

# ULSTER COUNTY LEGISLATURE

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



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## MINUTES

July 17, 2012

## PUBLIC HEARING

## REGULAR MEETING

7:00 PM

**MEETING CALLED TO ORDER BY CHAIRMAN:** IN HONOR OF CLERK KAREN L. BINDER AT 7:15 PM

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Chairman Terry L. Bernardo

**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: 22 Absent: 1 (Legislator Richard Parete)

## **CALL OF THE PUBLIC HEARING BY LEGISLATIVE CHAIRMAN: 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”)**

### **PUBLIC COMMENT:**

- 1. Joan L. Craig** – Thanked Legislator Ken Wishnick together with other members of the Environmental, Energy & Technology Committee. She had 3 comments to make with regard to the Local Law No.1 of 2012 – First – as to 306-6(b) on page 4 second line, eliminate “a determination” and add “authorizations and remedies set forth herein shall be in addition to any other remedies provided for in the contract or otherwise in law or inequity” at end. In 306(b), suggestion to move “add and/or up to fifteen days’ imprisonment” after “\$25,000.00.” (Notes provided to Clerk of the Legislature.)
- 2. Gilbert Hales** - Spoke in support of the Hydraulic Fracturing Brine Prohibition Act and the adoption of the Law Concerned with contamination of water supplies and desired prohibiting hydro fracturing in any situation that can damage water supplies.
- 3. Edmond Haffmans** – Spoke in favor of the Law. Given the amount of substances that are illegal in this company, his feeling was that hydrofracking should be at the top. Wanted a way to test the brine and contents used on the roads.
- 4. Elizabeth Suter** – spoke in support of Law. Concerned about Law only restricting sale for use on County roads. Hoped to prohibit use anywhere within the County.

5. **Evie Seidman** of Kingston – Read poem – “Pledge Allegiance to the Earth.”
6. **Joanne Myers** - Spoke against hydrofracking. Distributed The Flowback, on file with the clerk of the Legislature.
7. **Jill Obrig** of Marbletown – Distributed Point of View – Homeowners and Gas Drilling Leases: Boon or Bust? and The Case for a Ban on Gas Fracking on file with the Clerk of the Legislature.

**PUBLIC HEARING ADJOURNED:** Motion to adjourn by Leg.Ronk, seconded by Leg. Donaldson at 7:34 PM

Legislative Session called to order at 7:34 p.m. Legislator Tracey Bartels and County Executive Michael Hine celebrating birthdays. Congratulations to Legislator Belfiglio on his recent nuptials. Leg. Ronk also congratulated Council Langdon Chapman on his birthday.

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

**COMMUNICATIONS FROM:**

Cornell Cooperative Extension	Financial Statements, Year-end December 31, 2011
US Department of Justice	US v. Jeffrey Charles Burfeindt Case No. 201R00382/Court Docket No. 10-CR-00320
Robert DiBella, Director UC Transportation	Federal Drawdown- UCAT Grant #NY-90-X668-00 Federal Drawdown- UCAT Grant #NY-90-X654-00
Ulster County Workforce Investment Board	February 17, 2012 Minutes April 20, 2012 Minutes
Lyme Disease Advisory Committee	Agenda - April 26, 2012 Agenda- May 10, 2012
Hodgson Russ, LLP	UCIDA Central Hudson Gas & Electric Corporation Project First Amendment to Payment in Lieu of Tax Agreement
Children’s Home of Kingston	Spring 2012 Volume 2
Ulster County Resource Recovery Agency	UCRRA Reports, June 18, 2012

**COMMUNICATIONS (continued):**

City of Kingston, City Clerk	44 <sup>th</sup> Annual Children's Day Parade
NYS Attorney General	National Mortgage Servicing Settlement – Brochure
Congress Companies	Senior Living/Health Care Construction
Ulster County Resource Recovery Agency	Flow Control Motion – certified copy
Ulster County Tourism	<i>Trending</i> – July 2012
Catskill Center	Ulster County Fair 2012
Esri News	July 21, 2012 Newsletter
UCIDA	Summer 2002
UC Fire Advisory Board	Amendment of Uniform Tax Exemption Policy
Central Hudson	Meeting Notice, June 27, 2012 Minutes
NYS Assembly	NYSDEC Fact Sheet – CH –Kingston
Family of Woodstock	Gas Works
Ulster County Community Services Board	States of FEMA Reimbursement Summer 2012 Newsletter
Catskill Watershed Corporation	May 14, 2012 Minutes; June 18, 2012 Minutes
Always There	Adoption of Resolutions 2123, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132 and 2133
Attilio Contini	An Evening in Paris – Sept. 21, 2012, 6 to 10 p.m.
NYS Department of Taxation & Finance	Copy of Letter to Senator Larkin Resolution No. 82 of 2012 Letter of Receipt
Ulster County Chamber of Commerce	Buy Local Expo – 9/21/2012 Ulster County Fair – 7/30/12 through 8/5/12
Catholic Charities Community Services	School Supply Drive – 6/1 through 7/31
NYS Senate	Leadership Development Drive DragonSearch – 7/11/12 Capture the Catskills Slogan Contest Letter Introducing Services to the Legally Blind in Dutchess&Ulster Letter re: Order on Consent

**COMMUNICATIONS (continued):**

Ulster County Mental Health Association  
Ulster County Attorney

2011 Annual Report  
County Action Report, Month of June,  
2012

**COUNTY EXECUTIVE COMMUNICATIONS:**

Notice of Appointment –Ulster  
County on the Hudson River Valley  
Greenway Communities Council –  
Gregory L. Helsmoortel  
Notice of Appointment – Thomas  
Jackson Acting Director of UC Real  
Property Tax Service Agency  
June 2012 Budgetary Transfers  
Statement of Expenditures,  
Encumbrances & Unencumbered  
Balance & State of Revenues Earned  
& Unearned Balance as of 6/30/2012

**COMMITTEE REPORTS:**

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

**DATE:**

June 6, 2012  
June 7, 2012  
June 4, 2012  
June 5, 2012  
June 18, 2012  
June 5, 2012  
June 6, 2012  
June 4, 2012  
June 19, 2012  
June 27, 2012  
July 10, 2012

**ANNUAL REPORTS:**

Cornell Cooperative Extension

**DATE**

2011 Annual Report

**PRIVILEGE OF THE FLOOR:**

Chairman Terry L. Bernardo granted Privilege of the Floor to Harold Rosenkranse, Past Vice-Commander of the American Legion Department of New York, and a Member of the Rosendale/Tillson American Legion Post 1219, who made a presentation on a proposed Ulster County Mini-Park for Veterans. Introduced John Nilsen, Commander of Post 1219 of the American Legion in Rosendale/Tillson. Written statement outlining presentation of Mr. Rosenkranse, including Favor Cards, Mini Park, and cemetery is on file with the Clerk of the Legislature. Invitation was extended to the Legislature to attend Fallen Comrade PFC Douglas L. Cordo at the Lake Katrine American Legion Post 1748.

**PUBLIC COMMENT:**

Kathy Mihm – Past Clerk of the Ulster County Legislature – Addressed Resolution No. 190 Memorializing Karen L. Binder, Clerk of the Legislature. Ms. Mihm recounted working for three years with Karen Binder and of Clerk Binder’s dedication to her work. Ms. Mihm stated Clerk Binder was a credit to her family and the Legislature.

**RESOLUTION NOS: 172 – 188**

**Leg. Ronk made motion to take Resolution No. 190 out of order, to be read in its entirety.**

***Resolution No. 190*** – Memorializing The Dedicated Service Of Karen . Binder, Clerk of the Ulster County Legislature

The resolution was read in its entirety.

Chairman recognized Leg. for purposes of an amendment to Resolution No. 190. Legislator Provenzano motioned to include “BE IT RESOLVED that the Legislative Library Conference Room on the 6<sup>th</sup> floor of the County Office Building, 244 Fair St, Kingston, NY, be hereafter known as the “Karen L. Binder Library Conference Room.” Seconded by Legislator Donaldson.

MOTION ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0  
(Absent: Leg. Richard Parete)

Legs. Aiello, Bartels, Belfiglio, Bernardo, Donaldson, Fabiano, Gregorius, Harris, Lopez, Loughran, Maio, Maloney, J. Parete, Roberts, Rodriguez, Ronk and Wishnick and Gerentine all spoke in memory of Karen Binder with the vote.

ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0  
(Absent: Leg. Richard Parete)

Motion by Leg. Ronk to take Resolution Nos. 172 – 188 taken as a block with Res. Nos. 173 and 184 to be a Roll Call Vote.

**Resolution Nos. 172-188** were adopted unanimously by the following vote:

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

**Resolution No. 173** – Authorizing The County’s Share Of The Cost Of Right-Of-Way Acquisition In Connection With The Bailey’s Bridge Project, In And For The County Of Ulster, New York, At A Maximum Estimated Cost of \$14,610, And Authorizing The Issuance Of \$14,610 Bonds Of Said County To Pay The Cost Thereof

ADOPTED BY THE FOLLOWING VOTE:

Roll Call Vote - AYES: 22 NOES: 0 (Absent: Leg. Richard Parete)

**Resolution No. 184** – Amended The Annual Salary Of The District Attorney As Required By The New York State Judiciary Law – District Attorney

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 1  
(Noe: Leg. Roberts) (Absent: Leg. Richard Parete)

**Resolution No. 188** – 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

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0  
(1 Abstention – Leg. Wawro)  
(Absent: Leg. Richard Parete)

**MEETING ADJOURNED IN MEMORY OF:**

MINUTES  
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JULY 17, 2012

**Karen L. Binder, Clerk of the Ulster County Legislature**

**Mary Lempke, Wallkill, NY  
Donald E. Briggs, III, Saugerties, NY  
David Corbett, Woodstock, NY  
Elizabeth E. Orr, Kingston, NY  
Carol A. Ferrante, New Paltz, NY  
Robert Francis Dugan, Jr., Kingston, NY  
Linda Messenger, Marbletown, NY  
Aurther Sampson, Olive Bridge, NY**

**Dawn M. Geick, Saugerties, NY  
Steven J. Martin, Saugerties, NY  
Albert Hanley, Kingston, NY  
Joan M. Sleight, Port Ewen, NY  
Edythe Kaplan, Ellenville, NY  
Barney J. Millens, Kingston, NY  
George Richard Matthews, Accord, NY**

**MEETING ADJOURNED: 8:25 PM**

**NEXT MEETING:**

A Special Information Meeting of the Ulster County Legislature regarding proposed changes to the Ulster County Charter will be held on **Wednesday, July 18, 2012 at 6:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, August 14, 2012 at 7:00 PM** in the Legislative Chambers.

Resolution Deadline is **Wednesday, July 25, 2012 at 12 Noon.**