

ULSTER COUNTY LEGISLATURE

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



P.O. Box 1800
KINGSTON, NEW YORK 12402
Telephone: 845 340-3900
FAX: 845 340-3651

MINUTES

FEBRUARY 21, 2012

SPECIAL SESSION 6:50 PM

REGULAR MEETING 7:00 PM

SPECIAL SESSION CALLED TO ORDER BY CHAIRMAN: 7:06 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Legislator Ronk

MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

CELL PHONES

Please silence cell phones for the duration of Session.

MICROPHONES

Please be reminded to use your microphones when speaking so that you are recorded for the official record.

ROLL CALL: Present: 21 Absent: 2
(Legislators Harris and Robert Parete)

PUBLIC COMMENT: There were no speakers at Special Session.

RESOLUTION NOS: 43 – 44

RESOLUTION No. 43

Resolution No. 43 - Suspending The Rules Of The Legislature To Permit The Consideration Of An Amendment To The Rules Entitled “Videoconferencing Of Meetings”

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 19 NOES: 2
(NOES: Legislators Bartels and Loughran)
(Absent: Legislators Harris and Robert Parete)

Resolution No. 44 – Amendment To The Rules Of the Ulster County Legislature To Permit Videoconferencing

Legislator Ronk motioned, seconded by Legislator Donaldson, to amend the Resolution to add the following RESOLVED:

“and be it further resolved that this Section cc of Rule 10, shall be repealed effective 4/21/2012”

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Harris and Robert Parete)

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 19 NOES: 2
(NOES: Legislators Loughran and Bartels)
(Absent: Legislators Harris and Robert Parete)

SPECIAL SESSION ADJOURNED: Legislator Ronk motioned, seconded by Legislator Donaldson, to adjourn; session adjourned at 7:13 PM.

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MEETING CALLED TO ORDER BY CHAIRMAN: 7:13:30 PM

ROLL CALL: Present: 22 Absent: 1 (Legislator Harris)
(Legislator Robert Parete attended via videoconference from the location listed below.)

For the record: Videoconferencing was used at the Monthly Meeting of the Ulster County Legislature. In addition to this location: Legislative Chambers, 6th Floor, County Office Building, 244 Fair Street, Kingston, New York, the public had the right to attend the meeting at the following location:

*6:00 CST: The Royal Islander
Activities and Fitness Center
Kukulkan Boulevard Km 17.5 Hotel Zone,
Cancun, 77500 Mexico
866-539-0036

*Please note the time zone for the above location.

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

COMMUNICATIONS FROM:

Terry Bernardo, Chair

Legislator Carl Belfiglio
Ulster County Community College

Cornell Cooperative Extension UC

ProAct, Inc.
U.S. Department of Justice, Federal Bureau of Prisons
NACo
Ulster County Safety Office

Region 3 Fish and Wildlife Management Board

Appointment to Charter Revision
Commission; R. Cahill, Jr.
Deputy Chairman Appointment
Financial Statements, August 31, 2011
and 2010
Garden Day 2012, 14th Annual Great
Plant Swap & Sale, 2012 Philadelphia
Flower Show, 2012 Winter Lecture
Series
Information Flyer
Notification of Inmate Release
Booth #22 at NYSAC Conference
DOSHS 900 File Copy
DOSHS 900.1 Posting
Appointments to Board

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COMMUNICATIONS (cont.)

Community Foundations of the Hudson Valley
John J. Bonacic, Senator
Central Hudson
Nina Postupack, Ulster County Clerk
UC Fire Advisory Board

Burton Gulnick, Jr., Commissioner of Finance

Joseph Martens, NYDEC Commissioner

Donna Boundy

Town of Wawarsing

NYS Department of Environmental Conservation
State of New York Public Service Commission

The American Red Cross of Northeastern New York
Town of Poughkeepsie
The Family of Theodore Salvucci
Catskill Watershed Corporation

Beatrice Havranek, UC Attorney

NYSAC

A Sense of Communities, Winter 2012
2012 Local Officials Day
Energy Bulletin, January 2012
Ashokan Reservoir Collection
Meeting Minutes, January 25, 2012
2012 Board Member List
Appointment as Deputy
Commissioner, W. Prowisor

Letter to Senator Bonacic Re: UC
Resolution Nos. 235 and 236
Resignation from Community
Services Board
County Highway Route #52; Cape
Avenue/Ulster Heights Road
NYS Conservationist, February 2012
Notice Inviting Comments On
Proposed Acquisition Of Aqua New
York, Inc. By American Water Works
Company, Inc.
March Is Red Cross Month
Notices of Public Hearings
Thank You Note
Notice of Preliminary Decisions,
February 8, 2012
County Action Report, Month of
January, 2012
NYSAC News, Vol. 33, Issue 1, Winter
2012
Statement of Expenditures,
Encumbrances & Unencumbered
Balance as of December 31, 2011
Capital Program 2012-2017
Order of Succession
Budgetary Transfers, Month of
January, 2012
Appointment As Commissioner of the
Department of Social Services, M.
Iapoce

COMMUNICATIONS (cont.)

Statement of Expenditures,
Encumbrances & Unencumbered
Balance Year to Date as of January 31,
2012
Removal of A. Smith from GHHCC
Governing Body; New
Appointment, J.J. Hanson
Reappointment to UC Environmental
Management Council; C. Lanzetta
Appointment to UC Youth Board; A.
Goren

COMMITTEE REPORTS:

DATE:

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

January 11, 2012
January 12, 2012
January 9, 2012
January 10, 2012
January 23, 2012
January 10, 2012
January 11, 2012
January 9, 2012
January 24, 2012
February 14, 2012

ANNUAL REPORTS:

DATE:

Ulster County Clerk's Office
Ulster County Department of Consumer Affairs
Ulster County Real Property Tax Service Agency
Ulster County Department of Weights and Measures

2011 Annual Report
2011 Annual Report
2011 Annual Report
2011 Annual Report

PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo granted Privilege of the Floor to County Executive Michael P. Hein, who presented the State of the County Address. (On file with the Clerk of the Legislature).

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PRESENTATIONS:

Chairman Terry L. Bernardo called upon District No. 8 Legislator Carl Belfiglio to present a Pride of Ulster County Award to the Town of Esopus Waterfront Advisory Board and Chester's Cutting Crew for being named winners of the Northeast Regional Interlux Waterfront Challenge.

Chairman Terry L. Bernardo called upon District No. 8 Legislator Carl Belfiglio to read the Proclamation declaring the week of February 26 – March 3, 2012 Ulster County Eating Disorder Awareness Week. The following individuals were present for the Proclamation reading: Ellen Pendegar, Martha Steuding, and Michele Bertelle from the Ulster County Mental Health Association, Lisa Conquet from The Institute for Family Health, Julie Squires, who is in recovery from an eating disorder, and Kingston High School graduates Bianca Covello and Amanda Landerway.

Legislator Belfiglio presented Pride of Ulster County Awards to Bianca Covello and Amanda Landerway in recognition of donating \$ 2,000.00 from the proceeds of the "Olivia Celebrate Life" Bracelet fundraiser, to the Ulster County Eating Disorder Coalition, to help bring awareness and support to the community. Madison Ball, who also received a Pride of Ulster County Award along with Bianca and Amanda, could not attend this evening.

PUBLIC COMMENT: There were two speakers at tonight's meeting.

1. Glenn Dannaham, Kerhonkson, NY:

He extended congratulations to Chairman Terry Bernardo on becoming the first female Chairman of the Ulster County Legislature.

He the spoke about the funding for primary elections in Ulster County and cited statistics regarding the registered voters: 34% Democrats, 26% Republicans, and 38% Other Parties. He believes that the political party should pay the costs for primary elections and it should not be publicly funded.

2. Dare Tompson, League of Women Voters:

She asked for Legislative participation in an upcoming event that will be held at SUNY New Paltz on March 29 – the EPA has selected New Paltz to become a model for reducing waste, working toward zero waste and examining ways to recycle. There are only 13 regions across the country and New Paltz is part of the New York, New Jersey and Virgin Islands region. She reminded everyone that their input is welcome.

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RESOLUTION NOS: 18-29, 33-38, 41-42

Legislator Ronk motioned, seconded by Legislator Donaldson to take Resolution Nos. 18 – 29, 33 and 35-38 as a block. All in favor.

Resolution Nos. 18, 19, 20, 22A, 23B, 24, 25, 26, 27, 28, 29, and 33 (voted on in the block) were

ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Harris)
(Approved by the County Executive)

Resolution No. 21A (voted on in the block) was

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
(1 Abstention: Legislator Wawro)
(Absent: Legislator Harris)
(Approved by the County Executive)

Resolution Nos. 35, 36, 37 and 38 (voted on in the block) were

ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Harris)

Resolution No. 34B – Revising The Ulster County Personnel Policy Manual Applicable To Unrepresented Department Heads, Managerial Staff, Legislative Employees and Board Of Election Employees Hired After April 1, 2012

Legislator Aiello motioned, seconded by Legislator Provenzano, to amend the Resolution to add the following:

“unrepresented” in the fourth and eighth “WHEREAS” before managerial employees, and removing “i.e.” from Section D (3) Vacation Buy Back, as indicated in bold italics in the body of the resolution.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0

(Absent: Legislators Harris)

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 1
(NOES: Legislator Parete)
(Absent: Legislator Harris)
(Approved by the County Executive)

Late Resolutions

Resolution No. 41 – Confirmation Of Appointment – Michael Iapoce As Commissioner Of The Department Of Social Services

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 1
(NOES: Legislator Roberts)
(Absent: Legislator Harris)
(Approved by the County Executive)

Resolution No. 42 – In Support Of New York State Assembly Bill No. A09191 And New York State Senate Bill No. S06311 To Amend Part G Chapter 56 Of The Laws Of 2011 Establishing The Hurricane Irene And Tropical Storm Lee Assessment Relief Act

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 1
(NOES: Legislator Aiello)
(Absent: Legislator Harris)
(Approved by the County Executive)

MEETING ADJOURNED IN MEMORY OF:

William C. McAfee, Plattekill, NY
Vena M. Lawrence Quick, Kingston, NY
Wayne A. Waddell, Rosendale, NY
Raymond C. Lindhurst, Montrose, NY
Richard L. Kniss, Saugerties, NY
Peter Owen Riggins, Wallkill, NY
Walter J. Livermore, Saugerties, NY
Robert A. Gillen, Saugerties, NY
Susan J. Corrado, Saugerties, NY

G. Ernest Smith, Kingston, NY
Howard Setterland, Clintondale, NY
Corinne Janeczek, Kingston, NY
Stephen D. Nagy, Kingston, NY
Ralph E. Swenson, Accord, NY
Margaret M. Biase, Pine Hill, NY
Anna Paintner, Woodstock, NY
Everett T. Brandt, Saugerties, NY
Frances J. Hommel, Sawkill, NY

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Robert Sutton Jr., Saugerties, NY

Daniel W. Hughes, Highland, NY

Donald G. Beesmer, West Hurley, NY

Robert K. Muise, Saugerties, NY

Robert W. McBennett, Saugerties, NY

Wasył Szysz, Kerhonkson, NY

Connie Betz, Phoenicia, NY

Joseph R. Bundy, Town of Ulster, NY

Anne M. Estroff, Kerhonkson, NY

Gary P. Myers, Kingston, NY

Richard T. Cahill Sr., Kingston, NY

John Friedel, Lake Katrine, NY

Donna G. Donaldson, Saugerties, NY

Harold M. Wilsey, Saugerties, NY

Kim P. Herdman, Kingston, NY

Lucy Dougherty, Kingston, NY

Robert W. Hanigan, Town of Ulster, NY

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, March 20, 2012 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, February 29, 2012 at 12 Noon.**

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

MEETING ADJOURNED: 8:48 PM