card To Improve The Transparency, Accountability And Ensure the Public Trust

Resolution Summary: The IDA is a public benefit corporation formed for the benefit of Ulster County and governed by Article 18-A of the New York State General Municipal Law. The IDA is a tool utilized for economic development purposes throughout the County. The Office of the New York State Comptroller has issued a report examining the record of New York's Industrial Development Agencies and questioning their effectiveness. The State Comptroller Thomas P. DiNapoli that residents of particularly high cost regions have right to question whether the additional tax breaks are producing the promised economic benefits. It is paramount to the operation

of the Ulster County IDA that it maintain transparency to allow taxpayers to evaluate its effectiveness and provide assurances that it's generating the promised economic benefits. If the IDA submitted reports detailing its goals and achievements, transparency would be increased and provide assurance to the taxpayers of Ulster County that the IDA was effective in its mission. An annual report card and five year summary and comparison reports would allow County officials to more effectively evaluate the IDA and create a vastly improved level of accountability of the IDA to the public. Legislation requiring mandatory reporting of similar information by IDA's to various New York State offices and agencies has been proposed in the State Legislature by the State comptroller. The Ulster County Legislature seeks to take a leadership role in ensuring that the public has confidence in the operation of the Ulster County IDA and that the annual reporting recommended by the State Comptroller's proposal should be implemented by the Ulster County IDA on a voluntary basis, even absent the passage of State legislation mandating same.

MOTION MADE BY: Leg. Loughran
MOTION SECONDED BY: Chairman Maloney
ROLL CALL VOTE: No
VOTING IN FAVOR: Maloney, Loughran, Roberts, Maio and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

Discussion:

Chairman Maloney - Thanked Legs. Donaldson and Loughran and asked that he be added on as a sponsor of the Resolution. Through ABO process, the information is available on line.

Leg. Donaldson – Indicated that information is not available in this manner.

Chairman Bernardo – Stated that she had spoken with Chairman O'Halloran who supported the Resolution, was preparing information as they spoke and conveyed that he requested that the Committee pass the Resolution.

Chairman Maloney - 2011 Financial Statements provided by Friday – Monday at the latest.

Discussion – Technical Amendment Number One to UCDC Agreement

Chairman Maloney – Coming from request of Elliot Auerbach who felt compelled to have Legislative Committee pass the Amendment. Internally within the UCDC, the marketing expenses were decreased and the payroll expenses were increased. The reason was the work done on the Stavo/Wolftech deal.

Leg. Maio – asked specifically what was being done that necessitated approval of Committee.

Chairman Maloney – referred to differences in monetary amounts from one line to another within the UCDC budget. Chairman requested motion to approve transfer.

MOTION NO. 3 Approval of the Technical Amendment Number One to UCDC Agreement
MOTION MADE BY: Leg. Maio
MOTION SECONDED BY: Leg. Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Maloney, Loughran, Roberts, Maio and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

New Business:

Leg. Loughran – Inquired as to whether anything had been heard regarding Route 28.

Chairman Maloney – Indicated he hadn't heard anything. That all reports were in.

Leg. Maio - Had further question regarding the Amendment to the UCDC.

Leg. Maloney - Indicated that Legislative approval was required to release funds.

- **There being no further business before the Committee, a motion was made by Legislator Loughran seconded by Legislator Maio, and carried to adjourn the Meeting at 6:55 PM.**

Dated the 11th day of June, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: July 10, 2012

MOTION NO. 2
TEXT OF MOTION:

Resolution No. 130
Authorizing The Chairman Of The Ulster County Legislature To Amend The Contract For Audit Services To Execute An Engagement Letter To Authorize The County's External Independent Certified Auditor To Issue A Consent Letter For The Proposed Ulster County Resource Recovery Agency's 2012 Solid Waste System Revenue Refunding Bond

Tim Rose, Executive Director of the RRA explained the RRA completed a refinancing of bonds. They originally anticipated a savings of \$250,000 over 5 years but interest rates continued to drop and they will realize a savings of approximately \$350,000 over 5 years.

At the last minute, In order to obtain refinancing, the RRA was required to supply a letter from the County's External Independent Certified Auditor to Issue a Consent letter. The Independent Auditors agreed to supply the letter and trusted they would be paid at a later date. They require a payment of \$2000.

Mr. Rose suggested that the RRA could reimburse the County \$2000 if the RRA board approved it.

There was a discussion about the financial impact statement of the resolution and Legislator Bartels did not think the committee should hold up the approval process. Ronk suggested the committee approve the resolution and ask Ways and Means to amend the resolution to reflect the actual line the money will come from.

MOTION MADE BY:	Bartels
MOTION SECONDED BY:	Ronk
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Legislators Belfiglio, Bartels, Bernardo, Lopez, John Parete, Ronk, Wawro, Wishnick
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	8
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion Passes with caveat to ask Ways and Means to amend the resolution to reflect the actual line the money came from.

Note: In later discussions with the County Executive's Office it was determined that the RRA could pay the Independent Auditor Directly. The Resolution was Withdrawn by the Sponsor.

Dennis Doyle, Director of Ulster County Planning to discuss NYS Department of Environmental Conservation (DEC) Draft Consent Order And Protocol On NYC Water Releases from Ashokan Reservoir.

Doyle asked and answered the question "Why is it a Draft?", because it has not been signed by NYS DEC. He told the committee that due to the controversy over the release of turbid water the DEC is taking an unusual action and allowing Public Comment till July 2, 2012. In the mean time, the New York City Department of Environmental Protection (DEP) is releasing water under an Interim Protocol. That Protocol is in the Draft Consent order.

Doyle outlined the money associated with the Draft Consent Order that included;

- \$540,000 environmental benefits program. Doyle explained that the advantage of an Environmental Benefits program vs Fines is that Fines go into the NYS General Fund and Environmental Benefits Programs go to the area impacted.;
- 10,000 will be given to Environmental Facilities Corporation so it is not controlled by DEP

- 10,000 for fish stocking,
- \$2,000 for development of a stream development plan on the Lower Esopus
- \$330,000 to implement that plan
- \$500,000 escrow account – payable – that will be held to insure the DEP meets certain milestones contained in the Consent Order.

Elsewhere in the Consent Order is

- \$750,000 available for Turbidity reduction programs in the Upper Esopus River \$300,000 for the United States Geological Survey (USGS) to do stream gauging on the Lower Esopus
- \$60,000 available thru DEP for Technical Consultants thru the Ashokan Release Working Group (ARWG) ARWG was formed by DEP to exchange information with Local Towns. Members include DEP, DEC Town Officials.

Doyle then described issues around the DEP's use of alum to reduce turbidity, work on shafts and tunnels, the Filtration Avoidance Determination (FAD) – a 10 year program, Long term monitoring programs, effects of oversight of these programs being moved from EPA to the Department of Health, State Environmental Quality Review (SEQR) process, Water for the Future- a program that considers the effects needed maintenance of the aqueduct system on upstate communities that use the water, discovery and reactivation of the Ashokan waste channel, Shandaken Tunnel and inter-basin transfers and the impact on the people of the Lower Esopus.

Doyle felt that one thing that is good about the Consent order is that the DEC is Lead Agency. In the past DEP acted as it's own Lead Agency. With DEC as Lead Agency we can push the Department in terms of what constitutes a complete Draft Environmental Impact Statement and adequate Scope and completeness of the document.

The Committee discussed issues related to record rainfall and flooding events, both in the past and future; the issues involved with volumes of water vs quality of water; the use of alum; Ulster County's threat of a Law Suit, the changing cultures of dealing with large organizations need to reduce costs, the need for more open dialogue within County Government to keep the Legislature up to date.

Legislative Counsel Chapman asked if Doyle is satisfied with Interim Protocol? Doyle pointed to the number of people who show up when a meeting is called – 300 people came to SUNY Ulster last year. Conservation Releases are helpful – but will not eliminate flooding. Operational Releases are problematic. Protocol needs to be "live and dynamic". In the long run the Interim Protocol is not the solution.

Chapman suggested the Legislature develop a statement.

**MOTION NO. 3
TEXT OF MOTION:**

Return Proposed Local Law No. 1 of 2012 (A Local Law Known As The Hydraulic Fluid Brine Prohibition Act) to the Laws and Rules Committee to Set a Public Hearing Date.

Belfiglio thanked the committee members for the work they have done to improve the law but noted the resolution was returned to the Environmental committee to discuss the definition of Brine.

Bartels asked if there was a way to enhance the definition – it there is a difference between Production *Brine* and Production *Fluid*. Joan Walker-Wasylyk of the Frack Free Catskill explained that the terms are used interchangeably – the important word is "Production" or "Produced."

Belfiglio discussed that there was a question about including a "standard" of what chemicals are banned. Belfiglio felt that if they include a "standard" and the Gas companies change the formula and use different chemicals, the law would be ineffective.

Parete advocated for "standards" to avoid loop-holes. He quoted several agency websites and environmental laws use "minimum standards". He asked how we will know it is safe?

Bernardo suggested the company that provides the product be required to test it to remove the liability from the municipality.

Bartels asked Counsel Chapman if there is there a way to have an "open ended" standard.

Chapman read Section 3065 that covers that. He explained that Legislature sets policy; the Executive Branch administers and executes the policy. Executive is charged to come up with a procedure to execute the policy. The procedure can change.

Motion was made to return Local Law No. 1 to Laws and Rules to set a Public Hearing.

MOTION MADE BY:	Belfiglio
MOTION SECONDED BY:	Bartels
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Legislators Belfiglio, Bartels, Bernardo, Lopez, John Parete, Ronk, Wawro, Wishnick
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	8
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion Passes

Committee had a discussion about how and why the Laws and Rules Committee can send a Resolution like Local Law No. 1 back to committee just because they don't like it. Counsel Chapman pointed out problems with the process and the need to change the Rules of the Legislature to address problems like this.

MOTION NO. 4

TEXT OF MOTION:

Request Counsel Chapman to draft a Resolution with a Statement for the Public Hearing, forward it to the Environmental Committee via email for review and Comments and schedule a special Meeting for Tuesday, June 12, 2012 to approve the Resolution.

Committee had a lengthy discussion about the Public Hearing scheduled at SUNY New Paltz for June 19, 2012 about the NYS Department of Environmental Conservation (DEC) Draft Consent Order And Protocol On NYC Water Releases.

Legislative Counsel Chapman offered to prepare a resolution to deliver a message from the Legislature at that Public Hearing.

There was a discussion about how the committee could meet to review a proposed resolution. It was decided to hold a special meeting on Tuesday June 12, 2012, at 6:15 PM.

Counsel Chapman asked that the Committee members treat the draft as a confidential document until they approve it at the special meeting.

MOTION MADE BY: Ronk
MOTION SECONDED BY: Bartels
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Belfiglio, Bartels, Bernardo, Lopez, John Parete, Ronk, Wawro, Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

Discussion about the Future of the RRA

Chairman asked Legislator John Parete about his meeting with leadership to discuss "his" plan for the RRA. Parete said he shared his "thoughts". Belfiglio suggested the Committee should discuss ideas, develop a plan by consensus to deliver to the full Legislature.

Chairman Bernardo she would like a way to compare proposals. She asked the committee to create a simple spread sheet of different proposals and ideas for the future of the Resource Recovery Agency (RRA). It could include all the options currently being discussed from Legislator John Parete's proposal all the way down to dissolving the RRA. She doesn't care how many proposals but Leadership needs to see them in writing. Details should include the financial consequences and other consequences of each plan. She would like to see this before the next leadership meeting with the Executive on June 27, 2012. The leadership would like to be able to contrast and compare each plan and encourage the Executive to be a partner in the future plans for the RRA.

She suggested the committee may want to include any Deputy County Executives that they feel would have intuitional knowledge about the RRA. She suggested RRA Counsel Steven Wing and the RRA Comptroller would be another good resource.

Legislator Bartels said it was a good suggestion but didn't feel the Committee is equipped to do a financial analysis of the plans. Bartels does not want to rely on Wing or anyone at the RRA for help developing a financial analysis. Bartels thinks the Committee will need to hire some outside help to do an analysis of plans. She expressed concerns of what might happen if Towns leave the RRA and the Net Service Fee goes up. Bartels feels the County is approaching crisis mode because the agreements are coming up.

Bernardo said she would be more specific. She pointed out that the Committee has the recourses of the Legislative Offices and pointed to the new Financial Analyst and Deputy Clerk of Finance. She said the plans do not need to be detailed to the last penny or be thoroughly legally vetted. She wants to begin to discuss what the Legislature is willing to do philosophically. Bernardo wants to begin discussions about general questions like "Do we want to tax everybody or do we want to tax the users?". She described the need to begin a conversation within the caucuses "Here are options A, B, C, D and E. We haven't vetted them all the way down but which direction should we be going." It would allow us to whittle it down to fewer options and vet them fully, legally and financially. If we don't start somewhere, we could go on for a year with no progress.

Belfiglio felt the committee would need more time and suggested they could have a plan together by August. He felt the County Executive already has a plan and a time table. Belfiglio said the committee discussed two plans and gave overviews of plans described by Legislators John Parete and Ken Wishnick and said they are just not in writing.

The committee then discussed issues related to preserving all options for the future of the RRA. Most people felt they Committee would need to act quickly because the State Legislative Session closes June 21, 2012. It was noted that the Executive has stated he will act if the Legislature does not. Bartels suggested they ask the Executive to partner with the Committee to develop a plan.

Belfiglio agreed they needed written plans but didn't feel the committee could make a comprehensive plan that would answer every legal and financial question in two or three weeks.

Bernardo said she would be happy with any progress the committee could make, even if it is just four columns on a spread sheet with heading like "close it", "ad volorem tax", "user tax". She feels it would be a place to begin to ask questions and begin the process of vetting and building plans.

Bartels thought that was a reasonable request but couldn't happen in two weeks. Bartels restated that the committee should reach out to the Executive to partner with the RRA.

Motion to adjourn Ronk, Wishnick

Meeting adjourned 8:45 PM

Dated the 8th day of June, 2012

Fawn Tantillo
Ulster County Legislature

Minutes Approved On: July 5, 2012

Health and Personnel Committee

Regular Meeting Minutes

DATE & TIME: June 4, 2012 / 5:30 PM
LOCATION: Library Conference Room, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Robert T. Aiello, Chairman
LEGISLATIVE STAFF: Tammy Wilson
PRESENT: Legs. Jeanette Provenzano, Carl Belfiglio, Kenneth Ronk (5:45 p.m.) and Robert Parete
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Mary Wawro, Legislator; Erica Guerin, Legislative Counsel; Ken Crannell, Deputy Executive; Amy Russell, Concerned Parents for Mental Health; Lee Cane, League of Women Voters, Mid-Hudson Region

- Chairman Aiello called the meeting to order at 5:30 PM
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Discussion

Chairman - recognized Deputy Executive Kenneth Crannell to discuss Resolution No. 155. Dep. Crannell indicated that this was a resolution normally done as part of organizational meeting and was being done at the request of the Comptroller. State retirement regulations require every municipalities to file resolution establishing standard workday within 180 days of a new term for all elected and appointed officials within the County and those receiving retirement credit whether in the timekeeping system of the County or not. Resolution included the Executive branch, all department heads and deputy department heads of agency, offices of the countywide elected officials and their deputies (not including civil service – such as County Clerk's deputy). Dep. Crannell felt uncomfortable including legislative staff and indicated an amendment may be made. Deputy Crannell sent out backup information including the definition of "employee" to aid in determining which individuals were involved.

Leg. Belfiglio – Indicated that Legislators were informed at the beginning of the year and had completed time and attendance forms.

Dep. Crannell – Specified that this information was in addition to time and attendance that had been completed by the Legislators. Anyone that was a legislator in the prior term had option of completing an affidavit which was available from the Comptroller's office.

Leg. Aiello – Indicated that Legislators prepared Affidavit and asked if there was an additional step.

Dep. Crannell – Specified that the past Resolution didn't go far enough and the version now submitted included the Legislature.

Discussion ensued between Legislators and Dep. Crannell with regard to the standard work week and hours. Generally, all County employees have a 35 hour work week, some have 40 hour work week. It was the responsibility of the Legislature to establish the work week.

Leg. Parete – Indicated that there are two parts to the Resolution, establishing and reporting.

Leg. Provenzano - Noted that the Legislature, by voting on Resolution, was establishing the work schedule for all of the executive and elected officials, but that the Legislators weren't included at this point.

Dep. Crannell - Informed that a minimum of 6 hours and a maximum of 8 which is the range that the Comptroller allows.

Leg. Belfiglio - Inquired about the requirements with regard to the Social Security Numbers indicating that the last four digits not the beginning, should be included.

Leg. Aiello - Indicated that the Resolution would be amended to include the Legislators and Legislative staff and then an amendment with regard to the social security numbers.

Leg. Provenzano - Inquired as to why the social security numbers are now being required when they had not been before.

Attorney Guerin – Addressed Chairman Aiello indicating that when the Resolution went through process, the social security numbers were left off and were added when Clerk filed Resolution. She stated that it was important to maintain peoples' privacy. The purpose is to establish who was an actual employee.

Dep. Crannell – Suggested that correct motion would be to amend the attachment to remove the social security column and he would be able to provide the excel file to the Clerk so additional names could be added. The Deputy went on to clarify the individuals included on the list.

MOTIONS:

Motion No. 1 **Resolution No. 155 – June 19, 2012**

Text of Motion: Resolved to approve Resolution No. 155 – Establishing And Reporting The Standard Work For Elected Or Appointed Officials

Resolution Summary: The State Comptroller has promulgated Regulation 315.4 which imposes reporting requirements for elected and appointed officials of participating employers, and requires the governing board of each participating employer to adopt a resolution establishing a standard work day for each elected or appointed official. Regulation 315.4 applies only to those elected and appointed officials who aren't covered by a collective bargaining agreement and who exercise policy making authority. Pursuant to Regulation 315.4, in the event that elected or appointed officials don't participate in an employer's time keeping system, they're required to keep a record of activities for 3 month period and submit to the clerk of the governing board within 180 days of taking office. Among the requirements for employers are a more detailed description along with a Legislative resolution establishing and reporting such Standard Work Day, public post of the Resolution and submission of the Resolution to the New York State Retirement System. The filing of the resolution is required within 180 day of each new legislative term, which requires Ulster County to file biannually.

Motion to amend Resolution No. 155 - removing requirement to include last four digits of the Social Security number of individuals.

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

Additional Questions and/or Comments:

Leg. Parete? - Made point of information that resolutions, per the Charter, should only address one issue and that this Resolution addressed two because it was reporting and establishing. He wanted it to be clear that the Resolution addressed two issues.

Leg. Aiello -- Supported amending the Resolution to include the Legislative Employees.

Leg. Provenzano – Indicated that only a draft had been submitted and it hadn't been adopted with social security numbers.

Motion to amend Resolution No. 155 to include Legislature and legislative staff

Motion Made By: Leg. Belfiglio
Motion Seconded By: Leg. Ronk
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 as Amended

Discussion:

Dep. Crannell indicated which employees may be included to file with regard to the Legislative staff depending on their duties.

Motion No. 2 **Resolution No. 142, June 19, 2012**
Text of Motion: RESOLVED to approve Resolution No. 142 – Amending the 2012 Ulster County Budget - Accepting Additional Revenue From The New York State Conference Of Local Mental Hygiene Directors And Appropriating The Funds For The Operation Of Parent Support Groups – Department Of Mental Health

Resolution Summary: Ulster County Department of Mental Health has been notified by the NYS Conference of Local Mental Hygiene Directors that it has been allocated \$5,000.00. The UC Department of Mental Health plans to use the funds to contract with Family of Woodstock to provide online parent support groups which shall provide peer support and cross-system resource information and to produce and archive webinars and online seminars. In order to reflect the increase in funding, Mental Health has requested amendment of the 2012 County Budget. There is no increase in the County contribution for this program as a result of the modifications.

Additional Questions and/or Comments:

Leg. Belfiglio - Wished to bring up Resolution No. 142 and inquired as to whether the \$5,000.00 additional funding was ear-marked. He referred to an eating disorder coalition in Ulster County which is a group that holds awareness and therapy sessions for parents with children with eating disorders. Leg. Belfiglio indicated that monies had been offered in the past and this would be a nice thing to do at this point.

Leg. Provanzano – Asked for explanation of what constitutes eating disorders to which Leg. Belfiglio obliged.

Dep. Crannell – Indicated that there were certain parameters for the money and indicated that a copy of the Grant Award could be available.

Leg. Parete – Indicated that he had chaired Committee at the time the eating disorder coalition was funded. He reviewed experiences with families, their stories and the disciplines in relation to the disorder.

Leg. Provenzano – Indicated that the Resolution wasn't specific and asked if Leg. Belfiglio could request funding be earmarked. Funds originally were in the 2010 Budget but haven't been included since.

Leg. Ronk – Suggested invitation to Michael Berg to discuss services provided.

Motion Made By: Leg. Provenzano
Motion Seconded By: Leg. Ronk
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

Leg. Ronk moved for discussion of Resolution No. 131. Seconded by Leg. Belfiglio.

Motion No. 3 **Resolution No. 131 – June 19, 2012**
Text of Motion: Resolved to approve Resolution No. 131 - Requesting The Consolidation Of Vital Statistics Registration Districts

Resolution Summary: The maintenance and issuance of birth and death certificates is currently the responsibility of 1,452 different entities in the State of New York. There are approximately 6,400 vital statistics registration districts in the United States and New York comprises nearly a quarter of the districts nationwide. In addition to municipalities, hospitals, charitable organizations and penal institutions may also be a separate vital statistic registration district. The Commissioner of New York State Department of Health has the power to consolidate two or more vital statistics registration districts into a single district. Governor Cuomo's Commission on Local Government Efficiency and Competitiveness encourages consolidation of vital statistics registration districts to create efficiency and consistent administration of records. There are two New York State Correctional facilities in Ulster County in the Towns of Wawarsing and Shawangunk which are currently separate vital statistics registration Districts and the NYS Department of Corrections wishes to consolidate the two facilities registration districts with the Town of Shawangunk and the Town of Wawarsing. The Town Clerks on both towns have agreed to serve as the registrar of vital statistics for the correctional facilities.

Discussion:

Leg. Ronk - Supt. of Walkkill Correctional Facility (in Leg. Ronk's town), had been asked by the Town Clerk that the Vital Statistics District be consolidated with the Town. Issue arose last year in which funeral director at prison didn't know how to complete form and Clerk didn't have jurisdiction. Rarely a birth/death at the facilities and Walkkill Superintendent had requested consolidation and Town Clerk had agreed. Department of Corrections had requested that Eastern Correctional Facility be included as well and the Wawarsing Town Clerk had also agreed.

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

Motion No. 4
Test Of Motion: RESOLVED to approve the Minutes of the April 30, 2012
Motion Made By: Leg. Parete

Motion Seconded By; Leg. Ronk
Roll Call Vote: None
Voting In Favor: Leg. 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 June 19th Session

L41-3 – Golden Hill Health Care Center – Agreement to provide around-the-clock security services for Golden Hill Health Care Center. This agreement is funded in part with federal and state dollars. It is being awarded to the lowest responsible bidder.

Questions and/or Comments:

Leg. Ronk – Is it unarmed security or armed.

Attorney Guerin – Indicated that it was definitely unarmed, that this was a boiler-plate contract that she has reviewed.

New/Old Business:

Amy Russell wished to address the Committee with regard to Resolution No. 142. She referenced a website "Wellness Recovery.org" that is developing website to coordinate resources and consolidate groups.

Attorney Guerin – asked to revisit Contract – Article 2 of the Agreement "term is for one year." There is a provision "get out of jail free card" and wanted to know why there isn't a termination clause in Contract at this time. Leg. Provenzano requested that information be obtained for Committee to which Atty. Guerin agreed.

Leg. Parete – Surprised that termination clause wasn't standard part of Contract.

Leg. Ronk – Addressed Leg. Parete's comment regarding Sheriff's office filing position for security. Salary and benefits were not something that the County could match.

Leg. Parete – Indicated that he had located a public notice on the County website with regard to the Sanitary Code to permittees of Ulster County. Indicated that it was a very important document and should have been widely distributed. Leg. Parete would like to see changes made.

Leg. Aiello – Requested that Ken Crannell email a red-line version of the Sanitary Code.

Next scheduled Committee meeting is July 2, 2012 at 5:30 p.m., County Office Building, 6th Floor Legislative Library.

There being no further business before the meeting, on the motion duly made by Leg. Belfiglio, seconded by Leg. Ronk, and carried, the meeting adjourned at 6:34 p.m.

Dated the 13th day of June, 2012

Lisa K. Mance, Legislative Employee

Minutes Approved on: July 2, 2012

Law Enforcement & Public Safety Committee

Regular Meeting Minutes

DATE & TIME: June 5, 2012 / 5:30 PM
LOCATION: Ulster County Community College, Vanderlyn Hall, Room 253
PRESIDING OFFICER: Richard Parete, Chairman
LEGISLATIVE STAFF: Tammy Wilson, Lisa K. Mance
PRESENT: Legislators Ronk, Belfiglio, Briggs and Maio
ABSENT: None
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Chairman Terry Bernardo, Kenneth Wishnick, Legislator; Paul Blarcum, Sheriff; Frank Faluotico, Undersheriff; Bob Sudlow, Deputy County Executive; Erika Guerin, Legislative Counsel

- Chairman Parete called the meeting to order at 5:46 PM.

MOTIONS:

MOTION NO. 1

TEXT OF MOTION: RESOLVED to approve the May 1st, 2012 Meeting Minutes
MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Briggs
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Belfiglio, Briggs, Maio, Parete, Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2

TEXT OF MOTION: RESOLUTION No. 138 – June 19, 2012
RESOLVED to approve Resolution No. 138 – Authorizing the Chairman Of The Ulster County Legislature To Execute An Agreement With The Ulster County Board of Cooperative Education Services (BOCES) School District To Provide A Deputy Sheriff As A School Resource Officer

Resolution Summary: The Ulster County Board of Cooperative Educational Services (BOCES) has requested a Deputy Sheriff be assigned as a School Resource Officer at the Ulster building located in Port Ewen. BOCES will reimburse Ulster County 100% of the salary plus benefits (which totals \$68,958.00). The reimbursement amount will be paid in equal quarterly installments for a term of agreement from July 1, 2012 through July 30, 2013.

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
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

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- 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. He did not expect telephone revenue to change but board revenue depends upon the head count in the Facility. He is working hard on reducing the number of parole violators who currently are being held on local charges and being detained in Ulster County. Sheriff had a meeting with DA Holly Carnright who indicated that if time back in state prison would be long, he agreed with sending violators back and having them return later for trial date on local charges. Magistrate's office is also on board with reducing amount of parole violators being held locally. Sheriff VanBlarcum indicated that Judge Ball of City Court is also on board with efforts to reduce numbers but the Judge is getting pressure from local attorneys who are able to charge time on local charges but not on the State level. Having violators moved to State facility also makes it more inconvenient for them to visit clients.

Chairman Parete extended thanks and congratulations to Sheriff VanBlarcum on behalf of Chairman Bernardo, Mary Beth Maio and himself for the nice evening held at the Ulster County Sheriff's Awards Dinner.

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

Dated the 7th day of June, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: July 3, 2012

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: June 5, 2012 / 6:50 PM
LOCATION: Ulster County Community College, College Lounge, Vanderlyn Hall
Stone Ridge, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Donaldson, Loughran, Maio, Robert Parete, Roberts, and Ronk
ABSENT: Legislator Fabiano
QUORUM PRESENT: Yes
OTHER ATTENDEES: Christopher Ragucci, Esq., Minority Counsel, Tammy Wilson, Senior Legislative Staff.

- Chairman Kevin A. Roberts called the meeting to order at 6:58

MOTIONS:

MOTION NO. 1 **RESOLUTION No. 128**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 128 – Initiating a Home Rule Message To The New York State Legislature, Requesting The Transfer Of Real Property Owned By New York State To The County Of Ulster To Be Used As A Transitional Home For Veterans**

Resolution Summary: The Ulster County Legislature request the transfer of real property at 67 Wurts Street, Kingston, New York, from New York State to the County of Ulster for the purpose of providing a transitional veterans home.

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 Donaldson**
MOTION SECONDED BY: **Legislator Ronk**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Donaldson, Loughran, Maio, Roberts, and Ronk**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **5**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 2 **RESOLUTION No. 129**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 129 – Changing The Location Of Scheduled Public Hearings.**

Resolution Summary: The Location of any and all Public Hearings previously scheduled for June 19, 2012 at 7:00 PM, or as soon thereafter as the public can be heard will be held at Lecture Center Room 102 on the Campus of SUNY New Paltz, New Paltz, New York.

No further Discussion

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

OTHER BUSINESS: NONE

No further Discussion

- There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Ronk, and carried to adjourn the Meeting at 7:01 PM.

Dated the 5th June, 2012

**Franklin R. Reggero
Ulster County Legislature**

Minutes Approved on: June 18, 2012

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: June 18, 2012 / 6:05 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, Robert Parete, Roberts, and Ronk
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Terry L. Bernardo, Chairman, Ulster County Legislature, Erica K.F. Guerin, Esq., Counsel, Fawn Tantillo, Deputy Clerk, Legislator Carl Belfiglio, Tom Kadgen, League of Women Voters, James Hanson, Budget Director, Burton Gulnick, Commissioner of Finance, Dorothy Martin, Real Property, Dennis Doyle, Planning, Thomas Turco, Board of Elections, Vic Work, Board of Elections, Joan Walker, Maria Brown, Sue Rosenberg, Jana Smith Frack Free Catskills.

- Chairman Kevin A. Roberts called the meeting to order at 6:05

MOTIONS:

MOTION NO. 1 **RESOLUTION No. 158**
TEXT OF MOTION: RESOLVED to approve Resolution No. 158 - Reappointing – Commissioner Of Elections, Victor Work

Resolution Summary: Election Law 3-204, that C. Victor Work, Walkkill, New York, Democratic Party, be reappointed as Election Commissioner, starting on the 1st day of January 2013, and ending on the 31st day of December 2014.

No further Discussion

MOTION MADE BY: **Legislator Donaldson**
MOTION SECONDED BY: **Legislator Ronk**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **8**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 2 **RESOLUTION No. 159**
TEXT OF MOTION: RESOLVED to approve Resolution No. 159 – Reappointing – Commissioner Of Elections, Thomas F. Turco.

Resolution Summary: Election Law 3-204, that Thomas F. Turco, Saugerties, New York, Republican Party, be reappointed as Election Commissioner, starting on the 1st day of January 2013, and ending on the 31st day of December 2014

No further Discussion

MOTION MADE BY: **Legislator Fabiano**
MOTION SECONDED BY: **Legislator Donaldson**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **8**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 3 **RESOLUTION No. 169**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 169** - Confirming Appointment Of a Member To The Ulster County Youth Board.

Resolution Summary: The County Executive has appointed the following individual to the Ulster County Youth Board for the term commencing on June 1, 2012 and ending on May 31, 2015, Courtney Sheeley.

No further Discussion

MOTION MADE BY: **Legislator Donaldson**
MOTION SECONDED BY: **Legislator Loughran**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **8**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 4 **RESOLUTION No. 170**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 170** - Confirming Appointments To The Ulster County Arson Task Force Board.

Resolution Summary: the County Executive has appointed the following individuals to the Ulster County Arson Task Force Board for terms commencing on July 1, 2012 and ending on June 30, 2015: Wayne Freer – Chair, Kevin Keller, Chief Frank G. Petron, Paul Casciaro, and Charles Mutz

No further Discussion

MOTION MADE BY: **Legislator Donaldson**
MOTION SECONDED BY: **Legislator Fabiano**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **8**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 5 **RESOLUTION No. 171**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 171** - that Members of the County Legislature request the DEC listen carefully to the comments and concerns of the people of Ulster County regarding this critical issue.

Resolution Summary: that the Ulster County Legislature hereby opposes the Draft Consent Order in its present form.

Discussion: **Chairman Roberts** recognizes **Legislator Loughran** will move the motion for the purpose of discussion, second by Legislator Ronk. **Legislator Loughran** questions why this resolution is late?

Counsel Guerin states that this resolution was drafted by Legislative Counsel Chapman on behalf of the legislature.

Leader Ronk explains that this was drafted by Counsel Chapman following the last Environmental Committee meeting and forwarded to the County Attorney Ms. Bea Havranek for review who returned it to Counsel Chapman with concerns that have all been addressed at this time.

Legislator Loughran asks if the County Attorneys issues were addressed. **Leader Ronk** believes so.

Legislator Belfiglio also states that Legislative Counsel addressed the Environmental Committee and provided suggestions to the committee in regards to speaking at the public hearing hosted by the Department Of Conservation on June 19, 2012, at 6:00pm in regards to the consent order document.

Chairman Bernardo states that due to the recent personnel shortage in the legislative office several resolutions are considered late. In addition, this resolution was in response to the DEC publishing of their consent order which was after the locally established deadline for resolutions.

Legislator Robert Parete states that this particular resolution does not fall into that category and he has received several emails in regards to this resolution and has had no time to look at it, does not know what it is.

Chairman Bernardo explains to **Legislator Robert Parete** the details of the initial resolution and its subsequent amendments to its current form.

Legislator Belfiglio states that **Legislator Robert Parete** is not on the Environmental, Energy, and Technology Committee.

Legislator Robert Parete states that it was an illegal meeting of that committee, it was called three hours in advance and the door was locked. **Legislator Belfiglio** states that the door was not locked.

Chairman Bernardo states that the meeting was properly noticed and press releases and notifications were sent out in accordance with local law.

Legislator Belfiglio further states the meeting was conducted expediently due to a quorum of members being present and the need to comply with the county attorney and obtain the county executives concurrence of the resolution.

Legislator Robert Parete asks why the opposition to the DEC draft consent order.

Chairman Bernardo states that the DEC has levied a \$1.5 million fine on the Department of Environmental Protection (DEP) of which one third is suspended in response to the DEP's dumping of turbid water in Ulster County. The fine for releasing the water into the Esopus without a State Pollutant Discharge Elimination System (SPDES) permit is the above mentioned amount. The County of Ulster could have potentially levied a fine of \$33,000 a day for 600 days, approximately \$20 million, the DEC is only offering \$1.5 million with one third suspended to be paid by the City of New York. This is one of the reasons the June Legislative Session has been moved to SUNY New Paltz, to address the DEC and concern with the consent order.

Legislator Robert Parete asks if that is what this resolution is about. Has received several emails on the subject with insufficient time to review the resolution.

Counsel Guerin states that Legislative Counsel Chapman released the resolution for the Legislatures review on Wednesday, 13 June 2012. Counsel Guerin further states that having experience with DEP and how it operates, the consent order is an attempt by the DEC to bypass Ulster County after releasing turbid and polluted water through the county. Counsel further explains that the purposed fine by the DEC to the DEP includes a portion of the fine to be allocated for the Environmental Protection Fund (DEC) and only \$10,000 of the fine to be used for the re-stocking of fish in the Esopus, which in Counsels opinion is insufficient.

Chairman Bernardo asks if the committee would like to take the time for the reading of the resolution in its entirety.

Legislator Donaldson states that it is not necessary.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Fabiano
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 6 **RESOLUTION No. 125**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 125** - Setting A Public Hearing On Amended Proposed Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York, Known As The "Hydraulic Fracturing Brine Prohibition Act"), To Be Held On Tuesday, July 17th At 7:00 PM

Resolution Summary: Public Hearing is required to be held regarding the amended Proposed Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York, Known As The "Hydraulic Fracturing Brine Prohibition Act"), a Public Hearing will be held on Tuesday, July 17, 2012 in the Legislative Chambers, Ulster County Office Building, 244 Fair Street, Kingston, New York at 7:00 PM.

Discussion: **Legislator Parete** asks where is the local law. It is not provided in the packet.

Chairman Roberts states that anyone wishing to review Local Law No.1 see the committee clerk immediately following this meeting.

Chairman Bernardo asks Mr. Reggero to provide a copy of Local Law No.1 to **Legislator Parete**. Mr. Reggero complied.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 7 **RESOLUTION No. 141**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 141** - Appropriating Funds From The Liability And Casualty Reserve Fund For Payment Of Various Judgments And Claims – Amending The 2012 Ulster County Budget – Department Of Insurance

Resolution Summary: The Ulster County Insurance Officer requests that \$337,000.00 be appropriated from the Reserve Fund as provided in Section 6-n of the General Municipal Law, for payment of unanticipated judgments, actions, and claims against the County anticipated until year end,.

Discussion: **Legislator Ronk** asks Budget Director, Mr. Hanson, if this is the same money that was moved last month to cover shortfalls in the Casualty Reserve Fund.

Mr. Hanson states that it is not, this particular money will be used to pay settlements against the County of Ulster.

Legislator Ronk asks Mr. Hanson to provide a copy of the settlements to be paid currently from the county.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 8 **RESOLUTION No. 143**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 143** - Setting A Public Hearing On Proposed Local Law No. 10 of 2012 (A Local Law Amending The Ulster County Charter And Ulster County Administrative Code By Deleting Article XVII From Each [Real Property Tax Service Agency], And Amending The Ulster County Charter With Respect To Article VIII [Department Of Finance]) To Be Held On Tuesday, July 10, 2012 At 6:00 PM, Or As Soon Thereafter As The Public Can Be Heard

Resolution Summary: Public Hearing will be held on Tuesday, July 10, 2012 at 6:00 PM, or as soon thereafter as the public can be heard, in the Legislative Chambers, Ulster County Office Building, 244 Fair Street, Kingston, New York.

No further Discussion

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 9 **RESOLUTION No. 160**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 160** - Adopting Introductory Local Law No. 4 Of 2012 [A Local Law Amending Local Law No. 5 Of 2008 (A Local Law Amending Local Law No. 5 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence.)] Hereinafter Known As Local Law No. 4 of 2012.

Resolution Summary: Introductory Local Law herein is hereby adopted by the Ulster County Legislature, and hereinafter known as Local Law Number 4 of 2012

No further Discussion

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Fabiano
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 10

RESOLUTION No. 161

TEXT OF MOTION: **RESOLVED to approve Resolution No. 161** - Adopting Introductory Local Law No. 5 Of 2012 (A Local Law Amending Local Law No. 6 of 2008 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income) Hereinafter Known As Local Law No. 5 of 2012.

Resolution Summary: Introductory Local Law herein is hereby adopted by the Ulster County Legislature, and hereinafter known as Local Law Number 5 of 2012

No further Discussion

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Fabiano
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 11

RESOLUTION No. 162

TEXT OF MOTION: **RESOLVED to approve Resolution No. 162** - Adopting Introductory Local Law No. 6 Of 2012 [A Local Law Amending Local Law No. 7 Of 2008 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War")] Hereinafter Known As Local Law No. 6 of 2012.

Resolution Summary: Introductory Local Law herein is hereby adopted by the Ulster County Legislature, and hereinafter known as Local Law Number 6 of 2012

No further Discussion

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Fabiano
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 12

RESOLUTION No. 163

TEXT OF MOTION: **RESOLVED to approve Resolution No. 163** - Adopting Introductory Local Law No. 7 Of 2012 (A Local Law To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled "Veterans'; Alternative Exemption") Hereinafter Known As Local Law No. 7 of 2012.

Resolution Summary: Introductory Local Law herein is hereby adopted by the Ulster County Legislature, and hereinafter known as Local Law Number 7 of 2012.

No further Discussion

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Fabiano

ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 13

RESOLUTION No. 164

TEXT OF MOTION: RESOLVED to approve Resolution No. 164 - Adopting Introductory Local Law No. 8 Of 2012 (A Local Law Enacting A First Time Homebuyer County Property Tax Exemption) Hereinafter Known As Local Law No. 8 of 2012.

Resolution Summary: Introductory Local Law herein is hereby adopted by the Ulster County Legislature, and hereinafter known as Local Law Number 8 of 2012.

Discussion: **Legislator Ronk** states that he is currently a first time home buyer and has personal objections to this resolution. Believes that this resolution has the possibility to complicate the escrow accounts and confuse prospective home buyers on their tax obligation for the first five years. Further states that he does not support this resolution.

Chairman Roberts acknowledges **Legislator Ronk's** comments.

Legislator Donaldson states that it will give the buyers more money in their escrow accounts because they do not have to pay the taxes. Does not concur with **Legislator Ronk** opinion.

Chairman Bernardo also does not support this resolution and concurs with **Legislator Ronk's** opinion.

Deputy County Executive Mr. Crannell states research conducted with other counties that have a similar law have not encountered any problems with banks or escrow accounts. There were no other known issues.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Donaldson, Fabiano, Loughran, Maio, Robert Parete, and Roberts
VOTING AGAINST: Bernardo and Ronk
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 2
DISPOSITION: Motion Passes

MOTION NO. 14

RESOLUTION No. 166

TEXT OF MOTION: RESOLVED to approve Resolution No. 166 - Memorializing Resolution Supporting New York State Assembly Bill A. 1178 and New York State Senate Bill S. 5741 (Establishing A Public Education Program To Educate Motorists Of The Dangers Of Passing A Stopped School Bus).

Resolution Summary: The County of Ulster supports A. 1178 and S. 5741 in recognition of the safety and security benefits it will bring to our school children and accordingly, we urge the Legislature and the Governor to support and enact this legislation.

Discussion: **Legislator Loughran** agrees to move the resolution reluctantly due to lateness.

Chairman Roberts recognizes **Legislator Belfiglio**, the sponsor of the resolution.

Legislator Belfiglio states that he was notified by a constituent who believes this is very important. Due to the New York State Legislature adjourning at the end of next week our memorializing of this Bill must happen now.

Legislator Donaldson states that this is really doing nothing but memorializing a Bill. Based on its lateness he will not support its adoption.

Chairman Roberts recognizes Mrs. Tantillo for an explanation as to the lateness of proposed resolutions.

Chairman Roberts further states that he does not see the need to adopt this resolution, it is one of the first thing drivers are taught, to stop for school buses.

Legislator Belfiglio states that this is to be used not only to gain awareness but to raise money for further drivers training. Further adds that there is a problem in New York State based on fatalities, traffic citations and school bus driver reports of drivers passing stopped school buses.

Legislator Donaldson further adds that he will not support due to lateness and school will be also adjourning in a week and does not see the need for this resolution at this time.

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Ronk
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Fabiano, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: Donaldson and Loughran
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 2
DISPOSITION: Motion Passes

MOTION NO. 15

RESOLUTION No. 167

TEXT OF MOTION: **RESOLVED to approve Resolution No. 169** - Amending The 2012 Ulster County Budget To Include An Additional Award To Ulster County For Funding Of Community Development Block Grants With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal (OCR) – Department Of Planning

Resolution Summary: OCR has notified the County that the grant award amount has been increased from \$182,354.77 to \$198,467.08 for assistance to farmers designated as Project No. 1160IT170-11

Discussion: **Legislator Donaldson** asks the County Executive representatives present why is this resolution late?

Mr. Crannell states that this unanticipated revenue received by the State and assumed that the legislature would support based on this being direct aid to farmers.

Chairman Roberts asks Mr. Crannell that if this is not voted on by the committee then will the funding to the farmers not happen.

Mr. Crannell stated that it would not prevent the farmers from receiving the aid.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Donaldson
ROLL CALL VOTE: No
VOTING IN FAVOR: Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 8
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 16

RESOLUTION No. 168

TEXT OF MOTION: **RESOLVED to approve Resolution No. 168** - Authorizing The Chairman Of The Ulster County Legislature To Execute A Simplified Renewal Agreement With The New York State Office Of Victim Services (Formerly New York State Crime Victims Board) – Department Of Probation.

Resolution Summary: Chairman of the Ulster County Legislature is hereby authorized to execute a Simplified Renewal Agreement, and any amendments thereto, pertaining to the current contract (NYS# C-501172) with the New York State Office of Victim Services (formerly the New York State Crime Victims Board), for the Crime Victims Assistance Program, for the term October 1, 2009 through September 30, 2014 as filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney,

Discussion: **Chairman Roberts** recognizes **Legislator Donaldson** who questions the lateness of the resolution.

Mr. Hanson states that New York is offering a contract extension but has a short suspense if we are to take advantage of the offer.

MOTION MADE BY: **Legislator Donaldson**
MOTION SECONDED BY: **Legislator Ronk**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Bernardo, Donaldson, Fabiano, Loughran, Maio, Robert Parete, Roberts, and Ronk**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **8**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 17

RESOLUTION No. 120

TEXT OF MOTION: **RESOLVED to approve Resolution No. 120** - Amending The Rules Of Order Of The Ulster County Legislature To Establish A Procedure For Removing The Chairman Of The Ulster County Legislature

Resolution Summary: changes to the Rules of Order of the Ulster County Legislature shall take effect upon an affirmative vote of this body subsequent to two consecutive readings

Discussion: **Chairman Roberts** recognizes **Legislator Donaldson** who states that this is not a late resolution.

Legislator Loughran states the question is whether or not we need a local law or resolution.

Legislator Donaldson states that a local law is not needed. It can be accomplished by resolution and be rescinded by resolution. Also that it requires a two thirds majority vote.

Legislator Ronk states that Legislative Counsel has advised that this resolution is out of order and not compliant with state statutory law defining the term and legal responsibilities of the Chairman of the Legislature. Further that this action cannot be accomplished by resolution.

Legislators Donaldson and Loughran state that the Minority Counsel and the County Attorney say that it can be accomplished by resolution; therefore nonconcurring with **Legislator Ronk**.

Legislator Ronk states that the County Attorney does not work for the Legislature.

Legislators Loughran and Donaldson state that it does not matter, the law is the law.

Legislator Ronk further states that there is a disagreement between Counsels in the interpretation of the law.

Legislator Loughran states that the motion should be put to a vote.

Legislator Donaldson states that the law is what we, as a Legislature determines, not the Lawyers. Further explains that this is his opinion and others may not agree with this interpretation.

Chairman Roberts tables debate for the purpose of recognizing Ms. Dorothy Martin of Real Property and acknowledging her retirement after 25 years of service to Ulster County. The Committee thanks her for her service.

Ms. Martin states that it has been a pleasure and appreciates everyone's support over the past 25 years, thank you.

Chairman Roberts recognizes **Legislator Maio** to continue the debate on the resolution. **Legislator Maio** asks if the resolution has been changed or modified since the last time it was brought to the committee?

Legislator Donaldson states that no, it has not and requires a two thirds majority vote to remove the Chairman of the Legislature; furthermore, at the previous committee meeting he agree to consider Counsel Guerin opinion regarding a local law however he is now under the opinion that is can be accomplished by resolution and a simple political appointment that can be accomplished through a two thirds majority vote of the legislature. Also **Legislator Robert Parete** is working on a similar resolution that would consider removal of the Majority and Minority Leaders. **Legislator Donaldson** believes that these opinions make sense and should be added.

Legislator Ronk states that his interpretation of the law is that a Majority or Minority Leader may be removed by resolution because they are political appointments; however, the Chairman of the Legislature is a statutory position that has actual responsibilities under New York State law.

Legislator Loughran asks does this action require a local or State law once a person has been appointed?

Legislator Donaldson states that no, it is done by resolution.

Legislator Ronk states that this resolution will make the Chairman of the Legislature an "at will" position.

Chairman Roberts recognizes **Legislator Maio**.

Legislator Maio asks **Legislator Loughran** if the resolution includes a procedure for removing the Majority and Minority Leaders at this time, confirming that this resolution only addresses the removal of the Chairman. Asks for clarification on resolution text.

Legislator Donaldson what specifically is **Legislator Maio** is referring to.

Legislator Robert Parete states first page, rule nine.

Legislator Donaldson states that this section is addressing the organization according to the charter.

Legislator Robert Parete states that provisions for removing the Chairman are on the last page, subparagraph G.

Legislator Ronk states that the proposed resolution calls for the removal of the Chairman with a three fifths majority vote of the Legislature, not two thirds as stated earlier.

Legislator Donaldson offers to amend to two thirds if **Legislator Ronk** wishes.

Legislator Loughran offers his opinion that this is a simple procedure not directed against anyone in particular but gives a mechanism for removal of the Chairman if 60% of the Legislature agrees to do so.

Legislator Fabiano asks Counsel Guerin if she knows of an office in Albany that would be able to provide an opinion on this matter.

Counsel Guerin does not believe that the Attorney General would render an opinion; however Counsel Guerin provides a case example regarding the removal of a member from a non-governmental organization and how it relates to this resolution. Counsel further explains that there are two place that the duties, authority and responsibility of the Chairman are covered, one is in County Law and the second is in the Charter. If anything is done to modify the Charter then it must be done by local law. Secondly to increase the term of a Chairman to two years it would have to be by way of Local Law, so conversely to remove the Chairman the same rule should apply.

Legislator Fabiano concurs with Counsel Guerin opinion.

Legislator Robert Parete states that this should be addressed in the Laws and Rules subcommittee and further believes that anyone can challenge anything and bring it before the courts. Meaning that anything the Legislature does may be potentially overturned by the courts. Counsel Guerin agrees. **Legislator Parete** states that he will support either a local law or a rule change, as long as it addresses the Chairman, Majority and Minority Leaders and asks the committee what is their intent moving forward?

Legislator Donaldson maintains that the reason this resolution only addresses the chairman is based on responsibility of the Chairman by making decisions and signing papers. Furthermore serious problems for the County could occur if the Chairman is negligent in his or her duties.

Legislator Ronk states in that case the removal of Chairman would be for cause and not "at will", which is different.

Legislator Donaldson states that it would be a relief for cause; furthermore that this resolution is political half of the time even though we do not want it to be. **Legislator Donaldson** compares this resolution to impeachment as a political tool, which has only been done twice in our Nations history. Further states that it is purely political; not that it should be but it is reality.

Chairman Roberts states that Legislative Counsel will rule this resolution out of order if it makes it to the floor of the legislative session tomorrow. Asks for a continued debate or put before a vote?

Legislator Donaldson states that it is totally up to the Chair.

Chairman Roberts calls for a vote on the resolution.

Voting Results: 3 in favor – Legislators Donaldson, Loughran and Robert Parete
5 opposed – Chairman Bernardo, Committee Chairman Roberts, Legislators Fabiano, Maio, and Ronk.

Chairman Roberts : **Motion Defeated**

Legislator Donaldson states that the resolution was submitted in a timely manner and therefore should be presented to the entire Legislature regardless of the voting results.

MOTION MADE BY: **Legislator Donaldson**
MOTION SECONDED BY: **Legislator Loughran**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Donaldson, Loughran, and Robert Parete**
VOTING AGAINST: **Bernardo, Fabiano, Maio, Roberts, and Ronk**
NO. OF VOTES IN FAVOR: **3**
NO. OF VOTES AGAINST: **5**
DISPOSITION: **Motion Defeated**

OTHER BUSINESS: NONE

No further Discussion

Legislator Fabiano states that he would like to see a refinement of the rules addressing late and memorializing resolutions.

Legislator Robert Parete addresses the missing Local Law No. 1 and concurs with **Legislator Fabiano** that procedures should be followed more closely and professionally. Committee Chairs have the responsibility to ensure proper routing and timeliness of resolutions within their respective committees.

Chairman Roberts announces a meeting of the Laws and Rules sub-committee for Thursday, June 21, 2012, at 5:30pm.

-
- **There being no further business before the Committee, a motion was made by Legislator Donaldson, seconded by Legislator Ronk, and carried to adjourn the Meeting at 7:35 PM.**

Dated the 21st June, 2012

**Franklin R. Reggero
Ulster County Legislature**

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

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

DATE & TIME: Tuesday, June 5, 2012 – 5:00pm and 6:50pm
LOCATION: Rm. 253 and Student Lounge, SUNY Ulster County Community College, Cottekill Road, Stone Ridge, New York
CHAIRMAN: Wayne Harris
RECORDER: Janet Salanitri, Adm. Assistant, SUNY Ulster Co. Community College
LEGISLATORS PRESENT: Chairman Harris, Legs. Donaldson, Wawro, Gregorius and Lopes
ABSENT: None
OTHERS PRESENT: Ann Marrott, Vice-President, SUNY Ulster County Community College; LeeReidy, Executive Director and Mary Marsters, Program Director, both of Cornell Cooperative Extension; Sandy Mathes, Deputy Clerk of Finance, Erica Guerin, Counsel, and Frank Reggero, Fiscal Analyst all of the Ulster County Legislature; Soledad Hyppolite, Assistant to Leg. Lopez; Victor Melville, Observer with League of Women Voters; Steve Masee, Director of Ulster County Veterans' Service Agency; Carl Belfiglio, U.C. Legislator; and Kenneth Crannell, Deputy Ulster County Executive
QUORUM: Yes

A QUORUM BEING PRESENT, CHAIRMAN HARRIS CALLED THE MEETING TO ORDER AT 5:08pm. IN RM. 253.

MOTION:

Text of Motion: Resolved, to approve the minutes of the meeting of this Committee of May 1, 2012
Motion Made: Leg. Donaldson
Seconded: Leg. Wawro
Voice Vote: Yes
In Favor: Chairman Harris, Legs. Donaldson, Wawro, Lopez and Gregorius
Opposed: None
No.in Favor: 5
No. Opposed: 0
Disposition: The motion passed. The minutes of the meeting of this committee of May 1, 2012 were unanimously approved.

CORNELL COOPERATIVE EXTENSION:

Report by: Lee Reidy, Executive Director

Report: Ms. Reidy said hiring was proceeding under the New World grant which supports building sustainable agriculture, particularly organic agriculture as well as livestock. They are also looking for more grants to keep this program up and running once the New World grant runs out. On the growing year, she said they still do not know the extent of the damage to the fruit trees from the frost in the early spring. There has also been some hail which will affect these crops. Ms. Reidy also discussed the blight problem as well as the problem with the corn borer and the satisfactory effects of Integrated Pest Management.

She said Cooperative Extension, in concert with Family of Woodstock and the Farm Bureau is looking to hold a Harvest Festival September 22 and 23 at the Ulster County Fairgrounds as a means of educating people about what we grow in Ulster County. She said they are currently looking for vendors and other participants. She welcomes all participation and will have more information in the future.

Resolutions: None

ULSTER COUNTY VETERANS' SERVICE AGENCY:

Report by: Steve Masee, Director of Veterans' Service Agency and Kenneth Crannell, Deputy Ulster County Executive.

Report: Mr. Masee and Mr. Crannell discussed the proposed resolution before this committee initiating a Home Rule message to the New York State Legislature requesting the transfer of real property located at #67 Wurts Street, Kingston, New York, to the County of Ulster to be used as a transitional home for veterans. Mr. Masee was unsure as to the actual number of county homeless veterans but it may be 12-24 per year although VA statistics said it may be 30-50 each year. When asked, Mr. Crannell said the house is over 4,000 square feet and has all amenities such as space for counseling. This was formerly used by Ulster Greene ARC and when they no longer used it the property reverted back to NYS OGS.

Mr. Masee said the homelessness of veterans is treated as a health care issue first. This housing is not meant to be permanent but is transitional living, a place where our veterans can stay until they work out whatever problems are preventing them from having a permanent home. Several questions regarding Safety Net and residence requirements were discussed. Mr. Crannell said there were several things that were still in the planning stages but that the County Executive's Office and Veterans' Services had already received a lot of support and offers of assistance from the community. Chairman Harris said the same thing happened when they lobbied for the veteran's cemetery in New Paltz several years ago and now there are 37 people buried there.

Resolution: Resolution #128 for the June 19, 2012 Legislature Meeting

MOTION ON RESOLUTION #128:

Text of Motion:

RESOLVED: that the Legislature of the County of Ulster hereby requests the State of New York to enact New York State Senate Bill S.7405 and Assembly Bill A.10516, which would authorize the Commissioner of the Office of General Services to transfer and convey real property located at 67 Wurts Street in the City of Kingston, to the County of Ulster, for the purposes of operating a Veterans' transitional housing program and otherwise assist veterans in Ulster County, and be it further **RESOLVED**, that the Clerk of the Ulster County Legislature is hereby directed to forward certified copies of this resolution to the Honorable Governor Andrew M. Cuomo and all elected representatives of Ulster County in the New York State Legislature, and moves its adoption.

Motion Made: Leg. Donaldson

Seconded: Leg. Lopez

Voice Vote: Yes

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

Opposed: None

No. in Favor: 5

No. Opposed: 0

Disposition: The motion on Resolution #128 as above set forth was unanimously approved.

ULSTER COUNTY COMMUNITY COLLEGE:

Report by: Chairman Wayne Harris and Ann Marrott, Vice President and Dean of Enrollment Management

Report: Chairman Harris said that after the Graduation ceremonies he had occasion to discuss with President Katt and with Deans Marrott and Collins SUNY Ulster's "College Scholars" program which is sponsored by The Foundation. He said they all thought it would be beneficial if there were a joint effort between the college and the county (both the Legislature and the Executive) to promote and encourage this program in the high schools. Dean Marrott said she had drafted a letter which would go to students in each county high school explaining the program and setting forth the many benefits which would accrue to the student and his or her family as a result of the program. This would be distributed to high school juniors and seniors in September with follow-ups later in the school year. Legislators could also visit the schools in their district personally.

This draft letter has been reviewed and revised by the Chairman of the Legislature, by the College President, and by the County Executive, is now in its final form, and a copy was distributed to each Legislator present. Chairman Harris said he would give a copy of the proposed letter to the other Legislators at this evenings meeting and ask for their opinions and their consent to having their names added to the letters going to their district. Chairman Harris thanked Dean Marrott for her work in getting this initiative accomplished.

Resolution: Resolution #140, for the June 19, 2012 Legislature Meeting

AT 5:50PM CHAIRMAN HARRIS TEMPORARILY ADJOURNED THIS MEETING TO THE UCCC STUDENT LOUNGE FOR THE WORKSHOP AND PUBLIC HEARING ON THE 2012-2013 ULSTER CO. COMMUNITY COLLEGE BUDGET.

AT 6:55PM, FOLLOWING THE PUBLIC HEARING, AND A QUORUM STILL BEING PRESENT, CHAIRMAN HARRIS CALLED THIS MEETING BACK INTO REGULAR SESSION IN VANDERLYN HALL STUDENT LOUNGE:

MOTION ON RESOLUTION #140:

Text of Motion: WHEREAS, the Board of Trustees of the Ulster County Community College has requested approval of the proposed budget for the fiscal year beginning September 1, 2012, and ending August 31, 2013, pursuant to the laws and rules applicable thereto, now, therefore, be it **RESOLVED**, that the Ulster County Legislature hereby approves said Budget as filed with the Clerk of the Legislature, in the amount of \$28,223,803.00 providing for a contribution by Ulster County in the amount of \$6,280,863.00, and moves its adoption.

Motion Made: Leg. Donaldson

Seconded: Leg. Lopez

Voice Vote: Yes

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

Opposed: None

No.in Favor: 5

No.Opposed: 0

Disposition: Motion on Resolution #140 approving the Ulster County Community College budget for 2012-2013 was unanimously approved.

ADJOURNMENT:

There being no further business before this meeting, on motion duly made by Leg. Donaldson and seconded by Leg. Lopez and carried, Chairman Harris declared this meeting duly adjourned at 7:00pm

Dated the 6th day of June, 2012

Janet Salanitri, Recorder

Minutes Approved on: July 3, 2012

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: June 6, 2012 @ 5:00 PM
LOCATION: PW Fabrication Shop, 292 Van Dale Road, Woodstock
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Tammy Wilson
PRESENT: Chairman Fabiano, Legislators Thomas Briggs, James Maloney, John Parete, Kevin Roberts
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Deputy County Executive Robert Sudlow, Sue Ronga (PW Deputy Commissioner – Finance), David Bolles (PW Deputy Commissioner – Administrative) Langdon Chapman (Legislative Counsel), Frank Reggero (Legislative Fiscal Analyst), Sylvia Wohlfahrt (Director of Informational Services), James Hanson (Budget Director), Robin Peruso (Director of Purchasing), John Kouhout (PW Field Operation Manager)

Chairman Fabiano:

- Called the meeting to order at 5:05 PM

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of May 2, 2012.
Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 2

Resolution No. 132, June 19, 2012

Text Of Motion: RESOLVED to approve Resolution No. 132 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To An Agreement With The Town Of New Paltz For Improvements At The Ulster County Fairgrounds

Resolution Summary: The Ulster County Legislature previously adopted Resolution Number 144 on May 8, 1997, authorizing the Chairman to enter into an agreement with the Town of New Paltz (Town), to allow the Town to improve and utilize property located at the Ulster County Fairgrounds in New Paltz as athletic fields. An agreement was executed in September 1997 for the above purpose but was superseded by an agreement executed in August 1999. Pursuant to the aforementioned agreement, the Town is responsible for all improvements associated with the athletic fields, to obtain insurance naming Ulster County as an additional insured, for compliance with all applicable laws, rules and regulations pertaining to developing the parcel and for all costs and expenses associated with fulfilling its obligations. The Town has advised the County of its desire to locate a dog park and fitness trail on a 37.6 acre parcel to the rear of the athletic fields area and the Town will be

fully responsible for developing, maintaining and operating the dog park and fitness trail, including all expenses associated therewith.

Additional Questions and/or Comments: None

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Briggs
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 3 Resolution No. 133, June 19, 2012

Text Of Motion: RESOLVED to approve Resolution No.133 –Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department of Correctional Services For The Use Of Space In The Former Ulster County Jail

Resolution Summary: The New York State Department of Corrections and Community Supervision (DOCCS) presently utilizes a portion of the former Ulster County Jail located at Golden Hill in the City of Kingston, as a reporting station for parolees as well as for other general office purposes. The Commissioner of Public Works has requested that the Chairman of the Ulster County Legislature be authorized to enter in a new agreement with DOCCS for the continued use of the former jail space for a five year term, commencing July 1, 2012 through June 30, 2017. DOCCS shall pay to the County a monthly rate of \$1,100.00 during the term of the agreement, and the County of Ulster shall have the option to terminate the agreement upon one hundred eighty (180) days written notice to DOCCS.

Additional Questions and/or Comments: The name in the title needed to be changed to the New York State Department of Corrections and Community Supervision (DOCCS).

Motion Made By: Legislator Parete
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, Parete, Roberts
Voting Against: 1 Abstention – Briggs (Works for the NYS Department of Corrections)
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 4 Resolution No. 134, June 19, 2012

Text Of Motion: RESOLVED to approve Resolution No.134 –Establishing Capital Project No. 361, Reconstruction Of Various Roads In Ulster County (Bond Resolution Required – No. 135)

Resolution Summary: The Commissioner of Public Works has prepared the 2012 list of reconstruction of various roads in Ulster County. The project expenditures in the amount of \$400,000.00 for reconstruction of various roads were approved in the 2012 – 2017 Capital Program. The Commissioner of Public Works requests that Capital Project No. 361 be established and funded. That Capital Project No. 361 is hereby established.

Additional Questions and/or Comments: None

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Roberts
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 5 **Resolution No. 136, June 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No.136 –Amending The 2012 Ulster County Budget
- CHIPS Funding Adjustment

Resolution Summary:

The Commissioner of Public Works has been notified by the New York State Department of Transportation of an increase in CHIPS funding for Ulster County Highway Capital Improvements in the amount of \$481.37 for the State fiscal year 2012-2013. There exists a 2011-2012 CHIPS rollover balance of \$596,454.03 available for use in 2012. The Commissioner of Public Works would like to accomplish projects in 2012 taking full advantage of NYS CHIPS funding available for capital improvements. It is necessary to increase the 2012 budget to reflect the additional funds from the rollover balance and funding increase in order to spend them. The Commissioner of Public Works requests the 2012 CHIPS appropriations and revenues be increased by \$596,935.00 (\$596,454.03 plus \$481.37).

Additional Questions and/or Comments: Sue Ronga spoke on the process and a list of CHIPS Capital Apportionment was provided.

Motion Made By: Legislator Parete
Motion Seconded By: Legislator Roberts
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 6 **Resolution No. 137, June 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No.137 – Authorizing The Chairman Of The Ulster
County Legislature To Dedicate County Bridge No. 211, Which Is A Portion Of County
Route 47 And Which Spans The Cascade Brook In The Town Of Shandaken, In
Memory Of Steven F. Fischer

Resolution Summary:

On August 28, 2011, Hurricane Irene turned the Cascade Brook into raging flood waters, severely damaging Oliverea Road/County Route 47 in Big Indian. The damage to the road was so extensive; it created a large break in the road: 24' deep by 50' across, requiring a bridge to be built where no bridge had previously been needed. The Ulster County Department of Public Works was able to install a temporary crossing in less than 48 hours to allow for emergency passage and has since designed, built and installed a new bridge, County Bridge No. 211 over the Cascade Brook, located in the Town of Shandaken and is a portion of County Route 47. It is proposed that the aforementioned bridge be named, "The Steven F. Fischer Memorial Cascade Brook Bridge," Steven F. Fischer was a dedicated employee of Ulster County for over 20 years, serving in the Department of Public Works, and who was instrumental in the construction of numerous bridges throughout the County.

Additional Questions and/or Comments: Chairman Fabiano knew Mr. Fischer and spoke very highly of him.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Briggs
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 7 **Resolution No. 144, June 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No.144 – Establishing Capital Project No. 368,
Purchase and Implementation Of A County-Wide Financial Management System (Bond
Resolution Required – No. 145)

Resolution Summary:

The financial management system serves as the official financial books and records of the County, and is used for recording, managing and reporting all financial activity, including budgeting and issuance of vendor checks. The current system was implemented March 26, 1997 and needs to be replaced due to increased demands for required accounting and financial reporting. The current system is significantly outdated, and has become increasingly unreliable for certain critical functions. A capital project is needed for the purchase and implementation of an integrated financial management system, including modules for budgeting, accounting, purchasing, accounts payable, accounts receivable, grant/project management, capital projects, contracts, inventory, fixed assets, work orders and financial reporting. It is estimated that approximately \$1,125,000.00 will be needed for the purchase and implementation of new county-wide financial management system software.

Additional Questions and/or Comments:

Sue Ronga spoke at length about the financial management system.

Mr. Hanson also spoke about some of the issues with regard to the current system. He stated that he will also be speaking to the Ways & Means Committee next week to explain more of the financial details. Asked that in the 4th whereas, the words "no longer supported by the software vendor" stricken from the Resolution. He stated that is not accurate, it is a supported system.

Sylvia Wohlfahrt, Director of Informational Services stated the following:

1. Existing financial system hardware
 - a. Runs on system-i server (AS400)
 - b. System-i server is due for replacement in 2013-2014 (\$90,000 + services.)
Hardware costs to implement the new system server is \$99,000. If I am investing in a new server I would rather invest it in the new technology.
2. Existing financial system software
 - a. Sungard .HTE purchased in 1997 – 15 years old.
 - b. It is a "green screen" menu driven system

- c. It was developed prior to the integration of internet and graphical user interface (GUI.) Although you can put a GUI front-end on the system it is limited in its functionality.
- d. No integration with MS Office products (Word, Excel, Access)
- e. Current software maintenance is \$78,000 per year (maintenance could potentially be \$35,000 less per year with new system.)
- f. Although the system is still maintained to conform to state/federal regulations our version is used by a small number of customers and it is not adequately updated.

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

Abstract for June 19th Session: None

DPW Update:

Sudlow: Thanked Legislator Maloney and the Town of Ulster for assisting the PW Department with Enterprise Drive. He also gave kudos to the entire PW Department with regard to the recent opening of two bridges.

Bolles: Ulster Heights Road Update: The plans and the designs from the consultant came in on time. It is going to be a two tiered wall of stone block. The bid for that is being prepared and almost finalized. The bid when finalized will be going out within a couple of days. They have to get an easement on the property from the land owner. The owner has indicated that they will sign it. They have to get a license from Central Hudson. They are in negotiations with Central Hudson now and their hope to complete that this week. The easement has to be obtained because of permanent fixture. Work had to be done with the consultant with regard to the Meets & Bounds description. They should have the Meets & Bounds description in the next two weeks. They are expecting delivery of the block and will be starting the major part of the project. At this point they do not expect delays and are on schedule. The crews are working at that site; the drainage work is almost complete. They added more signage at the request of the Town.

Monthly Road Work Completed – (See Attached)

Sudlow: Spoke of two big projects that are being completed by the combined efforts of the Buildings & Grounds and Informational Services Department. (The County/City Tourism Center & Child Advocacy Center on O'Neil Street)

Fabiano: Inquired as the status of the reimbursements from FEMA / FHWA with regard to hurricane Irene.

Reggero: Asked if there was a document showing these reimbursements as they receive them. Sue stated that she will record those reimbursements as they come in and will provide that information to the Committee.

Maloney: Q/how many project work orders/work sheets where submitted? A/over fifty.

Roberts: Q/the money received by FEMA, is that dedicated to paying off the debt? A/yes

New Business: Bob Sudlow stated that the last FEMA project worksheets that will be submitted will be on the Catskill Mountain Railroad. It is a for-profit company that is leasing the railroad from the County. They were deemed eligible to submit PW for damage done on the rail track and right-of-ways.

Old Business: Chairman Fabiano stated to Bob Sudlow that he will touch base with him about invited Soil & Water to the next Committee Meeting.

The next regularly scheduled Committee Meeting will be held on July 3rd 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 Parete, seconded by Legislator Maloney, and carried, the meeting adjourned at 5:53 pm.

A Tour of the Fabrication Shop was given by Bob Graney and Bob Moore

Dated the 7th day of June, 2012

Tammy Wilson, Senior Legislative Employee

Minutes Approved on: July 3, 2012

Social Services Committee

Regular Meeting Minutes

DATE & TIME: June 4, 2012 @ 6:30 PM
LOCATION: Library Conference Room, County Office Building
PRESIDING OFFICER: Chairman Kevin Roberts
LEGISLATIVE STAFF: Tammy Wilson
PRESENT: Legislators Craig Lopez, Richard Parete, Hector Rodriguez and Kenneth Ronk
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Mary Wawro; Michael Iapoco, Commissioner DSS; Ericka Guerin, Legislative Counsel

- Chair Roberts called the meeting to order at 6:46 PM

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of April 2, 2012.
Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator R. Parete
Roll Call Vote: No
Voting In Favor: Lopez, Parete, Rodriguez, Ronk, Wawro
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

Contracts –

- Abstract Number L41-1 – Julia Dyckman Andrus Memorial, Inc./Foster Care & Related Services

Description:

Amendment No. 3 to Agreement purchasing foster care and related services. This Amendment increases the not to exceed amount of the agreement to cover expenditures from increased placements with the Agency. The services provided are mandated by NYS & are paid by NYS through its Welfare Management System (WMS). The County's Finance Department reconciles the WMS accounts, through which NYS transfers funds & makes payments to vendors. The NYS Comptroller's Office audits the accounts annually.

Comments:

Commissioner Iapoco – Indicated Abstract gives a brief synopsis of the Contract and what the funding sources are.

- Abstract Number L41-2 – Home Health Care and Companion Agency, Inc./Consumer Directed Personal Assistance Program for Medicaid Recipients

Description:

Agreement to provide Consumer Direct personal Care Assistance Program Fiduciary Intermediary Services. These services are mandated in accordance with NYS rules and regulations & NYS directs who to contract with. The rates are directed and/or approved by NYS and paid via Medicaid reimbursement through the NYS MMIS system. (The

County's share for Medicaid services is 25% up to the set cap of expenditures & when County reaches threshold then State & Federal governments cover expenses 50/50).

Comments:

Commissioner Iapoco – Briefly reviewed information pertaining to Contract. Involves persons in community that qualify for home health care.

Additional Questions and/or Comments:

Attorney Guerin - Asked if the Contract period is only for 6 months.

Leg. Ronk – indicated Abstract was for a 6 month period but the Contract start and end date was 2013.

Brief discussion ensued among Legislators. Indicated that dates should be reconciled and corrected.

New Business:

Leg. Ronk - wished to discuss vote to be held the following evening asking the State to transfer the ARC building for the Veteran's transitional housing. Stated the City of Kingston doesn't seem to agree with the transfer if safety net costs are involved at an increase rate to the City. Leg. Ronk indicated that it could be nothing other than good for our veterans.

Leg. Rodriguez – requested figures paid out town by town and city for Safety Net expenses.

Discussion ensued with regard to numbers related to Safety Net costs and related sales tax revenues. Equalization rates for towns were discussed to some degree. Issues with County wide assessing were pondered.

Leg. Ronk – Indicated that without any tangible benefit to the Towns, he didn't support the County taking over the safety net expense.

Attorney Guerin – Specified that Co. Executive called for an intermunicipal collaboration and that it wasn't the most productive meeting. Discussion about exchanging information but didn't believe any such discussion had taken place.

Legs. Ronk, Rodriguez and Roberts suggested formation of a subcommittee on Safety Net.

Chairman Roberts indicated the matter was something that could be discussed at next matter.

Next Scheduled Committee Meeting is July 2, 2012 @ 6:30 PM, COB, 6th Floor Legislative Library.

There being no further business before the meeting, on the motion duly made by Legislator Ronk, seconded by Legislator Rodriguez, and carried, the meeting adjourned at 7:09 PM.

Dated the 12th day of June, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on:

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: June 12, 2012 5:00 PM
LOCATION: Legislative Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin Reggero
PRESENT: Legislators Gerentine, Harris, Gregorius, Maloney, Provenzano and Rodriguez (arrived at 5:30 PM).
ABSENT: Legislator Maio
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Tracey Bartels; Ken Crannell, Deputy County Executive; Roland Bloomer, Asst. County Attorney/Asst. Contract Manager; J.J. Hanson, Budget Director; Lisa Cutten, Dep. Budget Director; Bea Havranek, Co. Attorney; Burt Gulnick, Commissioner of Finance; Mark Longtoe, Asst. Deputy County Exec.; Susan Plonski, Asst. County Attorney/Contract Manager; Susan Ronga, DPW, Finance; Bonnie Szpulecki, Insurance Officer; Dorothy Martin, Director/Real Property Tax; Amy Raff, Woodstock Public Library; Paula Sirc, Shawangunk Journal.

- Chairman Gerentine called the meeting to order at 5:14 PM.
-

I. PRESENTATIONS:

1. County Executive Office of Budget and Finance ON RESOLUTIONS 144 AND 145, NEW FINANCIAL SOFTWARE:

Chairman Gerentine gave the privilege of the floor to James Hanson who along with Burt Gulnick, Finance, and Sue Ronga, Public Works, will give a brief overview regarding the need for a new Financial System as addressed in Resolutions 144 and 145. Mr. Hanson states the current system, HTE SunGard, was engineered prior to the advent of the internet and was first used by Ulster County in 1997. The Budget and Finance Office have recognized the need to replace or upgrade the HTE system since 2008. The cost to the County of a total system upgrade is estimated at \$1,125,000. The Financial Management System upgrade is listed in the Capital Program for 2012-13. Based on the age and level of interoperability of the HTE Financial System, Ulster County will save money in the long run by upgrading its system, due to software, hardware and labor costs associated with the older system.

Legislator Maloney- Question: Have you chosen a software program yet?

Mr. Hanson Answer: No, we have not. We have an RFP committee that has received proposals back and we are in the process of reviewing these proposals. The timeline is to have the new system up and operational by the 2014 budget process and would like to have a specific product and vendor selected this month.

Chairman Gerentine: recognizes Burt Gulnick, Ulster County Department of Finance for further comments. Mr. Gulnick emphasizes that the current HTE system is labor intensive requiring manual conversion to MS Excel spreadsheets and creates a greater risk for human error. The new financial system will allow for the import of data to MS Excel reducing the amount of staff time required for this process as it relates to the annual reporting for each department within Ulster County. The system will also cut the amount of reports required to be converted to MS Excel because they will be embedded in the system. In conclusion Mr. Gulnick states that the HTE is not "user-friendly" and is 15 years old.

Mr. Hanson further states that the HTE system has a limited capacity to manage capital projects budget and to manage projects period. The current system is not integrated therefore does not communicate with other systems, for example payroll, meaning that it requires manual input making it inefficient and a greater possibility for human error. Mr. Hanson introduces Sue Ronga, DPW Finance.

Legislator Provenzano: states that this has been a problem for years and has been “pushed off” several times in the past. She is aware of these challenges because she was chair of the Ways and Means committee and unable to get it done.

Chairman Gerentine: realizes that no one wants to spend the money but at this point we have no other option. Further states that in the long run a new system would be beneficial and have savings not only in regards to labor costs but the system overall. The Chair recognizes Sue Ronga.

Ms. Ronga says that she has already given a presentation to the Capital Projects committee but wants to make clear how antiquated the HTE system is. An example of inefficiency is managing Capital Projects, there is currently no way to accomplish this except by manually inputting data and tracking every contract on a spreadsheet. A new integrated system will allow capital projects to be tracked and recorded once placed in the system. Due to hurricane Irene the Department of Public Works is dealing with an enormous amount of capital projects and all the associated invoices that are accountable and must be reported to FEMA. FEMA requires that all invoices be tracked by site, meaning that one invoice may include several sites and a new system will allow facilitate this process more efficiently. Ms. Ronga states that a new system would have saved four months of personnel work hours in the wake of hurricane Irene and the processing and tracking of related capital projects. Additionally a new financial system would have a way to integrate a work order system for departments like buildings and grounds that track and record items needed, whether they be in inventory or must be purchased. Currently there is no tracking or reconciliation, it is all done by hand.

Legislator Harris: J.J. will we be up and running for \$1.1 million including software?

Mr. Hanson Answer: Trying to keep the project below \$1.1 million including all costs but cannot say what the exact cost will be. Software costs are more competitive now driving the cost down.

Legislator Harris: This is for a complete system?

Mr. Hanson: yes.

Legislator Provenzano: remembers the initial cost years ago was higher than \$1.1 million. Also believes that interest rates are better now.

Chairman Gerentine: believes the initial cost in 2008 was \$1.6 million.

Vice Chair Gregorius: Requests a rough estimate on the components of the total cost? Nothing exact just estimates and if that includes personnel training, hardware, software, etc.

Mr. Hanson: Indicates that personnel training costs are not included but a large component breakdown is listed in the resolution. The county requirements for what the new system must be capable of accomplishing are listed in the RFP so that the venders know the requirements. Ms. Ronga adds that each vendor must submit a list of municipalities that are currently using their system for financial management as part of the RFP process.

Legislator Maloney: Asks Mr. Hanson what the bonding cost will be?

Mr. Hanson: comes out to be approximately \$127, 000, based on the initial estimate, but that could change.

Legislator Maloney: What type of maintenance plan is included? A new system that is so complex and integrated, maintenance problems should be anticipated in vender negotiations.

Ms. Ronga: It is possible based on the responses from venders to our RFPs that annual maintenance costs for a new system may be less expensive then the current HTE system.

Mr. Hanson: states that currently the maintenance costs for the HTE system is \$78,000 annually. Looking at the RFPs it is possible that we will be paying \$35,000 less in annual maintenance costs with a new system. Will negotiate the best deal they possibly can.

Chairman Gerentine and Vice Gregorius: emphasize that a multi-year contract be considered if it can be negotiated for a lower price.

Ms. Ronga: because of the lower interests rates, software costs are cheaper.

Vice Chair Gregorius: concern is contracted maintenance costs in case of system failure.

Chairman Gerentine: Mr. Hanson briefly explains the 4 proposals and where you are at in the process.

Mr. Hanson: We have received and evaluated four proposals and brought in a couple of the venders for presentations. We will narrow the four venders down to two and continue to evaluate products and costs before reaching a decision by mid July.

Chairman Gerentine: Are all of the proposals within the \$1.1 million budgeted? Are you confident that the \$1.1 million is sufficient to cover all the costs for the system?

Mr. Hanson: No, not all venders are within the amount requested but two are and yes we are confident that the amount requested will be sufficient.

Chairman Gerentine: posed a concern regarding \$105,000 in Contingency and wants to insure that if the money is not needed it goes back into the capital project contingency fund. Mr. Hanson and Mr. Gulnick confirm that if not needed then will be returned to the appropriate fund.

Chairman Gerentine: asks for any further questions or comments.

Legislator Maloney: reemphasizes Legislator Provenzano's earlier concerns of not having an integrated system. Realizes the need for the county to move forward in regards to managing payroll, work-orders, invoices and the financial system as a whole.

Chairman Gerentine recognizes motion 1:

MOTION NO. 1	Draft Resolution No. 144
TEXT OF MOTION:	RESOLVED that the 2012 Capital Fund Budget is amended to Establish Capital Project No. 138, Purchase and Implementation Of A County Wide Financial System – Department Of Finance
MOTION MADE BY:	Legislator Provenzano
MOTION SECONDED BY:	Legislator Maloney
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	6
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion Passes

2. County Executive Staff, Deputy Ken Crannell, on the CENTER FOR MEDICARE AND MEDICAID SERVICES WAVIER DENIAL FOR ULSTER COUNTY:

Chairman Gerentine: refers to the memorandum sent out to the Ways and Means committee on Friday, June 8, 2012, pertaining to the above matter and gives the privilege of the floor to Mr. Crannell.

Mr. Crannell: states that this is a \$46 million recovery from counties outside of New York City and received unofficial notification last week. Attempted to conduct outreach in regards to notifying county-wide departments including the legislature of the potential impact of this decision; however, apologizes that the media was able to get out in front of us. Mr. Crannell (con't): we have received notice that the Federal government has disallowed \$2.5 million in related IGT payments and relates to fiscal years 2006-07 and 2009-10. They want to recoup these payments in the next six weeks according to the New York State Health Department. During that time period Ulster County received approximately \$10.4 million and they want \$2.5 million back.

Explains that IGT is a supplemental Medicaid payment made to county nursing homes to maximize reimbursement for the public nursing homes and is required by state law. The county is required to pay 50% to the State Health Department, and then the State matches that 50% with Federal dollars and makes the payment to the county nursing home. The allocation is based on the number of patients and the dates of care/services provided. The Fed has denied these allowances and claims that the state inappropriately used the date of Medicaid payment to the nursing homes rather than the date of service provided, which exceeds the two year claiming limitation. According to Federal law you have two years from the date of service provided to apply for the reimbursement. Since 1994 the State has wrongly used the date of Medicaid payment as opposed to the date of service provided for reimbursements. It is not unusual for the reimbursements to take years before it is received by the nursing home, referring to the years affected now. The \$2.5 million is broken down in two ways; approximately \$887,000 applied to the Enhanced Federal Medical Assistance Percentages (EFMAP) enacted during the federal stimulus period and provided for \$.58 match on the \$1.00 instead of the standard \$.50 on the dollar. The state wrongly used the date they paid the county nursing home to determine the date of the federal match rate, instead of the service provided date. The federal is denying reimbursement based on these dates. The federal government is stating that Ulster County was overpaid \$887,000 based on receipt of the EFMAP at \$.58. The other \$1.6 million is based on exceeding the two year limit for payment. Based on the new rule of IGT payment from the date of service this amount is now passed the time limit allowed and will not be reimburse by the fed. The state applied for a "good cause" wavier and were denied. Ulster County along with nine other counties are in the same situation. Senators Gillibrand and Schumer along with New York members of the House of Representatives drafted letters to CMS asking that the wavier be granted. We are being told unofficially that the county will have to pay \$2.5 million.

Chairman Gerentine: what is our recourse?

Mr. Crannell: we have to pay \$2.5 million

Legislator Harris: How long do we have to pay this?

Mr. Crannell: We have not received anything officially but upon notification we have six weeks.

Mr. Hanson: we will ultimately be \$2.5 million short after paying all our other bills.

Legislator Provenzano: This affects every county in New York State correct? All the federal representatives in New York have not been able to remedy this problem.

Mr. Crannell: that is correct, the county's with nursing homes. Further explains the impact on the other eight county's in New York.

Chairman Gerentine: I would like to direct this question to counsel. What actions do we have, if any?

Counsel Chapman: concurred with Mr. Crannell, we must pay.

Chairman Gerentine: If we have no recourse, how are we going to pay this back in 2012?

Mr. Crannell: we are going to develop a plan and give it to you. It is going to be a tough plan, there is no sugar coating it; this is a lot of money at a time where we can least afford to pay this kind of money.

Mr. Hanson: we have to wait and see what the guidance will be coming down; how we can phase payments, and then submit a plan.

Mr. Crannell: states that the State has some flexibility regarding Medicaid payments and the cycles or frequency in which they can occur.

Chairman Gerentine recognizes **Legislator Bartels:** in regards to the State billing, is it going to change now?

Mr. Crannell: no, it will not.

MOTION NO. 4
TEXT OF MOTION:

DRAFT RESOLUTION No. 146

RESOLVED Authorizing The County Commissioner Of Finance To Accept And Reject Bids For Purchase Of Properties And Refund Of Bids On Parcels Of County-Owned Property At The April 11, 2012 Public Auction - Department Of Finance.

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISCUSSION:

Legislator Rodriguez
Legislator Maloney
No
Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
None
6
0

Chairman Gerentine: How much did we receive? Mr. Gulnick: the total fiscal impact \$1.2 million and \$672, 000 received in taxes with a net of \$539, 000.

Chairman Gerentine: in regards to Marlborough, parcel 41, owed \$62,000 and accepted \$31,496.86. Mr. Gulnick: it was four years back taxes; I can give you what the back taxes were but I don't have them in front of me.

Chairman Gerentine: please get that information to me. I see, we received more than what was owed. Any other discussion? Debate closed

DISPOSITION:

Motion Passes

MOTION NO. 5
TEXT OF MOTION:

DRAFT RESOLUTION No. 147

RESOLVED to approve Draft Resolution No. 147 – Authorizing The Reacquisition Of Residential Property By Original Owner – Department Of Finance

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISPOSITION:

Legislator Provenzano
Legislator Harris
No
Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
None
6
0
Motion Passes

MOTION NO. 6
TEXT OF MOTION:

DRAFT RESOLUTION No. 148

RESOLVED to approve Draft Resolution No. 148 – Authorizing The Reacquisition Of Residential Property By Original Owner – Department Of Finance.

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISPOSITION:

Legislator Provenzano
Legislator Rodriguez
No
Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
None
6
0
Motion Passes

MOTION NO. 7
TEXT OF MOTION: **DRAFT RESOLUTION No. 149**
RESOLVED to approve Draft Resolution No. 149 – Authorizing The Reacquisition Of Residential Property By Original Owner – Department Of Finance.

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

MOTION NO. 8
TEXT OF MOTION: **DRAFT RESOLUTION No. 150**
RESOLVED to approve Draft Resolution No. 150 – Authorizing The Ulster County Commissioner Of Finance To Accept A Bid For Private Sale Of A Parcel Of County Owned Property And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcel – Department Of Finance.

MOTION MADE BY: **Legislator Gregorius**
MOTION SECONDED BY: **Legislator Harris**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Gerentine, Harris, Maloney, Provenzano, Rodriguez and Gregorius**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISCUSSION: **Mr. Gulnick:** will let the Chair know the total amount of back taxes because they go back to 2005, this is amount substantial.
Chairman Gerentine: This is a property that came before us just before the bid and had some concerns. I think we are satisfied with those concerns. Correct. No objections.
Mr. Gulnick: the annual taxes on this are \$18,000
Chairman Gerentine: Since this a public library this is a loss. Any other discussion?
Debate closed

DISPOSITION: **Motion Passes**

MOTION NO. 9
TEXT OF MOTION: **DRAFT RESOLUTION No. 151**
RESOLVED to approve Draft Resolution No. 151 - Authorizing The Ulster County Commissioner Of Finance To Assign Rights On A Parcel Of Property Previously Offered At Public Auction (Town Of Kingston) – Department Of Finance.

MOTION MADE BY: **Legislator Rodriguez**
MOTION SECONDED BY: **Legislator Harris**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISCUSSION: **Mr. Gulnick:** this parcel of property is environmentally hazardous and we are assigning our rights to the bidder. The taxes on this are \$2,500 annually that will be back on the roll.
Chairman Gerentine: any other discussion? Debate closed.

DISPOSITION: **Motion Passes**

MOTION NO. 10
TEXT OF MOTION: **DRAFT RESOLUTION No. 152**
RESOLVED to approve Draft Resolution No. 152– Authorizing The Ulster County Commissioner of Finance To Assign Rights On A Parcel Of Property Previously Offered At Public Auction (Town Of Rochester) Department Of Finance.

MOTION MADE BY: **Legislator Rodriguez**
MOTION SECONDED BY: **Legislator Maloney**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 11
TEXT OF MOTION: **DRAFT RESOLUTION No. 153**
RESOLVED to approve Draft Resolution No. 153 – Authorizing The Ulster County Commissioner of Finance To Assign Rights On A Parcel Of Property Previously Offered At Public Auction (Town Of Wawarsing) – Department Of Finance

MOTION MADE BY: **Legislator Maloney**
MOTION SECONDED BY: **Legislator Harris**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISCUSSION: **Chairman Gerentine:** asks Mr. Gulnick for background. Mr Gulnick: back taxes are from 2009 and annual tax rate of \$4,200. Back on the tax role.
DISPOSITION: **Motion Passes**

MOTION NO. 12
TEXT OF MOTION: **RESOLVED to approve Draft Resolution No.156**
Draft Resolution No. 156 - Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law

MOTION MADE BY: **Legislator Harris**
MOTION SECONDED BY: **Legislator Provenzano**
ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motions Pass**
DISCUSSION: **Chairman Gerentine:** Mr. Reggero will provide last years data for next weeks meeting.

MOTION NO. 13
TEXT OF MOTION:

RESOLVED to approve Draft Resolution No. 133
Draft Resolution No. 133 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department of Corrections And Community Supervision For The Use Of Space In The Former Ulster County Jail – Department Of Public Works.

Withdrawn by Sponsor

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE: No
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR: 0
NO. OF VOTES AGAINST: 0
DISPOSITION:

MOTION NO. 14
TEXT OF MOTION

DRAFT RESOLUTION No. 134
RESOLVED to approve Draft Resolution No. 134 - Establishing Capital Project No. 361, Reconstruction Of Various Roads In Ulster County – Department Of Public Works (Highways And Bridges).

MOTION MADE BY: Legislator Rodriguez
MOTION SECONDED BY: Legislator Maloney
ROLL CALL VOTE: No
VOTING IN FAVOR: Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 15
TEXT OF MOTION

DRAFT RESOLUTION No. 135
RESOLVED to approve Draft Resolution No. 135 - Authorizing The Reconstruction Of Various Roads Throughout And In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$400,000.00, And Authorizing The Issuance Of \$400,000.00 Bonds Of Said County To Pay The Cost Thereof.

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Gregorius
ROLL CALL VOTE: No
VOTING IN FAVOR: Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

**MOTION NO. 16
TEXT OF MOTION**

DRAFT RESOLUTION No. 136
RESOLVED to approve Draft Resolution No. 136 - Amending The 2012 Ulster County Budget - CHIPS Funding Adjustment - Department Of Public Works (Highways And Bridges).

MOTION MADE BY: Legislator Rodriguez
MOTION SECONDED BY: Legislator Harris
ROLL CALL VOTE: No
VOTING IN FAVOR: Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISCUSSION: **Chairman Gerentine:** asks Budget Director Mr. Hanson is this money that was not spent last year? Mr. Hanson says yes this is rollover.
DISPOSITION: **Motion Passes**

**MOTION NO. 17
TEXT OF MOTION**

DRAFT RESOLUTION No. 138
RESOLVED to approve Draft Resolution No. 138 - Authorizing the Chairman Of The Ulster County Legislature To Execute An Agreement With The Ulster County Board Of Cooperative Educational Services (BOCES) School District To Provide A Deputy Sheriff As A School Resource Officer – Ulster County Sheriff's Office.

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Rodriguez
ROLL CALL VOTE: No
VOTING IN FAVOR: Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: **Motion Passes**

**MOTION NO. 18
TEXT OF MOTION**

DRAFT RESOLUTION No. 139
RESOLVED to approve Draft Resolution No. 139 - Approving The Execution Of Various Contracts And Change Orders In The Amount Of \$50,000.00 Or In Excess Of \$50,000.00 Entered Into By The County

MOTION MADE BY: Legislator Provenzano
MOTION SECONDED BY: Legislator Rodriguez
ROLL CALL VOTE: No
VOTING IN FAVOR: Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: **Motion Passes**

MOTION NO. 19
TEXT OF MOTION

DRAFT RESOLUTION No. 140
RESOLVED to approve Draft Resolution No. 140 - Approving Ulster County Community College Budget For The Year 2012-2013.

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISCUSSION:

Legislator Harris
Legislator Gregorius
No
Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
None
6
0
Chairman Gerentine: stated that the county gives a \$6.2 million allocation with an additional \$1.1 million for the bonding.
Legislator Harris: Commented on the fact that Dutchess Community College tuition is \$1,000 cheaper than Ulster but had to increase tuition as well.
Chairman Gerentine: we do what we can to support the college. Any further discussion? Hearing None.
Motion Passes

DISPOSITION:

MOTION NO. 20
TEXT OF MOTION

DRAFT RESOLUTION No. 141
RESOLVED to approve Draft Resolution No. 141 - Appropriating Funds From The Liability And Casualty Reserve Fund For Payment Of Various Judgments And Claims – Amending The 2012 Ulster County Budget – Department Of Insurance.

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISCUSSION:

Legislator Maloney
Legislator Harris
No
Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
None
6
0
Chairman Gerentine: recognizes Mr. Hanson who states that these are settlement pays.
Vice Chair Gregorius: would like to see a roll-up of what is paid out versus what is claimed. Mr. Hanson agrees to provide data to the committee.
Chairman Gerentine: any further discussion? Hearing none
Motion Passes

DISPOSITION:

MOTION NO. 21
TEXT OF MOTION

DRAFT RESOLUTION No. 142
RESOLVED to approve Draft Resolution No. 142 - Establishing Capital Project No. 361, Reconstruction Of Various Roads In Ulster County – Department Of Public Works (Highways And Bridges).

MOTION MADE BY:
MOTION SECONDED BY:
ROLL CALL VOTE:
VOTING IN FAVOR:
VOTING AGAINST:
NO. OF VOTES IN FAVOR:
NO. OF VOTES AGAINST:
DISPOSITION:

Legislator Rodriguez
Legislator Provenzano
No
Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez
None
6
0
Motion Passes

III. DISCUSSION

1. Regarding the 2013 Executive Budget Process

Chairman Gerentine: expresses the desire to work together with the executive branch during the process. Can there be some cooperation during the process so that the budget is not just presented as a final document?

Mr. Hanson: there is a separation of powers between the two branches outlined by the Charter.

Chairman Gerentine: is aware of what the Charter says but would like to establish a more cooperative process.

Legislator Provenzano: we now have the ability with the appointment of a Budget Analyst and subpoena power we can get the financial documents. Have been talking about this for the past four years and does not believe that the executive is willing to authorize the Legislature to sit in on the budget process.

Chairman Gerentine: does not want to subpoena the executive but would rather an environment where information is shared during the budget process. Would like to sit in with other elected officials departments to gain insight to policy regarding the budget prior to being presented with a final version.

Legislator Rodriguez: agrees with the Chair that other elected official departments is a fair request, being that they are not directly subordinate to the County Executive.

Chairman Gerentine: emphasizes the need for a more transparent and constructive budget process with the legislature taking a more active role.

Mr. Hanson: states that he is willing to work with the committee and Mr. Reggero in sharing information. The process of department budget meetings will be protected.

Legislator Harris: recommends receiving a list from the county departments that states their budget priorities and concerns.

Mr. Hanson: is reluctant to give to much access of information to the legislature because of the process and the way the Charter is written. Is willing to work with Mr. Reggero and have begun to establish a relationship.

Legislator Provenzano: questions the legislative hierarchy of Budget Director and Budget Analyst.

Mr. Mathas: confirms that he gives Mr. Reggero direction in relation to legislative fiscal matters. Mr. Reggero will be the point person for providing monthly fiscal reports to the Ways and Means committee.

Chairman Gerentine: requested that Mr. Hanson continue to work with Mr. Reggero in providing fiscal information as it relates to the budget. Have a mutual exchange of information with Mr. Reggero. Mr. Hanson agrees.

Legislator Provenzano: states that department heads provide the legislature with annual reports.

Chairman Gerentine: will revisit mutual agreeable terms for information exchange and sharing at the next meeting.

2. Independent Accountants Report, Toski & Co., Public Accountants.

Chairman Gerentine: makes a motion to meet 30 minutes early next to discuss report and provide a recommendation to the full legislative body. Agreed by committee.

Legislator Provenzano: questions Safety Net and has the opinion that Safety Net should fall under the Ways and Means Committee and not Social Services as it does now.

Legislator Rodriguez: stated that Legislator Roberts and Majority Leader Ronk have addressed Safety Net in the Social Services Committee and will place it on their agenda.

Chairman Gerentine: would like to thank Dorothy for her service to Ulster County.

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

Dated the 12th day of June, 2012

Franklin R. Reggero, Fiscal Analyst, Ulster County Legislature

Minutes Approved On: June 19, 2012. (frr)

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: June 19, 2012 5:00 PM
LOCATION: SUNY New Paltz, Lecture Center, Room 102
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Harris, Gregorius, Maio (arrived 5:30), Maloney, Provenzano and Rodriguez.
ABSENT: NONE
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Tracey Bartels.

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

I. MOTIONS:

MOTION NO. 1 **Draft Resolution No. 160**
TEXT OF MOTION: **RESOLVED**, Adopting Introductory Local Law No. 4 Of 2012 [A Local Law Amending Local Law No. 5 Of 2008 (A Local Law Amending Local Law No. 5 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence.)] Hereinafter Known As Local Law No. 4 of 2012.
MOTION MADE BY: Legislator Rodriguez
MOTION SECONDED BY: Legislator Maloney
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Harris, Gregorius, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2 **Draft Resolution No. 161**
TEXT OF MOTION: **RESOLVED** Adopting Introductory Local Law No. 5 Of 2012 (A Local Law Amending Local Law No. 6 of 2008 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income) Hereinafter Known As Local Law No. 5 of 2012.
MOTION MADE BY: Chairman Gerentine
MOTION SECONDED BY: Legislator Harris
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Harris, Gregorius, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 3
TEXT OF MOTION:

DRAFT RESOLUTION No. 162
RESOLVED Adopting Introductory Local Law No. 6 Of 2012 [A Local Law Amending Local Law No. 7 Of 2008 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The "Cold War")] Hereinafter Known As Local Law No. 6 of 2012.

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

MOTION NO. 4
TEXT OF MOTION:

DRAFT RESOLUTION No. 163
RESOLVED, Adopting Introductory Local Law No. 7 Of 2012 (A Local Law To Increase The Maximum Allowable Real Property Tax Exemption Pursuant To Section 458-a Of The Real Property Tax Law Entitled "Veterans'; Alternative Exemption") Hereinafter Known As Local Law No. 7 of 2012

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

MOTION NO. 5
TEXT OF MOTION:

DRAFT RESOLUTION No. 164
RESOLVED, Adopting Introductory Local Law No. 8 Of 2012 (A Local Law Enacting A First Time Homebuyer County Property Tax Exemption) Hereinafter Known As Local Law No. 8 of 2012

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

MOTION NO. 6
TEXT OF MOTION: **DRAFT RESOLUTION No. 167**
RESOLVED, Amending The 2012 Ulster County Budget To Include An Additional Award To Ulster County For Funding Of Community Development Block Grants With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal (OCR) – Department Of Planning

MOTION MADE BY: **Legislator Maloney**
MOTION SECONDED BY: **Legislator Harris**

DISCUSSION: **Chairman Gerentine** recognizes **Legislator Rodriguez** for a question on which department is receiving the money.

Chairman Gerentine states that it is pass through money from the federal government to the state and paid directly to the farmers.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Gregorius, Maio, Maloney, Provenzano and Rodriguez.**
VOTING AGAINST: **0**
NO. OF VOTES IN FAVOR: **7**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

MOTION NO. 7
TEXT OF MOTION: **DRAFT RESOLUTION No. 168**
RESOLVED, Authorizing the Chairman Of The Ulster County Legislature To Execute A Simplified Renewal Agreement With The New York State Office Of Victim Services (Formerly New York State Crime Victims Board) – Department Of Probation.

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

DISCUSSION: **NONE**

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

MOTION NO. 7
MOTION MADE BY: **To Approve the minutes of the June 12, 2012 Ways and Means Committee**
MOTION SECONDED BY: **Legislator Gregorius**
DISCUSSION: **Legislator Maloney**
ROLL CALL VOTE: **NONE**
VOTING IN FAVOR: **No**
Legislators Gerentine, Harris, Gregorius, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **7**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passes**

III. DISCUSSION

1. **Chairman Gerentine** opens discussion on Resolution 156, Authorizing Distribution Of Mortgage Tax Receipts, from last week. Mr. Reggero has provided the previous years Resolution for review of the committee. **No further Discussion.**
2. **Chairman Gerentine** opens discussion to review the Independent Accountants Report of the Ulster County Mental Health Department by Toski & Co., Public Accountants. **No Further Discussion.**
3. **Chairman Gerentine** opens discussion regarding the letter dated August 19, 2011, from Toski & Co., Public Accountants, that addresses recommendations to the Ulster County Legislature for the establishment of an Audit Committee that would oversee the external audit of the County's financial statements. **Chairman Gerentine** recognizes **Deputy Committee Chair Gregorius.**

Deputy Chair Gregorius asks the opinion of the Chair as to the composition of the committee.

Chairman Gerentine agrees with the Charter Revision Commission recommendation to add section §C-11.1 to Article II. Legislative Branch in the Ulster County Charter.

Chairman Gerentine recognizes Legislative Counsel Chapman for an explanation of the Charter Revision Commission proposal in establishing an Audit Committee.

Legislator Provenzano makes a motion to endorse the Charter Revision Committee's recommendation to add the above section to the Ulster County Charter.

Legislator Harris seconds **Legislator Provenzano's** motion to endorse the Charter Revision Committees recommendation.

Chairman Gerentine asks for further discussion, hearing none, All in favor, none opposed.

Chairman Gerentine asks Counsel Chapman if there are any additional requirements from the Ways and Means Committee regarding the letter from Toski & Co.

Counsel Chapman advises that at this time there are no other obligations of the committee.

Chairman Gerentine calls for any further discussion or issues before the committee. Hearing 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 5:45 PM.**

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- IV. **Motion by Chairman Gerentine to reconvene the Ways and Means Committee** for the purpose of allowing Legislator Maio (Late Arrival, 5:30) to vote on previous resolutions due to late arrival with **unanimous consent.**

Chairman Gerentine re-reads each resolution to committee. **Legislator Maio's** votes are recorded above.

- **There being no further business before the Committee, a motion was made by Legislator Gregorius, seconded by Legislator Harris and carried to adjourn the meeting at 5:52 PM.**

Dated the 22nd day of June, 2012

Franklin R. Reggero, Fiscal Analyst, Ulster County Legislature

Minutes Approved On: July 10, 2012 (frr)