

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Public Works & Capital Projects Committee

DATE: July 7, 2009

TIME: 4:45 PM

PLACE: Library Conference Room, 6th Floor
County Office Building

LEGISLATORS PRESENT: Chairman Peter Loughran, Deputy Chairman Dean Fabiano, Chairman of the Legislature David B. Donaldson, Legislators Jon Decker, Roy Hochberg, Frank Felicello

LEGISLATORS ABSENT: Legislator Kevin Roberts

OTHERS ATTENDING: Lee Cane (LWV), Beverly Rainone (Catskill Heritage Alliance), Jerry Fairbairn (Town of Hardenburgh Supervisor), Jennifer Benusis (Catskill Heritage Alliance, Hardenberg Association of Residents), David Lenefsky (Attorney-Crossroads), Anthony C. Bucca (Attorney-Crossroads), Harriet Bucca (Wife of Anthony Bucca), David Sheeley (Commissioner of Public Works), Michael Berardi (Chairman, UC Railroad Advisory Committee), Harry G. Jameson (Chairman, Catskill Mountain Railroad), Kathy Nolan (Trails Advisory Committee), Earl Pardini (Catskill Mountain Railroad), Dietrick Werner (UC Railroad Advisory Committee), Charles Busick (UC Railroad Advisory Committee)

MEETING CALLED TO ORDER @ 5:03 PM

APPROVAL OF THE JUNE 9, 2009 MINUTES: All in favor

HIGHWAYS & BRIDGES DIVISION

- 1) **Draft Resolution Request** - Amending Resolution No. 178 Of June 10, 2009 - Standardization Of Certain Equipment

Motion offered by Chairman Donaldson, Seconded by Legislator Hochberg, All in Favor

It was explained to the Committee by Commissioner Sheeley that the amendment is necessary due to the fact that Sterling is no longer in business and International is the most comparable.

2) **Draft Resolution Request** - Establishing A Pedestrian And Bicycle Policy

Motion offered by Legislator Fabiano, Seconded by Legislator Felicello, All in Favor

After deliberation the Committee has agreed to the following:

- Contingent on Counsels final approval
- The following amendment will be made on the floor the night of Session by Legislator Fabiano (This Resolution only pertains to design work only, added to the very end of the Resolution)

BUILDINGS & GROUNDS DIVISION

3) **Draft Resolution Request** - Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Agreement With Ulster Savings Bank

Motion offered by Chairman Donaldson, Seconded by Legislator Felicello, All in Favor

4) **Draft Resolution Request** - Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With Crossroads Ventures, LLC, For One Crossing Over County Owned Railroad In The Town Of Shandaken

WITHDRAWN BY SPONSOR

Before discussion started the above Draft Resolution was withdrawn by Chairman Loughran. He explained that the above Draft Resolution is still being reviewed by Legislative Counsel in conjunction with the County Attorney's Office.

A letter addressed to David Lenefsky (Counsel for Crossroads Ventures) dated July 7, 2009 by Daniel G. Heppner (Counsel to the Legislature) regarding the above mentioned license was distributed to the Committee (See Attached).

Mr Lenefsky addressed the Committee and replied that he will respond to the above mentioned letter in writing. (This office received Mr Lenefsky's response, dated July 10, 2009 - See Attached)

Chairman Loughran made the comment and stressed that the following license is contingent on the sale of the property to New York State; if the sale does not take place then neither does the license. He also stressed that Ulster County has the option to terminate the license for any reason or for no reason with 30 days written notice to Crossroads Ventures.

Mr Lenefsky and Mr. Bucca answered all questions that the Committee, Jerry Fairbairn (Town of Hardenburgh Supervisor), Michael Berardi (Chairman, Catskill Mountain Railroad), and members of the Catskill Heritage Alliance had on the License Agreement.

There was discussion on the following above referenced questions:

- Is there any movement on the State going forward? Yes, Counsel (David Lenefsky) explained that the appraisal is complete; numbers have been shared, but they are not yet in their possession. In the process of responding because he feels the methodology used is incorrect.
- What would be a reason to revoke the License? As stated is the Resolution, the license can be revoked for any or no reason and that term is perpetual.
- When will we know about the specifications being used? 100 Feet in Length at two locations. The newly proposed Resolution will be more specific about specifications.

- Clarification was asked as to the need for two 100 Foot Right-Of-Ways? The state has stated that the more access that we have, the better the chances that the property will appraise to what was agreed upon.

LOCAL LAW

5) **Draft Resolution Request** - Adopting Introductory Local Law No. 8 Of 2009 (A Local Law Authorizing The Sale Of Surplus County Real Property To Dorothy Burke - Private Sale), Hereinafter Known As Local Law No. 6 Of 2009

Motion offered by Chairman Donaldson, Seconded by Legislator Fabiano, All in Favor

NEW BUSINESS: No Discussion

OLD BUSINESS: No Discussion

REMINDER: August will be the start of the Committees new schedule. This Committee will now meet Monthly on the 1st Monday following the monthly Legislative meeting. The time has not yet been determined by the Chairman. The time may move from 4:45 PM to 5:30 PM. The meeting place will be in the Library Conference Room. (Official Notice To Follow)

Motion to adjourn @ 5:35 PM

Motion offered by Legislator Fabiano, Seconded by Legislator Decker, All in Favor

Respectfully submitted,
Tammy Wilson
Senior Legislative Employee