

ULSTER COUNTY LEGISLATURE

TERRY L. BERNARDO, Chairman
JAMES F. MALONEY, Vice Chairman
KENNETH J. RONK, JR., Majority Leader
DAVID B. DONALDSON, Minority Leader
VICTORIA A. FABELLA, Clerk



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MINUTES

OCTOBER 16, 2012

PUBLIC HEARING

REGULAR MEETING

7:15 PM

PUBLIC HEARING CALLED TO ORDER BY CHAIRMAN: 7:15 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Chairman 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: 21 Absent: 2
(Legislator Roberts arrived at 7:18 PM)
(Absent: Legislator Belfiglio)

CALL OF THE PUBLIC HEARING BY CLERK: Pursuant To Section 1182 Of the Real Property Tax Law Of The State Of New York To Consider The Request For Cancellation Or Reduction Of Interest, Penalties And Other Charges On Town Of Shandaken Property Owned By ERED, Enterprises, Inc.

PUBLIC COMMENT: There was one (1) public speaker.

1) Beatrice Havranek, Ulster County Attorney – Cautioned with regard to the ramifications that could result if cancellation or reduction of interest and penalties of taxes due on property owned by ERED Enterprises, Inc. were granted. The matter, as well as others, are pending before Court. Forgiving penalties, interest and charges would set the wrong precedent.

PUBLIC HEARING ADJOURNED: 7:20 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:20:30 PM

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

BIRTHDAYS

Legislators Robert Parete – October 20th and Craig Lopez – October 30th

COMMUNICATIONS FROM:

Legislative Chairman Bernardo
NYS Department of Agriculture and Markets
Town of Rochester

Ulster County Lime Disease Advisory Committee

Ulster County Chamber of Commerce

Cornell Cooperative Extension
UCRRA

NYS Department of Taxation

Rondout Valley Education Foundation

NYSAC

Ulster County Dept. Public Works

Marlborough Town Supervisor

RUPCO

Ulster County Tourism
Town of Poughkeepsie

Doris Walker

Approval of Extension Review Dates
September/October/November 2012
Calendar of Events

Report and Recommendations,
September 20, 2012

2012 Business Recognitions Awards
Commercial Lighting Seminar,
Tuesday, October 30, 2012

Woodstock Chimes, Pre-holiday Sale,
November 8th – 12th, 2012

2012 Annual Dinner

UCRRA Proposed 2013 Budget and
Disposal/Handling Fee Projections

8/22/12 Certificate of County
Equalization Rates

UC Regional School Foundation
Conference Cancellation

September 19, 2012 Letter re:
Conference Cancellation

September 21, 2012 Letter,
Resolutions Adopted by Delegates at
the NYSAC 2012 Annual Meeting

October 4, 2012 Letter with *Roadmap
to Mandate Relief: How the State Can
Reduce Taxes*

River Road, County Road 81, Steel
Sheet Pile Wall Installation, Road
Closing Certification

Notice of Closure, Binham Road, T/O
Marlborough

Foundations. Volume 8. Issue No. 2
(2012)

Trending. October 2012

Notice of Public Hearing, Wednesday,
October 3, 2012

Notice of Public Hearing, Wednesday,
October 24, 2012

Thank You Card

COMMUNICATIONS (cont.)

Ulster County Department of Finance	September 28, 2012 Letter, December 31, 2011 Single Audit Report Fall 2012 Issue
NYS Legislative Commission on Rural Resources Ulster County Fire Advisory Board	Letter Re: Dwight A. Dougherty, Copy Requesting Appointment to Ulster County Fire Advisory Board Letter Requesting Change of Meeting Date
Ulster County Comptroller	September 25, 2012 Minutes URGENT PROGRAM Report of Examination March 1, 2007 – June 30, 2012
Ulster County Department of Finance	2011 Comprehensive Annual Financial Report With Cover Letter <i>Conservationist</i> . October-November 2012.
NYS Department of Environmental Conservation	Recommendation on the Compensation of Elected Officials Notice of Preliminary Decisions – Adoption of Resolutions No. 2174- 2190 and 2192
Periodic Compensation Review Committee	<i>Upper Delaware</i> Volume 25 Number 1. Fall/Winter 2012
Catskill Watershed Corporation	Thank You Card Distinguished Citizens Award Dinner – Thursday, November 8 th , Wiltwyck Country Club, Kingston
Upper Delaware Council, Inc.	Thank You Card
Mary Ann Manginelli Rip Van Winkle Council, Boy Scouts of America	Membership Dues Reminder, 2013 Budget
Estelle Hafner Family Coalition of Watershed Towns	Annual Newsletter 2012 Minutes – April 4, 2012, May 2, 2012, June 6, 2012, July 2, 2012, August 1, 2012 and September 5, 2012
PRASAD Ulster County Planning Board	Domestic Violence Awareness Month
Ulster County Dept. Social Services	

COUNTY EXECUTIVE COMMUNICATIONS:

UC Corporate Compliance Committee
August 15, 2012 Minutes
Statement of Expenditures,
Encumbrances & Unencumbered
Balance & Statement of Revenues
Earned & Unearned Balance as of
August 31, 2012
Board of Ethics April 2, 2012 Board
Report
Board of Ethics March 12, 2012 Board
Report
Paul Werbalowsky – Mental Health
Subcommittee Resignation
Budgetary Transfers for September
2012
Budget Letter to the Legislature, 2013
Ulster County Executive Budget, 2013
Executive Personnel Listing, 2013
Executive budget Summary, 2013
Budget Message; Resolution Adopting
2013 Ulster County Budget for the
Fiscal Year Commencing January 1,
2013 and Making Appropriations for
the Conduct of County Government
2013-2018 Capital Improvement
Program with Cover Letter
Statement of Expenditures,
Encumbrances & Unencumbered
Balance & Statement of Revenues
Earned & Unearned Balance as of
September 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:

September 5, 2012
September 6, 2012
September 13, 2012
September 4, 2012
September 19, 2012
September 4, 2012
September 5, 2012
September 11, 2012
September 19, 2012
October 9, 2012

PRESENTATIONS: There are no presentations scheduled for tonight's meeting.

PUBLIC COMMENT: There was one (1) public speaker.

1) Howard Baul, Ulster County CSEA Labor Relations Specialist – Spoke in regard to Budget released by the County Executive the prior week. The budget related to cuts in services and layoffs but it also supported legalized monopoly of the RRA. It was troubling to him as a taxpayer in Ulster County, not only at a local level but also made him wonder why flow control couldn't be applied to Mental Health patients – may sound ridiculous but Mr. Baul indicated that it was no more so than monopolizing the RRA.

RESOLUTION NOS: 226, 245, 248-271

Resolution No. 226 – Authorizing Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2010 *In Rem* Foreclosure Proceeding – Department of Finance

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

Resolution No. 245 - Establishing A County Policy Requiring The Posting of Information On the County Website to Assist Ulster County Municipalities To Enact Local Ordinances Prohibiting Hydraulic Fracturing

ADOPTED BY THE FOLLOWING VOTE: AYES: 18 NOES: 4
(NOES: Legislators Gerentine, Harris, Maio and
Roberts) (Absent Legislator Belfiglio)

Motion by Leg. Ronk, seconded by Leg. Donaldson, to take Resolution Nos. 248 - 249 as a block. All in favor.

RESOLUTIONS ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent - Legislator Belfiglio)

Resolution No. 250 – Postponed until the November 2012 Environmental, Energy and Technology Committee

Resolution No. 251 - 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 FOLLOING VOTE: AYES: 21 NOES: 0
(1 Abstention- Legislator Wawro)
(Absent - Legislator Belfiglio)

Resolution No. 252 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With Cape Pond, Inc. For A Permanent Easement Across Property Adjacent To County Road No. 56 - Department Of Public Works (Highways And Bridges)

ADOPTED BY THE FOLLOWING VOTE: AYES: 20 NOES: 0
(2 Abstentions – Legislators Briggs and Harris)
(Absent – Legislator Belfiglio)

Motion by Leg. Ronk, seconded by Leg. Donaldson, to take Resolution Nos. 253 – 261 as a block. (With exception of Resolutions withdrawn by sponsor). All in favor.

RESOLUTIONS ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent - Legislator Belfiglio)

Resolution No. 262 (Bond) - Authorizing The Financing Of Preliminary Architectural, Engineering and Environmental Investigation Costs In Connection With The Conversion Of The Sophie Finn Elementary School For County Use, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$440,000, And Authorizing The Issuance Of \$440,000 Bonds Of Said County To Pay The Cost Thereof.

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

Leg. Ronk made motion, seconded by Leg. Donaldson, to take Resolution Nos. 263 – 266 as a block.

RESOLUTIONS ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent – Legislator Belfiglio)

Resolution No. 267- Withdrawn by Sponsor

Resolution No. 268

- | | |
|---------------------|---|
| 268
BOND | Resolution Replacing Resolution No. 213, To Authorize Acceptance of Federal or State Aid In Section 2, Which Authorized The Replacement of the HVAC System, Installation Of Back-Up Generators, and Installation Of An Emergency Notification System At Ulster County Community College In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$680,000.00 And Authorizing The Issuance Of An Aggregate \$680,000.00 Bonds Of Said County To Pay The Cost Thereof
ADOPTED: 22- 0 |
| 269 | Appointing Member To The Ulster County Fire Advisory Board
ADOPTED: 22- 0 |

Late Resolutions

- 270 Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Agreement With Pine Professional Center, LLC For Office Space To Be Used By The Ulster County Probation Department – Department Of Public Works (Buildings and Grounds)
ADOPTED: 22- 0**
- 271 Requesting Appropriation Of Funds From The Forfeiture Account For The Office Of The District Attorney - Amending The 2012 Ulster County Budget— Ulster County District Attorney’s Office
ADOPTED: 22- 0**

MEETING ADJOURNED IN MEMORY OF:

Mayor Robert A. Yerick, Saugerties	Charles P. Schaller, Jr., Zena
Robert Davidson, Sarasota, Fla. (Husband of past Deputy County Clerk June Davidson)	
John “Jack” Dudek, Kingston	Lori Rubinstein, Kauneonga Lake
Ruth D. Taylor, High Falls	Aslan Dishek, Accord
Charles J. Rothe, Saugerties	James Brush, Stone Ridge
Laura Mead Jones, Gardiner	Joan Senior, Ulster
Henry Fisher, Jr., Kingston	Kenneth Bryant, Jr., Kingston
Beatrice Schiff, Hurley	Gertrude Keator, New Paltz
John F. Hasbrouck, Sr., Accord	Edward Dominello, Edgewater, Fl.

MEETING ADJOURNED: 7:39 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, November 13, 2012 at 7:00 PM** in the Legislative Chambers.

Resolution deadline is **Wednesday, October 24, 2012 at 12 Noon.**