



Ulster County Legislature
Standing Committee Meeting Minutes

September 2012

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

Economic Development & Tourism Committee

Regular Meeting Minutes

DATE & TIME: September 5, 2012/6:00 PM
LOCATION: Karen L. Binder Library, 6th Fl., County Office Bldg., Kingston, NY 12402
PRESIDING OFFICER: James Maloney, Chairman
LEGISLATIVE STAFF: Lisa Mance
PRESENT: Legislators Loughran, Roberts, Maio, Wishnick and Bernardo (6:42 PM)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Interim Director UCDC Melinda Beuf; Deputy Legislative Clerk Sandy Mathes; LWV Vic Melville; Board President UCDC Ron Marquette

- Chairman Maloney called the meeting to order at 6:35 PM.

MOTIONS:

MOTION NO. 1

TEXT OF MOTION: RESOLVED to approve the August 6, 2012 Meeting Minutes
MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Wishnick
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

Chairman Maloney introduced the interim administrator for the UCDC, Linda Beuf and Ron Marquette, the President of the Board of UCDC to update the Committee with regard to the UCDC. Power point outline was provided to the Committee and is on file with the Clerk of the Legislature. Ms. Beuf provided an overview of the purpose of the UCDC. She provided an overview of projects that had been undertaken, some of which included Ameribag, Gillette Creamery, Peter's Market and Cohen's Bakery. Recent interests included inducing Wolftec and Stavo to remain within the State and Ulster County and currently wrote an ASP Grant for Bread Alone. Ms. Beuf indicated that certain information with regard to Bread Alone's intentions may be confidential so further information wasn't provided.

Current problem at this time is that there is currently a shortage of shovel-ready sites to accommodate particular businesses. To take an existing facility is often more costly to demolish and rebuild than it does to start fresh. One goal was to identify parcels that were already zoned commercial, have water and sewer which would assist in enticing developers to obtain approval so that when a lead came to the UCDC, there were locations available.

Legislator Loughran inquired as to the status of the old IBM (Tech City) site. Pres. Marquette responded that the property owner is in a difficult situation, the Dan Witteke has helped as much as possible. He stated that there were two properties, Winston Farms and Tech City (one of which was shovel-ready) owned by private individuals who make the decisions. He confirmed that Hunter Panels was leaving Ulster County.

Legislator Loughran went on to ask if any action had transpired regarding Central Hudson and the Canadian company. Mr. Marquette indicated that that was a question that should be addressed to Anthony Capinjourney question – that he is on the Board. Ms. Beuf indicated that Anthony had said the Canadian company is basically a small company and that Central Hudson would primarily be self-controlled. **Legislator Wishnick** inquired as to information regarding the "Power Breakfast" taking place at a BBQ restaurant in Newburgh and commented on the invitation list. **Legislator Loughran** asked if the Canadian company was the same entity that planned on running the power line down the Hudson River

from Lake Champlain. Ms. Beuf responded that she could get the information regarding the power line to Legislator Loughran.

Ms. Beuf continued to present topics outlined in the power point (on file). These included referrals to public and private financing, specific situation financing options, alternative sources of financing, UCIDA incentives which include tax-exempt interest bonding, property tax breaks (PILOTS), sales and use tax exemption, mortgage tax exemption. Ms. Beuf discussed the infrastructure and capacity building which involved shovel ready, Ready2Go, BOE and grant writing support.

Legislator Loughran asked if the Agreements entered into included a "claw back." He indicated that it had been a past problem with the State Comptroller and IDAs that were underperforming, there were no regulations and there was no ability to get the money back. Ms. Beuf indicated that there were now and they were addressing the underperforming companies. Ms. Beuf stated that she tries to give support in whatever capacity needed. Ms. Beuf as if there were any questions. **Chairman Bernardo** inquired about Starsnec and information regarding same. Ms. Beuf indicated she would provide an update. Ms. Beuf indicated that when she attended the meeting, the issue regarding the lack of natural gas in Ellenville arose and that a conversion of the equipment would be necessary. Ms. Beuf stated she needed a model number from the manufacturer and was waiting for a response. **Chairman Bernardo** stated that it had been weeks to which Ms. Beuf responded that she could not compel them to answer her phone call and that the processes could take a long time. **Chairman Bernardo** thanks Ms. Beuff for the information.

Legislator Wishnick thanked Ms. Beuf for the quality of attention that people are getting and went on to ask about the software provided. He asked if a list of companies with 50+ employees could be generated. Ms. Beuf indicated that there was an on-going data base that the UCDC kept refining but the best data was from the Department of Labor. He asked Ms. Beuf to expand what efforts were being taken to market Ulster County. Ms. Beuf responded that they work very closely with the Hudson Valley Economic Development Corp which was funded by the IDA and UCDC and there job is the regional marketing outside of the County.

Mr. Marquette indicated the question was legitimate and the UCDC had been grappling with the issue. Marketing is an issue due to the available. Ms. Beuf's stated that they were collaborating with the Hudson Valley Film Commission to reflect the industry in Ulster and identify resources that can be collaborated to help market. Pres. Marquette indicated that they were concentrating on retention of jobs in Ulster County. Ms. Beuf stated she wished to address the marketing question and that there is was \$15,000.00 in the budget, that she is playing "catch up" but that she is attempting to utilize the funds in an efficient and effective manner. She indicated there will be \$30,000.00 available next year and she had plans on how to utilize those funds.

Legislator Wishnick noted that Schedule B of the Base Agreement (on file with the Clerk of the Legislature) reflects \$54,000.000 for marketing expenses/dues/travel/legal and he assumed that out of that allocation, they are taking the \$17,000.00 for marketing to which Ms. Beuff responded in the affirmative. **Legislator Wishnick** concurred that video testimonials would be highly effective and an efficient use of the limited funds for marketing purposes.

Legislator Wishnick asked if there was a mistake being made in not using resources to chase opportunities that may attract more businesses and result in more jobs. Pres. Marquette responded, using Wolftec as an example, that they had to use all of their resources to keep Wolftec from taking more attractive offers elsewhere. Steps need to be taken to nurture businesses within Ulster County. **Legislator Wishnick** asked again if they were losing potential jobs by not providing UCDC enough resources to operate with. Ms. Beuf replied that much time must be given to checking credentials of prospective businesses and protecting the tax dollars. Pres. Marquette stated to answer Leg. Wishnick's question, if they get more could they do more, the answer was yes. Ms. Beuf wanted to refer back to Chairman Bernardo and the project they had mentioned. Ms. Beuf stated that they needed to inspect whether they were getting a return on their investment. **Leg. Maloney** asked Leg. Wishnick if his question had been answered adequately to which **Leg. Wishnick** responded that he believed that different strategies needed to be considered and he wished to leave it suggestion out for consideration.

Chairman Bernardo wanted to note that many of the UCDC members had left due to the extensive financial disclosure forms and there is a balance between disclosing information and performing in a horrible economy. She indicated that it was unacceptable to her that they say they are helping businesses but at the same time, were trying to shut them down. Pres. Marquette indicated he agreed 100% with Chairman Bernardo and stated he knew of eight members that left because they refused to sign the Statement because it was too cumbersome. He reflected on the question as to why Ulster has an 11 page document and whether it could be changed to bring back members.

Leg. Maloney asked as to whether Joe Scott (their attorney) had an opinion with regard to changing the Statement and he did feel there were some problems with the Statement consisting of 2 pages. Pres. Marquette indicated with the help of the Legislature, he thought they could find a middle ground to make the document more agreeable. Leg. Maloney wanted to point out that the form is the same that the Legislators are required to complete. **Chairman Bernardo** reflected that Leg. Wishnick was asking what could be done to attract businesses but at the same time, there are private sector businesses that refuse to even serve on the Board because of constrictive requirements. **Chairman Bernardo** suggested forming a special group (possibly a special committee) of private sector business people that were not political and tell the Legislature what could be done to help business and economic development to help the County. **Chairman Bernardo** suggested contacting Ward Todd and Ingrid Krulik with the Chamber of Commerce who helps people set and execute strategy. Pres. Marquette indicated that he agreed with the Chairman in convening a group to see what could be done...that there was one private sector individual left on the Board. Ms. Beuff stated that she was working on a confidentiality agreement that would be going out with all applications so that anyone applying will be able to identify what should be kept confidential and why.

Leg. Loughran asked what had transpired several years ago when Lance Matteson and the Chamber of Commerce had visited China to which Pres. Marquette responded probably nothing and that it was a fact-finding trip. **Leg. Loughran** indicated that it was a business trip to which Pres. Marquette responded that none of the leads panned out, UCDC hasn't been part of the trips since then and that China was primarily interested in NYC. **Chairman Bernardo** indicated the Chamber still goes and recommended that someone from the Committee considering becoming a member of the Chamber Board. She stated that if they wanted to know what is going on in Ulster County, the Chamber was a good agency to be affiliated with. **Chairman Bernardo** indicated that the Chamber had conducted a survey of the businesses in Ulster County and the results indicated that businesses wanted more private sector people involved in economic development. **Chairman Bernardo** offered to provide the survey results to Leg. Maloney who responded in the affirmative. **Chairman Bernardo** indicated that the Board for the UCDC was no place for elected officials, that the Legislature had the Committee and members were appointed. Pres. Marquette responded that the members weren't elected, they were all members by title. Pres. Marquette wished to conclude by stating that from the beginning, question was always what the UCDC did and was the County getting their moneys' worth. **Chairman Bernardo** indicated they consider taking some of the individuals that sit on the Board of the Chamber of Commerce should sit on the Board of the UCDC and they would hold them accountable. Pres. Marquette stated he hoped they passed the Resolution since the money had already been budgeted and they would realign for 2013.

Chairman Bernardo wished to propose or motion, that she, together with Chairman Maloney, assemble a group of private sector people who have signed checks, enforced immigration laws, etc. and have them create a list of what the barriers were to economic development in Ulster County, the first on the list being the redesigning of the Disclosure Affidavit. **Seconded by Leg. Maloney.**
Further Question:

Leg. Loughran asked what was going to happen to the funding allocated when the Hospital closes. Ms. Beuf indicated that it would have to be discussed with the bank since they were bonded out. Pres. Marquette indicated that a lot of things were going to change and would most likely be out of the hands of UCDC to deal with the issue.

Motion passed 6 – 0.

Ms. Beuf wished to add that they were investigating a shovel-ready grant for the Ulster County to help develop a shove-ready strategies that will help identify areas acceptable for interested businesses. Pres. Marquette wanted to note they also depend on a collaborated effort with others. **Leg. Loughran** suggested that he wanted it noted that he didn't want to snub elected officials from certain areas and then return to ask for support. **Leg. Loughran** gave examples of Sailors' Cove, Rosendale, etc. **Leg. Loughran** stated that it wasn't that there was a lack of economic development wanting to come to Ulster, it was that the required paperwork couldn't get completed.

MOTIONS:

MOTION NO. 1

TEXT OF MOTION:

RESOLVED to approve the August 6, 2012 Meeting Minutes

MOTION MADE BY:

Legislator Loughran

MOTION SECONDED BY:

Legislator Wishnick

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

MOTION NO. 2

TEXT OF MOTION:

RESOLUTION No. 195 – September 19, 2012

RESOLVED to Approve Resolution No. 195 - Approving Administrative Guidelines For A Performance Based Economic Development Plan Agreement Between Ulster County Development Corporation And The County Of Ulster – 2012 Appropriation – Ulster County Development Corporation

Resolution Summary:

UCDC fosters growth and economic development in Ulster County and municipal subdivisions and wishes to make funds available through the authorization of a Performance Based Economic Development Plan Agreement that will encourage business development within Ulster County. The program will be provided but capped at \$25,000.00 for completion of a combination of various initiatives, which may include Section 1 - \$750.00 payment provided to UCDC for every quality job retained in Ulster County with the significant involvement of UCDC. Payment will be made upon submittal and approval of the quarterly invoice containing the necessary supporting documentation to verify the claim. The County may request additional documentation from UCDC to verify the claim. To earn payments, UCDC must produce documented proof to the County that jobs in question have been saved. Documented proof would include press releases, newspaper articles, correspondence, memoranda and must include a signed statement from the employer's principal officer which includes the title of the position, the wage and benefits and a statement from the employer that the job is no longer in danger of loss, outsourcing or removal from the County, due to, in part, the efforts of UCDC. The employer's CEO, regional executive or designee must submit a letter regarding UCDC's substantial involvement. Documentation must be maintained on file with the UCDC and shall be submitted with each invoice, as well as provided to the Chairman of the Ulster County Legislature and the Chairman and Deputy Chairman of the Ways and Means Committee and the Chairman of the Economic Development and Tourism Committee of the Legislature; and Section 2 – (\$1,000.00 payment award provided to UCDC for every quality job created in Ulster County with significant involvement of UCDC. To earn payment, UCDC must demonstrate to the County that the creation of the job is permanent in Ulster, for Ulster residents, and meets the definition of a "quality job", providing documented proof of same. Also, UCDC must provide documentation of the creation of such position which shall include classified ads to fill the position, press releases, announcements, newspapers articles, correspondence, memoranda/posting on a reputable online job search website and signed statement from the employer's principal officer which includes a description and the title of the job position, the wage and benefits associated with the job position, and a statement from the employer that the aforesaid job has been created as a permanent position and the employer is currently accepting applications from potential employees in Ulster County to fill the position. UCDC shall include the affirmation of UCDC's President, specifically citing UCDC's substantial involvement. Documentation of initiation must be maintained on file by UCDC and shall be submitted with each invoice as well as provided to the Ulster County Legislative Chairman, Chairman and Deputy Chairman of the Ways and Means Committee and the Chairman of the Economic Development and Tourism Committee of the Legislature. Any payments made will be made 50% at the time of advertising and 50% at the time the job is filled in accordance with this section will only be made upon UCDC'S submittal and County's approval of the quarterly invoice containing the necessary supporting documentation to verify the claim. The COUNTY may request, as needed, additional documentation from UCDC to verify a claim.

Section 3. A ONE THOUSAND AND NO/100 (\$1000.00) DOLLAR payment will be provided to UCDC for every new expansion job in Ulster County with the significant involvement of UCDC. Payment will be made upon submittal and approval of the quarterly invoice containing the necessary supporting documentation to verify the claim. The COUNTY may request, as needed, additional documentation from UCDC to verify a claim.

To earn such payments, UCDC must produce documented proof to the County that every new expansion job is a permanent job in Ulster County and must remain in place for one (1) year. Documented proof would include, but is not limited to, press releases, newspaper articles, correspondence, memoranda, or posting on a reputable online job search website and must include a signed statement from the employer's principal officer which includes the title of the position, the wage and benefits and a statement from the employer that the aforesaid job is no longer in danger of loss, outsourcing, or removal from the County, due to, in part, the efforts of UCDC. The business's CEO, regional executive or designee must submit a letter regarding UCDC's substantial involvement. Documentation of this initiative must be maintained on file by UCDC and shall be submitted with each invoice, as well as provided to the Chairman of the Ulster County Legislature, the Chairman of the Ways and Means Committee, the Deputy Chairman of the Ways and Means Committee of the Ulster County Legislature, and the Chairman of the Economic Development and Tourism Committee of the Ulster County Legislature.

Any payments made in accordance with this section will only be made upon UCDC's submittal and COUNTY'S approval of the quarterly invoice containing the necessary supporting documentation to verify the claim. The COUNTY may request, as needed, additional documentation from UCDC to verify a claim.

Section 4. A TWENTY FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLAR payment award will be provided to UCDC for each new business in Ulster County, 50% of payment when the job is created and 50% of the payment when the job is filled, to ten (10) or more new permanent, quality jobs in Ulster County, available to Ulster County residents, which have been recruited with the significant involvement of UCDC.

To earn such payment, UCDC must demonstrate to the COUNTY that the employer has opened a new business within in Ulster County and has provided documented proof that the jobs are in fact, permanent, year round, full time, quality jobs for which every effort has been made to employ Ulster County residents in such jobs, and that UCDC was, in fact, significantly involved in bringing the jobs to Ulster County. Supporting documentation would include, but is not limited to, correspondence, press releases, memoranda, corporation papers, etc. A signed statement from the new business's principal officer stating the business's name, the number of employee anticipated to be hired and that UCDC was significantly involved in the business's opening shall also be provided. Documentation of this initiative must be maintained on file by UCDC and shall be submitted with each invoice, as well as provided to the Chairman of the Ulster County Legislature, the Chairman of the Ways and Means Committee, the Deputy Chairman of the Ways and Means Committee of the Ulster County Legislature, and the Chairman of the Economic Development and Tourism Committee of the Ulster County Legislature.

Any payments made in accordance with this section will only be made upon UCDC'S submittal and COUNTY'S approval of the quarterly invoice containing the necessary supporting documentation to verify the claim. The COUNTY may request, as needed, additional documentation from UCDC to verify a claim.

Section 5. A FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLAR payment award will be provided to UCDC for each new business within Ulster County, 50% of payment when the job is created and 50% of the payment when the job is filled, to one hundred (100) or more new permanent, quality jobs in Ulster County and available to Ulster County residents, which have been recruited with the significant involvement of UCDC.

To earn such payment, UCDC must demonstrate to the COUNTY that the employer has opened for business in Ulster County and has provide documented proof that the jobs are in fact, permanent, quality jobs which will employ Ulster County residents and UCDC was, in fact, significantly involved in bringing the jobs to Ulster County. Supporting documentation would include, but is not limited to, correspondence, press releases, memoranda, corporation papers, etc. A signed statement from the new business's principal officer stating the business's name, the number of employees actually hired and that UCDC was significantly involved in the business's opening shall also be provided.

Documentation by the new business employer must be maintained on file by UCDC and shall be submitted with each invoice, as well as provided to the Chairman of the Ulster County Legislature, the Chairman of the Ways and Means Committee, the Deputy Chairman of the Ways and Means Committee of the Ulster County Legislature, and the Chairman of the Economic Development and Tourism Committee of the Ulster County Legislature.

Any payments made in accordance with this section will only be made upon UCDC'S submittal and COUNTY'S approval of the quarterly invoice containing the necessary supporting documentation to verify the claim. The COUNTY may request, as needed, additional documentation from UCDC to verify a claim.

Section 6. The agreement to be executed shall provide that in no event shall UCDC be entitled to any incentive payments which are duplicative in nature. The agreement will provide that the County shall have the sole right to determine how the incentive payments shall be calculated.

Section 7. The agreement to be executed shall provide that UCDC shall obtain certified employment levels at the time of application to UCDC which are necessary to establish baseline employment for future incentive payments.

MOTION MADE BY:	Legislator Loughran
MOTION SECONDED BY:	Legislator Maio
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Maloney, Loughran, Roberts, Maio ,Wishnick
VOTING AGAINST:	Chairman Bernardo
NO. OF VOTES IN FAVOR:	5
NO. OF VOTES AGAINST:	1
DISPOSITION:	Motion Passes

Discussion: Leg. Wishnick wanted an understanding that when the paperwork documenting the invoice for particular achievements, the documentation gets shared with the Committee. Discussion ensued as the actual definition of "department head." Leg. Wishnick had a question with regard to IDA and how would they distinguish between someone looking to retain jobs and someone who is "gaming" the systems to extra incentives. Pres. Marquette wanted to clarify that the UCDC wasn't the IDA. Leg. Wishnick wanted to know if the IDA had standards that could be carried over into the UCDC contract that would more clearly define the incentives. Pres. Marquette indicated IDA had a separate Board and Chairman and Leg. Maloney stated those individuals could be invited to the Committee meeting. Ms. Beof reviewed certain criteria of the IDA but Pres. Marquette interrupted, stating he didn't feel comfortable answering questions regarding the IDA which was a completely separate entity. Chairman Bernardo concurred with Leg. Wishnick as to the vagueness described within the Contract. Chairman Bernardo asked how could we expect the businesses that deals were made with to perform when economic development professionals aren't helping business in Ulster County. Ms. Beof stated that the majority of the businesses were performing, to which Chairman Bernardo reiterated that her question was, why, if we are tying performance for economic development professionals to their pay, why are we not also tying economic development performance of the County. to the deals they cut with these businesses?

MOTION NO. 3
TEXT OF MOTION:

RESOLUTION No. 222 – September 19, 2012
RESOLVED to Approve Resolution No. 222 – Urging Governor Cuomo And The Regional Economic Development Council To Provide Funding For The Hudson Landing Development Project

Resolution Summary: AVR/Hudson Landing project is an economic development project in the City of Kingston and Town of Ulster, in Ulster County. The project would consist of 1,650 housing unites, 75,000 square feet of commercial space and a public walkway on a 524 acre parcel known as the Talon site, overlooking the Hudson River on land straddling the City of Kingston's northern border with the Town of Ulster. The developers' proposal for the property which was previously utilized as a cement production facility in the City of Kingston and the Town of Ulster is among the projects that could transform the banks of the Hudson river. The City of Kingston, Town of Ulster and Ulster County are collaborating as partners t ensure the success of this project. The AVR Realty group pans for installation of a one-mile long promenade stretching from North Street to East Kingston in the Town of Ulster. Upon Completion of the promenade, the City of Kingston and Town of Ulster will have the longest walkway along the Hudson River shoreline between Albany and Yonkers. The City of Kingston Office of Economic Development, the Ulster County Regional Chamber of Commerce both endorsed the Hudson Land Project and the promenade plan.

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

Discussion: Chairman Bernardo wanted to note this was an outstanding project and that she, together with Mayor Gallo and Supervisor Quigley, supported the promenade. Chairman Bernardo stated that this project would be a draw to tourism within the area, much like the Walkway Over The Hudson.

MOTION NO. 4
TEXT OF MOTION:

RESOLUTION No. 238 – September 19, 2012
RESOLVED to Approve Resolution No. 238 – Amending The 2012 Ulster County Budget To Accept Grant Funding From The New York State Department Of Labor For The Purchase Of Assistive Technology Equipment – Department Of Employment And Training

Resolution Summary: Resolution submitted o/b/o the Director of Office of Employment and Training. The Director Of the Ulster County Office of Employment and Training has been notified that its grant application for various pieces of assistive technology equipment has been approved by the NYS Department in the amount of \$8,694.27. The grant is 100% funded through the NYS Department of Labor and requires no matching County funds. The funds will be used to purchase equipment that will assist disabled customers of the Ulster Works One stop Center, including high magnification computer monitors, text to speech conversion software and wheel-chair accessible computer station. The County Executive and the Director of the Ulster County Office of Employment and Training request the 2012 Ulster County Budget be amended to reflect the additional revenue and appropriations.

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

MOTION NO. 5
TEXT OF MOTION:

RESOLUTION No. 239 – September 19, 2012
RESOLVED to approve Resolution No. 239 – Amending The 2012 Ulster County Budget To Accept An Additional Allocation Of Dislocated Worker Funds From

The New York State Department Of Labor – Department Of Employment And Training

Resolution Summary: Submitted o/b/o the Director of the Office of Employment and Training for a supplemental allocation for the 2012 Dislocated Worker Program (CFDA #17.278) of \$14,691.43 available to Ulster County. The additional allocation is 100% funded through the NYS Department of Labor with no required County matching funds. The funding will be used to provide Individual Training Account classroom instruction to Ulster Works OneStop customers. Request made to amend the 2012 Budget to reflect the additional revenue and appropriations for the 2012 Dislocated Worker Program.

MOTION MADE BY:	Legislator Roberts
MOTION SECONDED BY:	Chairman Loughran
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Maloney, Loughran, Roberts, Maio, Wishnick and Bernardo
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	6
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion Passes

Chairman Maloney wanted to revisit Resolution No. 195 and specify included in the Resolution were both the Performance Based and a Base Contract for the UCDC. **Chairman Maloney** thanked all for their participation and appreciated the frank discussion. He noted to the Madam Chair that they would get together and obtain the list from the Chamber of Commerce.

Old Business: **Leg. Wishnick** asked about suggestion for stream lining/efficiency of economic development and asked if there was any information that could be updated. **Chairman Maloney** responded that he thought by moving it to a smaller board with more public participation with private sector people, but if the Legislature was still going to be responsible for approving the budgets, then they should still have some representation since the Legislature is ultimately responsible to the people. **Leg. Wishnick** asked if UCDC and IDA could possibly be merged. Attorney Chapman indicated to Leg. Loughran that the IDA couldn't be dissolved but the resources (funding) could be withdrawn. Leg. Wishnick indicated to operate two separate agencies (Boards) took up a lot of staff time which resources could be used elsewhere.

There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Wishnick. Chairman carried to adjourn the Meeting at 7:51 PM.

Dated the 13th day of September, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on October 3, 2012

Clerk to do legal research for upheld local laws either Statewide, multi-State, or throughout the United States and implies an obligation of the Clerk to have available copies of such local laws. He stated he preferred if it said to periodically solicit copies of Ulster County Local Government laws and to post online accordingly. He stated a letter to municipalities could be sent annually. He felt the other way is to open ended and onerous. Chair Belfiglio stated the County has a paid Department of the Environment and if the County is seeking to set an example for other Counties, the Department of the Environment should take the lead. He queried what qualifications the Legislative Clerk has to do legal research. Legislator Wishnick noted the Legislative Clerk does not have such qualification which was the reason for his suggestion. Legislative Clerk Fabella stated she was open to the fact that she does not have the expertise. Chair Belfiglio felt the letter asking for information annually lessens the ability of the County to be an authority on the topic. Legislator Wishnick stated the request would be to the Town Supervisor requesting that they forward any local actions their municipality has taken in respect to hydro-fracking. Legislator Bartels asked if this letter would be sent Statewide. Legislator Wishnick indicated this should be annually to Ulster County municipalities and the NY Association of Counties. Legislator Bartels felt this should be Statewide as the resolution specifies New York State Supreme Court decisions and is not just about municipalities. She noted she was pleased to see the Legislative Clerk in attendance but would prefer to have the Resolution Sponsor as well as the Department of the Environment to allow a broader discussion. She noted it was rare to have a resolution before a committee and not have the sponsor available to discuss. Chair Belfiglio and Legislator Bartels discussed the invitations to attend the last two Committee meetings that were forwarded to Legislator Aiello. Legislator Lopez concurred with the need for a Resolution sponsor to be in attendance to represent their position. He noted he had two resolutions that were nearly killed in committee as he was not there to explain. He further noted this was the third time the sponsor was given an opportunity to explain his resolution instead of the committee speculating what the resolution is about. Legislator Wishnick concurred and stated notwithstanding that, there is legislation before the committee that is of interest to the members and if the sponsor is not in attendance, the committee is given a free hand to amend it as they see fit. Legislator Lopez reiterated an invitation to attend was extended to the resolution sponsor. Legislator Wishnick clarified if the sponsor rejected or declined the invitation. Chair Belfiglio noted the sponsor indicated he would not be able to attend the committee meeting as he was on vacation this week.

Ulster County Deputy County Executive Crannell indicated he could provide background on the intent of the resolution. He stated the original resolution #208 was reviewed by the County Attorney who raised concerns regarding the separation of powers issue. He noted the County Executive is opposed to hydraulic fracturing practices and if a Town or municipality was seeking assistance, it would be the role of the Department of Environment or any County department, as a matter of practice, to assist. He stated Legislator Aiello's intent was to have a strong policy. He stated the Legislative Counsel drafted the resolution on Legislator Aiello's behalf. He noted Legislator Aiello was seeking a strong statement against the practice of hydro-fracking. He felt a compromise would be for the Legislature to direct its own staff. He reiterated the staff of the County would provide technical assistance. Ulster County Deputy County Executive Crannell felt it would be better for the County to make a real strong, forceful statement in opposition to this hydro-fracking practice. He stated as a policy making body, the Legislature could let everyone know, right up front, where they stand on it, for or against.

Chair Belfiglio stated he does not support the seventh whereas. He noted the Ulster County Legislature does support banning hydro-fracking on county land as stated in a resolution produced last year. He stated this resolution is stating something that has not been polled among the Legislators. He stated he could support an amendment to not support hydro-fracking on County property. He indicated a memorializing resolution banning hydrofracking should be a separate resolution. He stated this resolution has the teeth to ensure the Towns and Villages are going to get the same information that the County receives, whether the Department of the Environment or the Legislature. He felt a resolution with the teeth to say the County is opposed to hydro-fracking needs to be in a separate resolution. Legislator Parete noted the County already banned the practice on County property. Legislator Bartels stated she would not support this amendment but hears the point and respectfully disagrees. She noted the argument could be made that the resolution banning it on County property was in fact the County showing it is not supporting hydro-fracking but getting legal advice that they can go no further. She stated she wished Legislator Aiello will in attendance as she would support making a stronger statement and explore with him how far they can push the envelope. She stated she would like to discuss with him if this is his intention or desire he might find support in the Committee and if not, this would be a different discussion.

Chair Belfiglio stated the resolution is to give information to the Towns and this last resolution is a by the way we don't support hydro-fracking. He stated it was not as strong a statement as a new resolution that stated the County

does not support hydro-fracking for specified reasons. Legislator Bartels noted if the initial intent as stated by Deputy County Executive Crannell is the desire for a strong statement against hydro-fracking, the last whereas would be the main focus of the County does not support it and this is why the County is giving information to the localities to help them not support it. Chair Belfiglio noted the County was not showing by example but rather shoving it to them to test the waters but not doing it ourselves. Legislator Bartels stated this was the reason the committee was talking in circles without the sponsor in the room.

Chair Belfiglio noted the resolution was submitted as a timely resolution and state the committee could vote on it or keep discussing. Legislator Wishnick stated the title of the resolution reads to assist Ulster County municipalities and with the sponsor not in attendance, the committee can take the liberty to change the title to reflect the County's opposition to the practice of hydrofracking in Ulster County and direct the Clerk to post information to assist Ulster County municipalities. He stated if done with one additional resolve which stated as a matter of policy that the County Legislature opposes the practice of hydraulic fracking in Ulster County. He stated we will then see if the County Legislature supports it or not. Deputy County Executive Crannell felt the County Executive would sign and support this statement. Legislator Wishnick noted it would just take a change to the title as the County has already taken the steps to show their position by banning it on County land, banning the use of brine on County roads, and many statements dancing around the issue. He felt it was time to place it front and center and make it clear to all that this is not the place to come and consider hydraulic fracturing. He stated the Legislature should take this position if they are going to be helping local municipalities enact ordinances prohibit hydraulic fracturing, how can the County have any position but to oppose hydraulic fracturing.

Legislator Bartels asked if the Committee amends the Resolution, can it be done in Committee or must it be done on the Floor. Legislative Clerk Fabella stated it can be amended in Committee. Chair Belfiglio asked as the sponsor was not in attendance, if it is amended, would it still be the sponsor's resolution. Legislator Wishnick stated he missed his opportunity by not being at the meeting. Deputy County Executive Crannell stated he spoke with Legislator Aiello and felt this was what Legislator Aiello wanted. Chair Belfiglio stated he did not want to speculate Legislator Aiello intentions. Deputy County Executive Crannell stated Legislator Aiello knew the County Executive had some concerns and Legislator Aiello wanted to work with them to address the concerns while not distracting from the ultimate goal of making the policy statement. Chair Belfiglio asked if anyone spoke with Legislator Aiello. Legislator Wawro stated she had. Legislator Wishnick suggested the Committee amend the resolution and if Legislator Aiello has any issues with it, he can vocalize this prior to Legislative action. Chair Belfiglio stated he would not support a resolution that tells the Legislature that they are against hydro-fracking until it has been vetted. Legislator Wishnick asked what needed to be vetted. Chair Belfiglio stated the resolution first went from directing the Department of the Environment to give information to the Towns to add that not only will the County assist Towns in their quest, it says the County takes a strong stance against it. He states he is not prepared to vote on the additions. Legislator Wishnick asked if Chair Belfiglio would be opposed to assisting the Towns. Chair Belfiglio stated he was not opposed to assisting the Towns but that he was opposed to pushing it. Legislator Lopez felt the County did not have to agree on the position to still provide assistance to the Towns. Deputy County Executive Crannell stated it was the job description of the Department of the Environment to give assistance. Legislator Lopez stated the Committee was lumping two things and asked why they needed a resolution to help municipalities with information that is readily available for those municipalities that want to seek it may be too much County involvement. He also noted this is assuming it is legal in New York State. Legislator Wishnick stated they should presume hydro-fracking will become legal and the best time to enact regulations that stake out a position is prior to the approval. Legislator Lopez stated the last whereas is broad as the resolution from last year that banned hydro-fracking specified County property and would place the Legislature in a position where they would have to take a position of whether they are for or against. Legislator Bartels concurred that the support of this resolution would be saying you do not support the practice. Legislator Parete stated the resolution is telling Towns they are imbeciles as the information is readily available and they all have attorneys. He noted if they do not want to fracking and they feel strongly about it, they can draw up a resolution or a law and do what they have to do. He reiterated Deputy County Executive Crannell's statement that they can call the Department of the Environment for assistance. He felt the Committee was giving short shrift to the Towns and the City of Kingston. Chair Belfiglio stated he has talked with the Town Supervisors and their Association and they indicated they are already discussing this. He noted some such as Woodstock, Olive, and Saugerties already have local laws.

Chair Belfiglio stated he was not opposed to a Legislature bringing forth a resolution stating the County is opposed to it and listing all the reasons why the County does not support. He felt this resolution stated the County wants to give

the Towns the information to do their due diligence and by the way, the County also does not support it. He noted that, except for the Brine resolution, the Legislature has not really discussed it, there was no research not supporting it and this was just a blanket statement. Legislator Wishnick asked Chair Belfiglio if he was not convinced that hydraulic fracturing is something the County Legislature should be opposed to. Chair Belfiglio stated the County Legislature is opposed to it on County land and stated he was not sure if the County Legislature is opposed to it on Town, Villages, or City land. He asked what if there is a municipality that does not want our position. Legislator Bartels noted this is system and we are all connected. She noted the land is all our land. Chair Belfiglio stated he took the brine legislation to his Town and they gave it back to him. Legislator Wawro noted many municipalities are waiting to see what happens at the State level. Chair Belfiglio stated he is not opposed to providing information but feels the Department of the Environment has more expertise, knowledge, and resources on the topic. Legislator Bartels noted the resolution states the Clerk of the Legislature is authorized to consult with the Department of the Environment. Deputy County Executive Crannell stated the County Executive was attempting to satisfy the intent of the resolution in a manner that would pass the scrutiny of the County Attorney. He noted obviously the Departments, under the direction of the County Executive, have taken a strong stance against hydro-fracking and they would like to help the County Legislature. He noted if the resolution should fail, the County Executive would offer it's assistance to develop a resolution that included a strong, unwavering statement against hydro-fracking. Legislator Bartels stated she was interested in such an effort and Chair Belfiglio felt this was more appropriate. She stated it appears from what Deputy County Executive Crannell is saying this is what Legislator Aiello intended and in his first attempt the County Attorney said it could not be done and then the second attempt was a compromise that Legislator Aiello is not available to discuss. Legislator Parete suggested sending it back to Legislator Aiello or authorize the County Executive to have his Department of Environment to promote it and authorize additional money for staff to be hired to do it. Deputy County Executive Crannell stated although he is not speaking on behalf of Legislator Aiello, he knew the Legislator Aiello's intent was to put the County Legislature on record with a clear, strong policy statement. Legislator Bartels stated she too would like to make a strong statement but indicated this resolution was not a strong statement. Chair Belfiglio noted Resolution 208, which Legislator Aiello felt strongly about, was drafted by Legislative Counsel and submitted for last month's Committee meeting. He noted this was withdrawn not by the sponsor but by Deputy County Executive Crannell as directed by Legislator Aiello. Legislator Bartels indicated the first attempt was not what Legislator Aiello wanted and Chair Belfiglio asked how the Committee would know this. He noted Resolution 245 is based on Deputy County Executive Crannell's communication with Legislator Aiello. He stated he would rather talk with Legislator Aiello and see what he strongly supported. Deputy County Executive Crannell stated it was not his place to speak for Legislator Aiello and offered to work with any member to create a strong statement. Legislator Bartels stated she would take him up on this. Legislator Bartels stated it was an important follow up to the strong statement that was made with the brine law. She stated she would work with Legislator Aiello. Chair Belfiglio indicated this would be a memorializing resolution as they already unanimously passed a resolution that they do not support hydro-fracking on County property. Legislator Bartels stated she was open to something firmer and broader. Deputy County Executive Crannell stated such a resolution could include a statement that New York State has taken steps that are counter-intuitive.

Legislator Lopez asked what the result of the resolution would be, other than the Legislature making public where everyone stands. He stated it was more of a political stand and would not get anything done. Legislator Bartels felt it was important to take the political stand as the State is debating this issue. She felt this would set an example to other municipalities Statewide. She stated it might be the Legislature passing a local law with more teeth. She stated she wanted to push the envelope and was willing to test the edge. She stated a statement and stand as important as this is critical and doing it as a local law makes an official statement instead of individuals calling the local paper and attempting to get play. She noted the Brine law brought public attention and hundreds of people out. Chair Belfiglio concurred and felt it should be a separate resolution. He stated he did not know how the current resolution would pass in the full legislature. He stated the Committee could continue to discuss, amend and vote on this resolution or they could create something with teeth. Legislator Wishnick suggested the Committee hold the resolution and request the sponsor attend. Legislator Bartels felt sponsoring Legislator's input was important and stated in the meantime; she would speak with Deputy County Executive Crannell.

Chair Belfiglio noted the procedure for this resolution is that it was on time and the Committee must vote on it. Legislator Wishnick stated the Committee has the opportunity to hold it for up to 60 days. Chair Belfiglio noted this resolution was brought to the Committee within this month. He motioned to hold the resolution in Committee until the sponsor of the resolution attends to explain it. Legislator Lopez seconded the motion and all were in favor.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislator Belfiglio, Bartels, Lopez, Parete, Wawro, and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion to hold the Resolution in Committee until the Sponsor attends the meeting
Passes

MOTION NO. 4 **Draft Resolution No. 244 – September 19, 2012**
TEXT OF MOTION: **RESOLVED to approve Resolution No. 244** - Providing Exemptions From Sales And Compensating Use Taxes For Receipts From Sales Of, And Consideration Given Or Contracted To Be Given For, Or For The Use Of, Property And Services Exempt From State Sales And Compensating Use Taxes Pursuant To Subdivision (hh) Of Section 1115 Of The New York Tax Law, Pursuant To The Authority Of Article 29 Of The Tax Law Of The State Of New York

Chair Belfiglio noted this resolution was from a local law from 1968 which the Legislative staff scanned for him.

MOTION MADE BY: Legislator Bartels
MOTION SECONDED BY: Legislator Lopez

Discussion: Chair Belfiglio asked the resolution sponsor, Legislator Bartels, if this is related to the solar rebate program. Legislator Bartels clarified it was not a rebate but a tax exemption. Deputy County Executive Crannell stated this amends the County sales tax. He noted the format conforms to the format of a resolution for tax exemptions. He noted a couple of weeks ago, the Governor signed into State law an expansion on the State law regarding solar. He stated the previous law provided a sales tax exemption for installation and purchase of solar equipment on residential buildings. He noted the Legislature did work to enact previously the residential exemption but in doing the budget work, they learned this was never fully enacted as it was not properly filed with the State tax department. He stated the original bill sponsor, Legislator Bartels, was approached to resubmit the residential exemption legislation in the proper format. He noted Governor Cuomo signed into law a State sales tax exemption for commercial properties with Counties given the option to offer a similar exemption and Legislator Bartels was approached to seek support for this Legislation. He reiterated the resolution format is what is required to conform to the former resolution.

Legislator Parete noted the County contracted with City of Kingston and years ago when the County sought to discontinued the home heating tax they could not do this without the City of Kingston approval. He stated the City of Kingston lost several hundred thousand dollars in the home heating oil tax exemption and asked if the County could pass this resolution without working out a deal with the City of Kingston. He noted the County has a contract, since 1970, with the City of Kingston regarding the sharing of the sales tax revenue and whenever there is a desire to change it they need to get the City of Kingston to approve it. Deputy County Executive Crannell noted the residential sale tax exemption has been done. Legislator Parete agreed to leave this to the lawyers to determine and noted County Attorney Havranek and Former County Attorney Koplevitz were probably involved in this in the past. He stated in the action years ago, the Mayor estimated the numbers to be lost and only agreed to the change when the County agreed to make the City whole. UC RRA Board Member Landi, as a former City Councilman, concurred with Legislator Parete and indicated he stated this well.

Chair Belfiglio stated the original intent of the resolution change was to give residents tax breaks to invest in solar and this resolution gives the tax breaks to commercial installations. Legislator Bartels felt this was a great think as it promotes business and promotes the environment but noted the County cannot know the financial impact at this time. Chair Belfiglio noted commercial businesses, much more than residences, have the ability to use the tax break on equipment to run their business.

Legislator Bartels stated the Governor's solar package had a number of tax incentives and this was the one the County could opt into. She noted Legislator Parete has raised a valid question and suggested the Committee pass the resolution and get the legal analysis before session.

Chair Belfiglio asked what exactly gets taxed. He noted a company would install the panels on the business and the business pays for the installation or on the materials. Legislator Bartels stated the sales tax exemption would be on the equipment purchased. Legislator Parete noted sales tax is paid to the vendor. Legislator Bartels noted the sales tax on the installation would also be exempted. Chair Belfiglio clarified the vendor is not getting the benefit as he normally charges the business the sales tax but that opportunity is to the business which will pay less for installation of solar panels. Legislator Wawro confirmed the cost to install the solar systems would be less the sales tax. Legislator Bartels noted the State sales tax is already exempted and this resolution exempts the local sales tax.

Legislator Wishnick called to question the resolution. Legislator Parete asked how the Committee could vote on something that may not be accurate. He stated he supported it and felt it should give people real breaks and not just tax breaks. He asked for the Committee to ask if it was legal, today, before acting on the resolution. Legislator Bartels asked that the Committee pass it out on the idea that it will be held in Ways and Means until the question is answered.

Legislator Bartels seconded the call to question. Motion passed unanimously.

LEGISLATIVE SESSION ABSTRACT

Abstract Number	Department Name	Vendor Name	Contract Description	Funding Source	Basis for Award	Contract Dates	Monetary Amount
L44-1	Emergency Communications/ Emergency Management	Taylor Recycling Facility LLC	Agreement for demolition of homes purchased through the New York State and New York City flood remediation programs. (Capital Project Nos. 355 & 356). This Agreement is being awarded in accordance with RFB No. UC12-70. The exact amount of the agreement is not known at this time, as it is contingent upon the number of homes that are purchased and demolished.	50% State 50% NYC DEP	RFB No.: UC12-70	10/01/2012 to 09/30/2013 (contract term)	Paid at the rate of \$14,899.99 per home & expenditures will be over \$50,000.00
L44-2	Department of Information Services	Next Step Digital, LLC	Agreement to provide website design, development and support services for the County's website. This Agreement is being awarded in accordance with RFP No. UC12-35.	100% County	RFP No.: UC12-35	10/01/2012 to 04/30/2014 (contract term)	\$75,550.00 (contract total)

L44-1 Discussion:

Chair Belfiglio noted this contract gives \$14,000 per home for demolition, with an expectation that this will exceed \$50,000. He noted this is part of the flood remediation. Legislator Bartels noted this has no County money. Chair Belfiglio concurred this was all State and NYC DEP money.

L44-2 Discussion:

Deputy County Executive Crannell stated this is a contract in the Informational Services department. He noted the current vendor agreement expired and a new RFP was issued. He stated this awarding a new contract. Legislator Bartels and Chairman Belfiglio clarified it was for a six month term beginning on October 1, 2012 and ending in 2014.

Chair Belfiglio clarified that this contract is getting a new vendor for the County website and updating the site. He read from the Scope of Services in Schedule A, item number 5 from the contract which stated "With the exception of the items below, the VENDOR shall migrate all existing areas of the COUNTY web site not listed above as a Core Component to the Drupal environment [Deputy County Executive Crannell clarified this is the code.] in a way that is consistent with the redesign of the Core Components. The VENDOR shall not migrate the following items: Core Components – prior versions, Ulster County Alive, Ulster Works, Sustainable Ulster, and Health Ulster Network." Deputy County Executive Crannell clarified these sites are contracted with outside grants.

Chair Belfiglio noted in Phase Detail section 3, item d of the contract it states "The departments of the elected officials must retain as much of their original look and feel as is possible within the Drupal framework. No additional

work shall be done to these pages. These departments are as follows: District Attorney, Sheriff, County Clerk, Comptroller, and County Legislature.” Chair Belfiglio asked if these officials would have to obtain their own vendor. Deputy County Executive Crannell stated this was a separation of powers issue. Chair Belfiglio stated the County Executive’s site looks spectacular and it appears the work has already been done on it. He noted it is totally different than any other site in the County. He felt it appears most Departments will take on this look. He expressed it would be nice if this could be uniform throughout and noted if the Legislature would have to appropriate its own money to add to its own site. He understood the County Sheriff and District Attorney maintain their own sites and noted the County has a link to their sites but noted the Legislature has always been a part of the County website. Chair Belfiglio also noted in the earlier resolution submitted by Legislator Aiello indicated the Clerk of the Legislature would post on the website and it did not allocate money to do it. He noted it appears the County Executive had the money and the resources to do it. He asked if this was the County Executive’s webpage or the County of Ulster’s webpage.

Legislator Bartels requested Chair Belfiglio reach out to Deputy County Executive Sudlow regarding this concern as she felt Chair Belfiglio had valid points. She noted she had not seen the County Executive’s webpage but felt the old version has an early 1990’s feel, especially the calendar. Legislator Bartels and Chairman Belfiglio concurred that getting more information and answers was needed.

Legislator Bartels stated the idea of separation of powers is fine but maybe a conversation is needed to discuss the possibility of saving money. Chair Belfiglio stated it was every Legislature’s due diligence to look at contracts over \$50,000. He noted he would speak with Deputy County Executive Sudlow and Assistant County Attorney Plonski.

Ulster County Landfill discussion:

Chair Belfiglio noted this topic was brought up at the Special Committee on the Future of the RRA and Chair Belfiglio mentioned he would discuss it at this Committee. He noted it is a viable option, maybe not this year but for the future. He stated he spoke with previous legislators who have been involved in the discussion. Former Legislator Joan Avery provided him a box of material from the 1990’s including a soil “sample” from the last site reviewed by the UC RRA to site a landfill, Winston Farms. Legislator Wishnick asked if Winston Farms is still available. Legislator Wawro stated it was not. Legislator Bartels asked where the soil “sample” came from. Chair Belfiglio stated the Farm Alliance had sent it and read parts of a letter from the Farm Alliance and the Town of Saugerties. He stated a soil sample was tested and the report indicated the clay underneath the crust of Winston Farms has the consistency of toothpaste or unrefrigerated butter and was considered to be unstable after ten feet of landfill was added on top causing failure to the landfill’s liner. He noted the actual “sample” sent by the Farm Alliance was a tube of toothpaste with the words “Please think about it”. Legislator Wawro noted the Farm Alliance was an intense group.

Chair Belfiglio stated he has been doing through the documents. He stated he has heard from Legislators that the County will never be able to site a landfill in Ulster County and why even bring it up. He understood this would be a challenge to the Committee and recognized this is just the start of the discussion. He noted there were other points in the letter and he was not sure if they were true or not. Legislator Wawro asked if there was any mention in the letter of aquifers. Chair Belfiglio stated he did not get to all points but that most of the letter spoke to the consistency of the soil. Legislator Wawro stated the Farm Alliance group is now concerned about a casino going onto the property. She noted no one is recommending a casino for the site but the group is being very proactive.

Chair Belfiglio noted there is a massive amount of documentation and invited Committee members to review the information with him. He sought from members any opinions on siting a landfill. He noted it is under the UC RRA purview to site a landfill with expert assistance and the Committee can look at what has been done in the past.

Legislator Bartels stated she was curious about how site that were looked at in the past were chosen. She noted there was push back from the communities from the start and if they will be looking at siting a landfill now, there would need buy in from the locality. Chair Belfiglio deferred the question to UC RRA Executive Director Rose. Mr. Rose put on his engineer hat to say the siting committee would look at the County as a whole and identify areas that could sustain a landfill. He noted this review would include looking at soils as well as the infrastructure such as the roads ability to handle truck traffic. He stated following this review the siting committee would explore the Towns’ interest.

Legislator Parete noted it has been 20 years since the County explored siting a landfill. He stated the best approach would be to get a hold of the DEC, DEP, DEJ, and everybody else to discuss the footprint costs for siting a landfill as well as the geology of the County. He noted to site a landfill it would take 8-10 acres and millions of dollars. He suggested the committee bring in the experts before the Committee waste time discussing the possibilities.

Chair Belfiglio noted the UC RRA can only bond \$49 million dollars for such an effort. UC RRA Board Member Teetsel noted at the Special Committee it was stated as they move through the maze of exploring the three options, it will determine if they really need a landfill. He also noted the County may decide to partner with three other Counties for a landfill. He noted the expense of \$8.5 million to truck the garbage to a Syracuse landfill plus the carbon footprint as well as an environmental advocate such as Manna Jo Greene who was previously against the idea now supporting the idea and improvements to the technology changes the current picture. He concurred with Legislator Parete to bring the DEC and DEP to the table to give a scenario of what is needed and how much it will cost as well as some of the engineers that were involved in the past process. He stated the reality is the County needs to do something. He stated working together through the process the County will realize the need for a landfill. He indicated the County needs to solve the immediate issue either through flow control, tax district or closing the agency. He noted the County closed the landfills at the DEC's direction. He suggested taking the bond and returning them to the Towns and let them pay off the debt. He stated County did the Towns a favor in closing the landfills. Chair Belfiglio noted in doing so they entered into 20 year contracts with the Towns.

Chair Belfiglio noted the topic for this meeting was a landfill and the three options will be discussed next Monday.

UC RRA Member Landi concurred with UC RRA Member Teetsel that the \$8.5 million for trucking to Seneca Meadows is a cost that will get progressively worse as time goes on and landfills fill up and trucking must go further into Canada. He noted the trucking trip needs to be reduced and the Legislature can no longer do nothing. He stated in resolution 390 of 1991, the Legislature called for the siting of a landfill as well as flow control. He noted neither one has happened in the last 21 years and if the cost was projected over these past 21 years, the County has expended over \$221 million spent and these numbers will continue to get worse. He felt Legislator Parete was correct in bringing in the experts in from DEC to discuss what the County will be faced with and if the County has available land with the correct soil permeability. He noted in a County with 2,000 square miles there has to be an area with 150 acres that can be used and not have to go 250 miles to dump waste.

Chair Belfiglio asked RRA Executive Director Rose if siting a landfill was in the purview of the RRA and not under the legislature. Mr. Rose stated the RRA took the lead on the effort and indicated the whole intent in the creation of the public benefit corporation was to ensure there were no political backlash and all the heat and anger in the process. He noted at the time the general public could not separate the RRA from Ulster County and saw it as still part of the County Government and thus, the Legislature still received backlash.

RRA Executive Director Rose stated the DEC will give the Committee an overview of the process but will not offer volumes and square acres as they are not design engineers and are adamant about not giving design advise as it could get the State in trouble. He stated the DEC will give regulations and the process for siting a landfill. He noted a best guess of siting a landfill would take, if all went smoothly, five years but a better estimate would be ten years. Legislator Parete noted a business in the Town of Olive has taken twelve years to attempt to site. He noted the public hearing would take time and could drag the process out. Legislator Parete noted it would probably be in court. Legislator Bartels noted this could be avoided if the buy in was received early on.

LWV Representative Hauser showed the Generic Environmental Impact Study for siting a landfill which was located within the Legislative Library. She noted it has all the information of what the County needed to site a landfill and suggested the Committee go through it. She stated the RRA was another word for incinerator and when that was shot down; the RRA started looking for a landfill. She stated the landfill process had public engagement as part of the process but it did not work. She said the feeling at that time, when the Community Advisory Council disbanded, that if the citizens stated engaged it might have been sited. She concurred with RRA Board Member Teetsel that the process will lend itself to determining the need. She stated the County needed an integrated solid waste management system and not just a landfill. She also noted the County needed to look at the entire system, including how to fund, how to reuse and how to divert. She felt right now the County needs to look at the sustainability planning of the Agency which is due by Christmas this year. She said this is a seven County effort in Region 3 of DEC and this can be viewed at www.engagehudsonvalley.org. She noted solid waste is one focus but a Green

Jobs/Green NY initiative has implementation money. She noted the solid waste discussion is in the seven-county region and Ulster County should be part of this discussion. She noted this discussion should be about collaboration. She noted Long Island communities also ships it's waste to the Seneca Nation and thus there is a need for a landfill. She noted Hudson Balers is coming online in Fishkill. She stated there are composting facilities in Rockland and urged the Committee to not just look at a landfill. Chair Belfiglio noted they were still in the infancy of this discussion. Ms. Hauser reiterated the Committee needed to know how to fund the process and an integrated solid waste management system is not just a landfill.

Chair Belfiglio noted the Pattern for Progress Report also indicated this is not just about a landfill. He stated the Legislature needs to do is finish with the RRA and probably look at establishing a separate subcommittee on this as it is too vast to handle with a monthly meeting.

Chair Belfiglio asked if there could be a bid to a private company to site the landfill. Legislator Parete stated all is possible and would rather see an entrepreneur do it than County government. He noted in the siting of the new County jail they knew they could board out for less than they spent to build. The professional know this comes down to money. Legislator Bartels stated this is not just about money as this is the Environmental, Energy and Technology Committee and not Ways and Means. She stated this Committee has an environmental responsibility to the next generation and consider the footprint. The decision should be more than just about money. She stated she heard Ms. Hauser's point that it is almost impossible to discuss siting a landfill as a standalone topic when it is part of the larger system. She felt the Committee needs to look at the regional system as well.

Legislator Parete stated the money is important or we risk bankrupting people. Legislator Bartels stated if the County had sited a landfill, they probably would not be having this discussion as the Agency would be running in the black even if paid off all the bad financial decisions of past Legislatures. She felt the County wants to be responsible for its own garbage and it is arrogant to think otherwise. She stated the County owe to ourselves to be responsible.

RRA Executive Director Rose stated the trucking costs are crazy and regionalization does make sense as does consolidation. He noted the siting of a landfill would take five to ten years but would save air space. He stated the decision to except trash from other communities would have to be decided. He noted the County could hold the landfill for our own trash and he recommends this as the way to go.

Legislator Parete recommended the siting review be done in a large number of areas and noted the effort failed in the past when the Agency and Legislature did not promote its benefits. He felt there was a myopic view for new ideas and the focus was on the same business plan. Chair Belfiglio noted the County is a producer of trash and we are responsible for our own garbage. He noted the County is recycling as much as it can. UC RRA Member Landi felt getting the experts from the DEC to assist in the discussion was a great idea. He noted the Legislature is willing to work to get the job done with the expertise of the RRA acknowledged. He noted while the discussion is in the infancy stages, he wondered if the Governor would be willing to assist in the \$50 million that would be needed to build the facility. He felt the Committee needed to search all avenues and that seven Legislators on a Committee could only do so much and not expected to do it all.

Legislator Bartels asked what the plan would be; to call the DEC. Chair Belfiglio stated the plan was to discuss the idea and run it up the flag pole. He noted the Special Committee has a lot going on right now that can be run in parallel but the thrust in the Legislature is similar to the work of the Special Committee. He felt, right now, two Committees with similar work would be too much but would be willing to go full steam and establish a sub-committee or a commission.

Legislator Parete felt the first step would be to call some guys and get the skinny, maybe ask them to come speak. He felt it should first be one thing at a time.

Chair Belfiglio stated he was seeking options as this topic was removed from the RRA Special Committee. He noted the previous work by the UC RRA, League of Women Voters, and the Patter for Progress study. He stated he spoke with Gerry Benjamin who agreed to come in to speak with the Committee as well as the DEC. Legislator Wishnick suggested having those in the business, such as haulers, come in to speak as well. He noted his success in siting landfills in New Jersey as his responsibility in twelve years in the corporate world. He spoke of examples of public perception and the negative comments cannot be taken lightly. He noted strong commitment would be needed and

this was not a conversation for government entities as the independent regulation authority is empowered in this discussion and is removed from the political process. He noted an area that is known of advocacy and networking will also have home rule and this will be costly just in time and effort. He noted it would have to be viewed as either private or public with either the government as the operator of the landfill or government as the policer and more. He felt the private sector was preferred with public oversight over the private entity. He noted the cost of studies to evaluate a site is enormous, in the millions, and felt this would be bonded without any guarantee of success. He suggested this be left to the private sector but noted it would need the application of the home rule and felt the County does not have the incentive to offer a private company in siting a facility. He emphasized this is a complicated issues and although the cause is a noble one as we must take responsibility of our own trash, the path to accomplish this is laden with mines.

Chair Belfiglio reiterated he was looking for input and he got it. UC RRA Member Landi asked if engineers could be brought in for the next meeting. Legislator Parete noted the Legislature has a lot going on and might decided to wait on this topic. He noted the siting of a landfill will not affect the RRA budget, of which the County is charged with oversight. He noted the Special Committee is looking at the sustainability of the Agency and the financial implications to the County. RRA Executive Director Rose stated he would provide the names and contact information of the experts to contact at DEC and offered to outreach to the DEC on behalf of the Committee, if desired. Chair Belfiglio encouraged RRA Executive Director Rose to make the calls and get back to him if there is anything they need to follow-up on. He emphasized the League of Women Voters are always welcome in this discussion.

Posting Committee Audio Recordings Discussion

Legislator Bartels distributed a draft resolution and noted this was not being presented for the September meeting but was seeking a discussion with the Committee. She noting in June she had requested a copy of an audio recording from a meeting and was told the audio was unavailable as the recording did not work on the computer. She noted the Town of Gardiner immediately posts to the web the audio of their meetings and did not who would be against this as it is good for the public or anyone who should be so inclined as to want to listen to meetings. She stated she would submit the resolution for next month's meeting and asked for a call to discuss if there are any questions.

Chair Belfiglio asked if the Legislature has ever received a foil request for audio recordings. Legislative Clerk Fabella stated yes. Chair Belfiglio noted the Legislature contracts for video regarding and highlighted the money that is spent for the video. He noted often there are complaints of when the microphones are not on or not used. He felt this was a test in futility unless it is provided by professionals or the Legislature cannot be responsible for the quality. Legislator Bartels noted community member Tom Kadgen has attended all meetings and providing the audio from these meetings. She felt this would not be an extra expense to the County. She stated the Legislature had uniform recorders and although they were not high level equipment, they do a good job.

Legislator Bernardo asked if Legislator Bartels spoke with Information Services and if this would be a page on the website. She noted the Legislative staff had limited access to change the website. She asked who would be putting the audio up and noted there was time involved in completing the task.

Legislator Parete asked who was expected to be using it and was it worth it. He noted thirty-eight people went to his own political website. He stated they would have to track its use and determine if it was worth it.

Chair Belfiglio asked if there would be a requirement to keep it up for a certain amount of years. Legislator Bartels noted there are existing regulations regarding making a recording and they must be kept for a certain time period. She felt they could be removed once the minutes were completed. Chair Belfiglio asked if the recordings are kept. Legislative Clerk Fabella stated they do keep the recordings and they are great for review in doing the minutes. She stated she was concerned with the technology as there are times it does not work. She noted right now, the meeting was not being recorded due to a technical glitch with the recorder. Chair Belfiglio asked if the Legislature would be liable if a foil request is received and what the person wants to hear is not available. Legislative Clerk Fabella recommended a statement that would cover the County in case of technical glitches.

Deputy County Executive Crannell noted the minutes are an interpretation of the meeting and that staff take notes but may miss comments. He noted the audio could be converted to a windows format. He also noted the minutes are not seen until the following month. He stated he was able to work with a file today.

Chair Belfiglio asked if other County Committees and Boards were required to have audio and wondered if this would be going above was it required and set a precedent. Legislator Bartels felt this was a good precedent. Chair Belfiglio asked if someone said something they didn't mean would this stifle the debate process. He noted committee meetings were the area to come up with ideas and at times these meetings are raw discussion. He asked if this would stifle opinions. He asked if the caucus meetings were taped.

Legislator Bernardo noted there would be unintended consequences to this action. She noted there have been open caucuses but that things need to be worked out and people need time to communicate to work things out. She noted the C-SPAN model allows people to clip and send portions of meetings out.

Legislator Bartels stated she is seeking the posting of the whole audio file and felt if the meeting does get heated, Legislators should stand behind what they say. She stated people can already hear the audio as it can be foiled. She said it already exists and she would just like it to be posted. She said she would like to listen to other meetings as you get a different tenure from the discussion. She noted different legislative staff keeps different minutes and in some, there is no understanding of the full tenure of the discussion. She felt the resolution as straight forward and said she would coordinate with Legislative Clerk Fabella.

Legislator Bernardo stated the audio recordings are meant to assist staff with their minutes. She noted at times the voices are lower when they are sitting at a different end of a table.

Chair Belfiglio stated the meetings are open and minutes are available. He felt this resolution was from the County Executive's office. He felt there was no public understanding of why the Legislature would choose to veto this as it was part of open government but that it would tie their hands and information would be used against them and would diminish the Legislature.

Legislator Bartels stated the Legislature has been video recording for a while and it has not been plastered. Legislator Wishnick noted this takes skill to accomplish. Legislator Parete stated if it was to be done it would need to be done 100% of the time and throughout the County. Legislator Bernardo stated she has been attempting to get upgrades to the Legislative website and even wanted to start a Facebook page. Legislator Parete reiterated this should be done by every Committee and Board, including the County Executive. Legislator Bartels stated for those Committees and Boards where audio is already created it should be made available. She stated this should be the Legislature's public policy that all recordings are posted. Chair Belfiglio suggested the Legislature note on the website that audio files were available on request with a link to the foil request form. He reiterated it would have an impact on the Committee process. He noted in video land, people are playing to the camera and they would do the same for the audio record.

Legislator Bernardo suggesting checking out the hits on the website and getting the cost of properly posting it to the website. She suggested a comprehensive plan to be coordinated with Information Services and Legislative staff. Legislative Clerk Fabella noted audio is not captured well at meetings held in Chambers. Legislator Bernardo asked if the Legislature would need to purchase equipment and if there was a specific length of tape required. She noted generating the file was easy but most are not as smart as Deputy County Executive Crannell to be able to utilize the file.

Chair Belfiglio noted it appeared what the Committee would want here is a request for the file. Legislator Bartels noted there was more work that needed to be done to respond to the Committee's questions. Legislative Clerk Fabella noted there were three requests for audio files this year, including the one request today. Legislator Bernardo noted this should be compared to how many meetings there are every month.

Legislator Parete asked if minutes are made from the recording, how long the recording is kept. Legislator Bartels stated this could be a shorter period of time once the minutes were made from the recording. Legislative Clerk Fabella noted audio files are kept for years. She also noted Chairwoman Bernardo is very technology driven. Legislator Bernardo noted key words could be searched in minutes posted to the web. She noted she has made

changes to how quickly minutes are done. She required them completed the Friday before session. She noted receiving minutes after session. She also required the files to be zipped instead of a file from each meeting which affected the storage on the website. She noted there was a hyperlink for each individual file. She stated she found the format for minutes to be different and required the streamlining of the format as well as the archive of minutes on the website. She noted the request to post audio should consider how they will be posted as well as archived. She asked if they would be a hyperlink, downloaded or hosted.

Chair Belfiglio suggested legal counsel should be present for this discussion. Legislator Bernardo asked what other Counties were doing for posting audio recordings. Deputy County Executive Crannell noted there are a bunch of Counties that are posting. Legislator Bernardo asked if examples could be presented at the next meeting.

Legislator Bartels stated she did not consider the legal questions but stated she preferred open government. She felt this would complement the minutes. She suggested a minutes page with an audio page and that files be separated by hyperlinks. Legislator Bernardo asked what the financial impact would be and noted there was no financial impact listed. She said it would be a good idea to answer this question.

General Discussion:

Legislator Bartels stated she noted a mistake in the August 2nd meeting minutes. She stated the minutes reflected she arrived an hour after she did. She said the meeting was called to order at 5:50 and she arrived at 5:55.

Chair Belfiglio, Legislator Bartels and Legislator Wawro stated the minutes from the last meeting were well done.

Chair Belfiglio requested the August 2nd minutes be amended to reflect the correct times as stated by Legislator Bartels.

Legislator Parete requested to make a statement. He noted the Committee is parsing words on a resolution that was passed unanimously. He felt if they would be changing words the resolution should come back to the Committee. He noted the Committee voted unanimously after three torturous hours and the resolution should have come back. He wanted other people wanted to input on the resolution they should come to the Committee and if they were unavailable, they should send representatives. He said the process was not followed as it should have come back. He felt the process was terrible as the resolution was changed at session and not sent back.

With no further business before the Committee, **Chair Belfiglio** motioned to adjourn. Legislator Wawro noted she voted on the minutes of August 2nd and realized she was not there.

Chair Belfiglio praised the Committee for starting to seek companies and though out of the box. He noted they had the votes to pass resolution 204 and to go for RFP's. He felt in hindsight the process was followed and the resolution was vetted. He noted the resolution was changed in Committee and then a compromise was made before going before the full Legislature. Legislator Parete felt the Legislature lost the opportunity to bring others to the table.

Legislator Bartels seconded the motion to adjourn. All were in favor and the meeting adjourned at 8:05 pm.

Next Meeting: Please note the next meeting of the Environmental, Energy & Technology Committee will be held on October 4, 2012 beginning at 5:45 pm in the Karen L. Binder Library on the 6th Floor of the County Office Building.

Dated the 14th day of August, 2012

Krista J. Barringer
Ulster County Legislature

Minutes Approved On:

Law Enforcement & Public Safety Committee

Regular Meeting Minutes

DATE & TIME: September 4, 2012 @ 5:30 PM
LOCATION: Sheriff's Conference Room, The Rotunda, UC Law Enforcement Center
PRESIDING OFFICER: Chairman Richard Parete
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Chairman Richard Parete, Legislators Thomas Briggs, Mary Beth Maio, Kenneth Ronk and Carl Belfiglio
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Langdon Chapman, Sheriff Paul VanBlarcum, Sheriff James Tiano and Sheriff Perry Soule

Chairman Parete called the meeting to order at 5:37 PM.

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of July 31, 2012.
Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Briggs
Roll Call Vote: No
Voting In Favor: Legs. Maio, Briggs, Parete and Ronk
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 2

Resolution No. 236 – September 19, 2012

Text Of Motion: Resolved to approve Resolution No. 236 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Unified Court System For Funding For Court Attendants For The Period April 1, 2012 To March 31, 2013 - Amending The Ulster County Budget – Sheriff's Office

Resolution Summary: The Ulster County Sheriff received NYS Contract No. C200397 from the NYS Unified Court System for Court Assistants to assist in County and Supreme Courts for a term April 1, 2009 through March 31, 2014. Pursuant to the Contract, NYS will reimburse Ulster County 100% of the expense of these attendants, not exceeding \$35,000.00 for the period April 1, 2012 through March 31, 2013 (fourth year of a five-year Contract). The Ulster County Budget reflects revenue from this source, and related appropriations in the amount of \$65,010.00 and as such, the budget will require an amendment.

Additional Questions and/or Comments: Language as discussed at previous monthly meeting was to be made part of Resolution No. 236 as per Legislative Counsel Langdon Chapman..

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Ronk
Roll Call Vote: No
Voting In Favor: Legs. Parete, Briggs, Maio, Belfiglio and Ronk
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion passes with additional language as recommended.

Chairman Parete, in concurrence with Sheriff Van Blarcum, agreed to take Resolution No. 237 out of order for discussion.

MOTION NO. 3 **Resolution No. 240 – September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No. 240 –Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division of Criminal Justice Services For Participation In Operation IMPACT IX – District Attorney – Ulster County Sheriff – Department Of Probation

Resolution Summary: Resolution submitted o/b/o the Ulster County DA, the Ulster Sheriff and the Department of Probation. The DA has requested that the Chairman of the Legislature be authorized to sign an agreement and any amendments thereto, with the NYS Division of Criminal Justice Services for the purpose of participating in a twelve-month joint County crime reduction program for the period July 1, 2012 through June 30, 2013, designated as Operation IMPACT IX in Ulster County. Operation IMPACT IX is an expanded crime reduction program related to criminal activity identified as drug use and gang violence and will involve the Sheriff's District Attorney's and Probation offices at an approximate cost of \$176,700.00. Each County dollar spend under this initiative is 100% reimbursable by the NYS Division of Criminal Justice Services.

Additional Questions and/or Comments: Resolution No. 240 will be approved with additional language as suggested by counsel.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Briggs
Roll Call Vote: No
Voting In Favor: Briggs, Maio, Parete, Ronk
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes With Additional Language Inserted as Recommended

MOTION NO. 4 **Resolution No. 241 – September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No. 241 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division Of Criminal Justice Services For A Domestic Violence Program–District Attorney

Resolution Summary: The District Attorney has received a notice of award for a grant from the NYS Division of Criminal Justice Services for a Domestic Violence Program. The funds from this grant will be used to assign and train an ADA to specialize in a focus on the prosecution and investigation of domestic violence offenses, including within the specialized Domestic Violence Court, to provide training and raise community awareness as to the impact of domestic violence. The DA is requesting the Chairman of the Legislature to execute agreement NYS #T118267 and any amendments thereto in the amount of \$50,000.00 with the NYS Division of Criminal Justice Services for the Domestic Violence Program.

Additional Questions and/or Comments: District Attorney was out of town but had no objection to anything being voted on. Resolution No. 241 with suggested language inserted.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Briggs
Roll Call Vote: No
Voting In Favor: Legs. Parete, Briggs, Maio, Belfiglio and Ronk
Voting Against: None

No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 5 **Resolution No. 237 – September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No. 237 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Intermunicipal Agreement With Various Municipalities For The Continued Operation Of U.R.G.E.N.T. (Ulster Regional Gang Enforcement Narcotics Team) – Ulster County Sheriff

Resolution Summary: URGENT operates a county-wide gang and narcotics law enforcement team made up of law enforcement personnel from various agencies throughout Ulster County. The existence of a specialized unit to combat gang violence and narcotics trafficking will benefit Ulster County and serve as a resource for all police and law enforcement agencies within the County. URGENT is overseen by the Ulster Sheriff and local municipalities that desire to participate have reviewed an MOU and have past local resolutions supporting their participations.

Additional Questions and/or Comments: **Chairman Parete** referenced a Memo received from Comptroller Elliott Auerbach by Chairman Parete prior to meeting, requesting that the Committee hold off voting on Resolution until Comptroller had issued his report. Sheriff VanBlarcum indicated that he was in receipt of a draft report and that there was nothing in the report that would stop the Resolution from moving forward. Sheriff VanBlarcum indicated that he had met with Chief Tinti and Deputy Chief. Sheriff VanBlarcum asked that the Committee pass the Resolution and indicated he was ready to argue on the floor before the Legislative meeting and he was willing to let the full Legislature to decide whether to move forward or not. URGENT is still operating and the Sheriff wants to have the MOU completed. **Leg. Belfiglio** asked whether there was any financial impact which the Sheriff responded that there was none. **Leg. Briggs** stated that Resolution No. 237 be passed by the Committee and be ready to go forward with it.

Motion Made By: Legislator Maio
Motion Seconded By: Legislator Belfiglio
Roll Call Vote: No
Voting In Favor: Parete, Briggs, Maio, Belfiglio and Ronk
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes With Additional Language Inserted as Recommended

Further Discussion: **Chairman Parete** asked why the term only went until the end of 2012. Sheriff VanBlarcum responded that in January, another MOU would be requested in December/January for a two-year term. Attorney Chapman inquired of Sheriff as to what the nature of the Comptroller's concerns were and the Sheriff's reaction. Sheriff VanBlarcum responded that some of what was included in the report wasn't correct. Comptroller Auerbach had referred to MOUs not having been signed but Sheriff VanBlarcum indicated that MOUs had been signed by the Chief of Police and that the Sheriff's office had those. Another concern of the Comptroller according to Sheriff VanBlarcum was that the DA stated he had assigned a fulltime DA to URGENT which was not so. Attorney Chapman asked for clarification as to how monies were handled and allocated back to the team. One other concern was the co-mingling of money which Sheriff VanBlarcum indicated had not been rectified by Finance despite requests of Sheriff to stop co-mingling. Sheriff VanBlarcum stated that the Comptroller's report was merely an opinion and that he had not been a fan of URGENT from its inception. **Leg. Ronk** asked if Comptroller Auerbach brought any concerns to the Sheriff regarding small portions of the MOU which were different than those done in the past. Sheriff VanBlarcum reiterated his willingness to argue the issue before the Legislature. Attorney Chapman wished to point out to the Committee that, if they chose to advance the Resolution, the Chairman of the Legislature wasn't required to place it on the Agenda for the Legislative Meeting. Attorney Chapman recommended that they reserve the right to call back the Resolution, that the Chair and Deputy Chairman of the Committee review and have option to recall.

Monthly Reports: The following Sheriff's report was distributed to the Committee and remain on file in the Office of the Clerk of the Legislature with a review of the content by Sheriff VanBlarcum.

2012 Ulster County Sheriff Revenues

- Telephone Revenue
- Board in Revenue
- Board in Counts

New Business:

Chairman Parete discussed the local legislation presented by the District Attorney's office addressing scrap metal legislation. **Chairman Parete** recommended that the Committee members review the content of the proposed legislation and submit any recommendations by e-mail to him. **Chairman Parete** suggested that DA Carrright and any other person the Sheriff believed may have an interest in the legislation be invited to attend the October 2, 2012 meeting of the Committee. **Leg. Belfiglio** wanted the Committee to closely review so as not to take any action that would impede local businesses.

Old Business:

Leg. Belfiglio distributed information with regard to nuisance calls. Included in the information was Chapter 48 "Alarm System Local Law of the Town of Esopus," Town of Esopus Local Law No. 4 of 1998, Powerpoint Overview of Nuisance Alarms and Yates County 911 – Notice of Fine on file with the Clerk of the Legislature. Sheriff VanBlarcum indicated that Detective Abram Markiewicz could be added to Agenda to provide presentation with regard to Nuisance Alarms. **Chairman Parete** stated if the Committee moved forward, next month the Committee could have a public hearing before the full Legislature to set a public hearing for nuisance law and scrap metal law. Sheriff VanBlarcum asked who would draft local law to which **Chairman Parete** stated that the Committee could with Attorney Chapman. **Chairman Parete** that the proposed nuisance law would address the financial impact more so that involving criminal charges. Discussion ensued with regard to enforcement and due process to enforce. **Chairman Parete** asked if provision could be added to law to include smoke detector false alarms.

Leg. Ronk asked Sheriff question with regard to Aramark snack sales to the inmates at the commissary and whether there could be any savings or benefit to County if distribution was taken over. Sheriff VanBlarcum indicated that staffing could become an issue and that it could be a move backwards.

Next Scheduled Committee Meeting is October 2, 2012 at the Sheriff's Conference Room, The Rotunda, UC Law Enforcement Center at 5:30 PM.

There being no further business before the meeting, on the motion duly made by Legislator Briggs, seconded by Legislator Ronk, and carried, the meeting adjourned at 6:23 PM.

Dated the 12th Day of September, 2012

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: October 2, 2012

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: September 19, 2012 / 5:50 PM
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building, 244 Fair Street,
Kingston, NY
PRESIDING OFFICER: Kevin A. Roberts, Chairman
LEGISLATIVE STAFF: Krista J. Barringer
PRESENT: Legislators Roberts, Fabiano, Loughran, Robert Parete and Ronk
ABSENT: Legislators Donaldson and Maio
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Aiello; League of Women Voters; Vic Melville.

- Chairman Kevin A. Roberts called the meeting to order at 5:50 PM.

MOTION NO. 1 Approval of the August 2, 7, and 13 Committee Meeting Minutes

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Loughran

DISCUSSION: Hearing none, moved to vote

ROLL CALL VOTE: No
VOTING IN FAVOR: Legs. Fabiano, Loughran, Robert Parete, Roberts, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

RESOLUTIONS:

MOTION NO. 2 RESOLUTION No. 225 – September 19, 2012

TEXT OF MOTION: **RESOLVED to approve Resolution 225** - Requesting Approval Of The Ulster County Legislature To Allow Individual Municipalities In Ulster County To Decide Whether Casinos Should Be Located Within Its Borders.

Resolution Summary: The Ulster County Legislature strongly supports the concept of Home Rule and believes the residents of each individual municipality in Ulster County should have input as to whether a gaming establishment should be located within its borders and that the County of Ulster will not approve a Local Service Agreement for any gaming establishment or casino in any Ulster County municipality without the consent of the Town, Village or City in which the establishment or casino is to be sited.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Fabiano

DISCUSSION: **Chairman Roberts** recognized Legislator Aiello who stated that the municipalities should have approval authority for citing casino's within their boundaries. Legislator Loughran stated that the State of New York must act first in authorizing gambling to take place before local townships can approve or disapprove such a proposal.

VOTING IN FAVOR:	Legs. Fabiano, Loughran, Robert Parete, Roberts, and Ronk
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	5
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion Passed

OTHER BUSINESS: No further Discussion

- **There being no further business before the Committee, a motion was made by Leader Ronk, seconded by Legislator Fabiano, and carried to adjourn the Meeting at 6:13 PM**

Dated the 19th of September, 2012

**Franklin R. Reggero
Ulster County Legislature
Minutes Approved on: DRAFT**

DRAFT

Legislative Programs, Education & Community Services Committee

Regular Meeting Minutes

DATE & TIME: September 4, 2012 – 5:00pm
LOCATION: St. John Conference Room (Rm. 118) George Clinton Hall, SUNY Ulster County Community College, Cottekill Road, Stone Ridge, New York
PRESIDING OFFICER: Chairman Wayne Harris
RECORDER: Janet Salanitri, Adm. Assistant, SUNY Ulster Co. Community College
PRESENT: Chairman Harris, Legs. David Donaldson, Craig Lopez and Mary Wawro
ABSENT: Leg. Donald Gregorius (excused)
OTHERS PRESENT: Donald C. Katt, President of SUNY Ulster County Community College; Lourdes Georges, Assistant to Leg. Lopez; Harold Rosenkranse and John Neilsen, both representing American Legion Post 1219 Rosendale, NY; Lee Reidy, Executive Director and Mary Marsters, Program Director, both representing Cornell Cooperative Extension.
QUORUM: Yes

Committee Chairman Harris called the meeting to order at 5:05pm.

MOTION:

Text of Motion: Resolved, to approve the Minutes of the meeting of this Committee of July 31, 2012.
Motion Made by: Leg. Donaldson
Motion Seconded by: Leg. Wawro
Roll Call Vote: No
Voting in Favor: Chairman Harris, Legs. Donaldson, Wawro and Lopez
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Motion unanimously carried. Minutes of July 31, 2012 approved.

AMERICAN LEGION POST 1219, ROSENDALE, NY REPRESENTING U.C. VETERANS:

Report by: Harold Rosenkranse and John Neilsen

Report: Mr. Rosenkranse and Mr. Neilsen both thanked the County and this Committee for the help received on the Eddyville project and for the attendance at the name-changing ceremony at the American Legion Post. They said the American Legion would like to be more involved in the new veteran's housing project and Chairman Harris said he would try and set up a meeting. Mr. Neilsen also advised the Legion was trying to raise money so veterans' families don't have to pay \$600 for the grave openings in the veteran's cemeteries.

The veterans were concerned about the Vietnam Veterans Memorial currently located where Veteran's Services is and will have to be relocated if the building is sold. They would like some input into where the memorial is put. Most of the veterans still alive are Vietnam Veterans. It is a large stone, approximately 4'x8' and weighs about 17 tons. One preferred spot would be at The Academy Green.

They are also very involved in insuring that all American Legions and other veteran's facilities are handicapped accessible. Leg. Lopez discussed his campaign to create a committee for the oversight of ADA. They will get together to discuss this further.

Resolutions: None

ULSTER COUNTY COMMUNITY COLLEGE:

Report by: Donald C. Katt, President

Report: On enrollment, President Katt said the College had been projecting a 50 FTE decline; however, there was a late surge of registrants and the decline should only be about 2-1/2%. He said our budget year is just starting, and our 2011-12 budget spending came in a little under projection leaving a modest contribution to our fund balance.

Regarding the proposed resolution hand-out, President Katt said it was a little past the deadline in getting this resolution in. He explained the County Executive's desire to sell the President's residence and the Board of Trustees' approval of the sale. The matter had been sent to the SUNY Board of Trustees for their approval but we had just been told by them that a resolution had to be passed by our local sponsor and that we had to get two appraisals before it can be submitted to the SUNY Board of Trustees. This resolution will be on the October Legislative agenda. President Katt explained the sharing of the sale proceeds portion of the resolution and how it was arrived at, and how it was not possible to determine how much would go to each entity until the sale is complete.

President Katt advised he had met today with the Executive branch regarding the Sophie Finn School. The Kingston Board of Education has approved the closure of the three schools and the College hopes to be able to start classes there in the Spring of 2014. The next resolution to come before this Committee on this matter will be for an architect to determine what has to be done, including a new parking lot, an elevator, and a possible 4-classroom addition among other things.

Resolutions: None

CORNELL COOPERATIVE EXTENSION OF ULSTER COUNTY:

Report by: Lee Reidy, Executive Director and Mary Marsters, Program Director

Report: Ms. Reidy distributed CCE's budget request for 2013 and will provide any additional information if needed. She said she had met with Ken Crannell and J.J. Hanstein of the Co. Executive's Office and they had made a few suggestions. Her assumption is that the County Executive will be making a recommendation to the Legislature. She is asking for \$350,000, a little less than level funding, which includes their current rent and utilities. In the past the county provided for CCE's housing, in addition to their budgeted funding. She said the move has worked out much better than she ever could have imagined. At this time the Committee voted on the resolution as set forth below.

Ms. Reidy discussed the Fall Festival which will be September 22 and 23 at the Fair Grounds jointly with Family of Woodstock. This festival celebrates what is grown here in Ulster County and there will be some local farm products for sale, although it is not a "farmers market". There will be children's events, vendors, food, a bicycle tour/race type event and possibly a horse show on Sunday.

The Annual Dinner (with the Farm Bureau) celebrating "Friends of Extension" will be at Twin Lakes on October 12th. Ms. Reidy also discussed the current harvesting of crops, the 100th Anniversary of Cornell Cooperative Education in Ulster County, and the new Cornell University Technology School being started in Manhattan.

Draft Resolution No. 224 – September 19, 2012

Motion No. 2: Resolved to approve Resolution No. 224 – Requesting Transfer of Funds from Contingent Account for Cornell Cooperative Extension in Ulster County – Amending the 2012 Ulster County Budget.

Motion Made by: Leg. Donaldson
Seconded by: Leg. Lopez
Voice Vote: Yes
Voting In Favor: Chairman Harris, Legs. Donaldson, Wawro and Lopez
Voting In Opposition: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Motion unanimously carried. Resolution No. 224 requesting transfer of funds from Contingent Account for Cornell Cooperative Extension in Ulster County – and amending the 2012 Ulster County Budget, unanimously approved as presented.

OTHER BUSINESS:

None

ADJOURNMENT:

There being no further business, a motion to adjourn was made by Leg. Donaldson and Seconded by Leg. Wawro, and Chairman Harris declared the meeting duly adjourned at 6:00pm.

Dated the 6th day of September, 2012

Janet Salanitri, Recorder

Minutes Approved on October 2, 2012

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: September 5, 2012 @ 5:00 PM
LOCATION: Karen L. Binder Library, 6th Floor County Office Building
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Franklin Reggero
PRESENT: Chairman Dean Fabiano, Thomas Briggs, James Maloney, John Parete and Kevin Roberts
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Bernardo, Chairman of the Legislature, Langdon Chapman, Counsel to the Legislature, Sue Ronga, David Bolles, Department of Public Works, Gary Capella, Department of Soil and Water.

Chairman Fabiano:

- Called the meeting to order at 5:00 PM

MOTIONS:

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of August 1, 2012, meeting.
Motion Made By: Legislator T.J. Brigs
Motion Seconded By: Legislator Jim Maloney
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, John Parete, Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

Chairman Fabiano without objection gave the floor to Department of Soil and Water Executive Director Gary Capella to explain the duties and responsibilities of his Department.

Mr. Capella gave 20 year history of service to the department and distributed a memorandum outlining the major focus areas of the Department for the past year in the wake of Hurricane Irene and Tropical Storm Lee. Mr. Capella explained that his department has two major functional areas Agriculture (farms) and Flood mitigation, which the memorandum explains in detail including funding received to accomplish projects. Mr. Capella explained that the local municipalities have a 25% responsibility in funding projects and have complied thus far and provided a current update of on-going projects.

Mr. Capella presented a 2013 requested budget for Soil and Water with a detailed listing of current and projected expenditures for the consideration of the committee. Mr. Capella explained that additional responsibility for emergency response has impacted the work load of the Department affecting its ability to continue agriculture work which is a key revenue generator for the Department.

Chairman Fabiano stated that he will support the requests on behalf of the committee and work to insure the Department is adequately funded for 2013. **Chairman Fabiano** asked Mr. Capella the last time his department received an increase in funding. Mr. Capella stated he believes it was 2007 however the department was cut

25% in 2009. Mr. Capella provided a picture illustrating the work his department is doing in regards to flood mitigation.

Chairman Fabiano calls for any further questions. **Legislator Maloney** added that his experience with Soil and Water has been rewarding not only to farmers but all residents of Ulster County.

Chairman Fabiano without objection continues to resolutions.

MOTION NO. 2 Resolution No. 231, September 19, 2012

Text Of Motion: RESOLVED to approve Resolution No. 231 – Establishing Capital Project No. 374 For The Purchase And Installation Of Eight Salt Storage Buildings At Department of Public Works Facilities Throughout The County – Amending The 2012-2017 Capital Program– Amending the 2012 Capital Project Fund – Department Of Public Works (Highways and Bridges). In the amount of \$ 745,500.00, **Bond Resolution 232 Required.**

Resolution Summary: The Commissioner of Public Works is endeavoring to greatly reduce the use of sand from the Department of Public Works winter salt-sand spreading and improve the efficiency of salt spreading operations and the elimination of sand from the salt-sand mixture presently used by the County snow plows will save the County approximately \$623,000.00 per year.

Additional Questions and/or Comments: **Chairman Fabiano** addressed Resolutions 231 and 233 together.

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 3 Resolution No. 233, September 19, 2012

Text Of Motion: RESOLVED to approve Resolution No. 233 – Establishing Capital Project No. 375 For The Purchase Of 64 Computerized Salt Spreaders For Snow Plows – Amending The 2012-2017 Capital Program And The 2012 Capital Project Fund – Public Works (Highways and Bridges). **Bond Resolution 234 Required.**

Resolution Summary: The change to a pure salt spread necessitates the need for an efficient and conservative delivery system as less material is required to be spread on roadways in order to clear them of ice and snow; and a quote in the amount of \$320,000.00 has been received for the manufacture, delivery and installation of 64 computerized salt spreaders to be fitted. The Commissioner of Public Works is requesting that the funds be provided to purchase 64 computerized salt spreaders. .

Additional Questions and/or Comments: **Chairman Fabiano** discussed the two resolutions above together and stated that while he supports the upgrade to a salt sand mix and the infrastructure required to facilitate the program the lateness of the resolutions is his primary concern and further recognizes David Bolles (DPW) for an explanation.

Mr. Bolles stated that his department had tested the concept last winter and were satisfied with the results. Mr. Bolles further added that he would like to get project under way before the winter months. Currently the salt sand mixture is being stored outside on pads under tarps and is concerned the salt may melt away.

Chairman Fabiano clarified that the computerized spreaders would reduce cost by limiting the amount of salt and sand distributed by operator function and further provides an even amount distributed throughout the county.

Chairman Fabiano asked for further questions hearing none called for a vote.

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 4 **Resolution No. 228, September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No. 228 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Natural Resources Conservation Service, United States Department of Agriculture To Accept Funding For A Stream Remediation Project - Department Of Public Works (Highways and Bridges)

Resolution Summary: Ulster County Department of Public Works has been offered funding assistance by the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture, to assist in its effort to remediate the stream bed and banks of the Little Peck Hollow Creek adjacent to County Bridge No. 184 in order to remove the current threat and the NRCS has agreed to provide funding of a 75% share of the \$89,598.00 estimated cost, or up to \$67,198.50 for this stream remediation project. Ulster County will provide funding of its 25% share of the \$89,598.00 estimated cost, or up to \$22,399.50, by utilizing in-kind labor over life of the project for design engineering, construction, normal maintenance and inspection.

Additional Questions and/or Comments: **Chairman Fabiano** recognized Mr. Bolles from DPW for an explanation on Resolution Number 228 and 229.

Mr. Bolles explains that before DPW can begin work these two resolutions must be authorized by the Land owner and the Legislature. Mr. Bolles further explains that this agreement would be for ten years authorizing DPW to provide remediation on this project.

Mr. Bolles stated that it should only be a five day project; however the DEC deadline for work being conducted in the stream is September 30 and will attempt to complete by that day.

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 5 **Resolution No. 229, September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No.229 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Easement Agreement With Peter Cleary Allowing The County Access To Privately-Owned Real Property In The Town Of Shandaken

Adjacent To Little Peck Hollow Creek – Department Of Public Works (Highways and Bridges)

Resolution Summary: flooding resulting from Hurricane Irene caused the stream bed and stream banks of the Little Peck Hollow Creek to be altered and to be filled with obstructions and stone debris in such a way as to create a threat of erosion to the footings of County Bridge No. 184, the Little Maben Hollow Bridge on County Route No. 47, Oliverea Road, in the Town of Shandaken

Additional Questions and/or Comments: Chairman Fabiano recognized Mr. Bolles who stated that Mr. Cleary was in his office this morning and signed the easement.

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 6 **Resolution No. 230, September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No.230 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Easement Agreement With Richard Amdur Allowing The County Access To Privately-Owned Real Property In The Town Of Shandaken Adjacent To Little Peck Hollow Creek – Department Of Public Works (Highways and Bridges)

Resolution Summary: flooding resulting from Hurricane Irene caused the stream bed and stream banks of the Little Peck Hollow Creek to be altered and to be filled with obstructions and stone debris in such a way as to create a threat of erosion to the footings of County Bridge No. 184, the Little Maben Hollow Bridge on County Route No. 47, Oliverea Road, in the Town of Shandaken.

Additional Questions and/or Comments: Chairman Fabiano recognized Mr. Bolles who stated that Mr. Amdur is living in Connecticut which is prolonging the process in obtaining the easement authorization signed; however, is optimistic that it will happen soon.

Motion Made By: Legislator Roberts
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

MOTION NO. 6 **Resolution No. 235, September 19, 2012**
Text Of Motion: RESOLVED to approve Resolution No.235 – Amending Resolution No. 253 Dated October 19, 2010, And Authorizing The Chairman Of The Ulster County Legislature To Execute A Revocable Permit Agreement With The State of New York, Allowing The New York State Department Of Correctional Services And Community Supervision To Use Space At Ulster County's Old Jail – Department of Public Works, Division Of Buildings And Grounds

Resolution Summary: The County and the State, through its Office of General Services, have completed the drafting and negotiations and have created a Revocable Permit for the same space at the same \$1,100 per month rate, to commence on July 1, 2012 and end on June 30, 2017 (subject to the State's options to renew and subject to the County's rights to revoke or terminate the Permit).

Additional Questions and/or Comments: **Chairman Fabiano** recognized Mr. Bolles who stated that Mr. Amdur is living in Connecticut which is prolonging the process in obtaining the easement authorization signed; however, is optimistic that it will happen soon.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Bernardo
Roll Call Vote: No
Voting In Favor: Bernardo, Briggs, Fabiano, Maloney, Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 6
No. Of Votes Against: 0
Disposition: Motion Passes

New Business: **Chairman Fabiano** recognized Mr. Bolles for a DPW update. Mr. Bolles provided an update on the final cost for the two Town of Lloyd bridges and stated that the contractor is asking for additional money and that is the reason for delay on the projects. Mr. Bolles also provided a CHIPS update on several roads throughout the county. **Legislator Maloney** commented on the good work completed on Leggs-Mill road.

Mr. Bolles also commented on the road reclamation and paving completed. Mr. Bolles provided the committee a DPW section update on 2 of the 4 county sections. He further commented and showed pictures of the camera's installed at the county pool for under \$1,000 cost to the county. The buildings and grounds section report contained information regarding returned bids for pool annex and court house roofs. Bid came under budget at \$230,000. Buildings and Grounds completed work on the Plattekill sub-station and will continue with other sub-stations throughout the county.

Chairman Fabiano recognized **Legislator Bernardo** for comment. **Legislator Bernardo** asked Mr. Bolles his knowledge of the pile of rocks at the Kerhonkson Bridge that has now been spread during the construction. Mr. Bolles stated he would contact Town officials regarding the debris. **Legislator Bernardo** further stated that the debris under the Kerhonkson Bridge is continuing to pile up against the abutment restricting the flow of water. Mr. Bolles stated the position of the county DPW has not changed; the debris is not threatening the county asset therefore if the town wants it removed they should consider doing it themselves.

Chairman Fabiano stated that a representative from the County Executives office will be at the October 3, 2012 Committee meeting to discuss the county Surplus Building Plan.

Old Business: no further discussion

The next regularly scheduled Committee Meeting will be held on October 3rd at 5:00 PM in the Karen L. Binder Library, 6th Floor of the COB.

There being no further business before the meeting, on the motion duly made by Legislator Briggs, seconded by Legislator James Maloney, and carried, the meeting adjourned at 6:00 pm.

Dated the 5th day of September, 2012
Franklin Reggero, Committee Clerk
Minutes Approved on: October 3, 2012(FR)

Social Services and Ways & Means Committees

Joint Meeting Minutes

DATE & TIME: September 11, 2012 @ 6:00 PM
LOCATION: Library Conference Room, County Office Building
PRESIDING OFFICER: Chairmen Kevin Roberts & Richard Gerentine
LEGISLATIVE STAFF: Krista Barringer, Deputy Clerk and Frank Reggero, Senior Legislative Staff
PRESENT: Legislators Donald Gregorius, Wayne Harris, Craig Lopez, Mary Beth Maio, James Maloney, Jeanette Provenzano, Hector S. Rodriguez, and Kenneth J. Ronk.
ABSENT: Jeanette Provenzano and Richard A. Parete,
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Erica Guerin and Chris Ragucci, Town of Ulster Supervisor James E. Quigley, III, Philip Gurrieri, Daily Freeman Reporter Patricia Doxey, and County Attorney Representatives Susan Plonski and Roland Bloomer.

- Chair Roberts called the meeting to order at 6:20 PM

Discussion: Safety Net

Chairman Roberts noted the safety net discussion has been a long process for the Social Services Committee and thanked the Committee for helping out. He thanked the Chair of the Ways and Means Committee for assisting in meetings and phone calls to Town Supervisors. He felt this was a problem that would not be solved by the Committee at this time. He stated this was more than a Legislative/Executive, Republican/Democrat, County/Town problem but a problem that has been forced down on the County by a State Government that has out-of-control spending. He stated he spoke with the County Executive an hour before the meeting and he was asked by the County Executive to not put anything down as a resolution for this month. He stated the County Executive indicated he was working on several options and did not want hands to be tied with any resolutions or distract from the process. He stated at this time the Committee would not put forth a resolution to move forward.

Supervisor Quigley spoke on behalf of the Town Supervisors and Mayors Association and noted the result from a special breakfast meeting held the last week of August was a letter to the Chairwoman of the County Legislature, County Executive and State Legislative Representatives in Albany. He reminded the Legislature that the Town budget cycle is one that requires the Town Supervisors to present to the Town Boards a tentative Town budget by September 30, 2012. He highlighted that budgets will be out prior to the submission of the County budget; without any communication from the County government to the Towns suggesting no potential solutions or how it may impact the Town. He stated he was reinforcing that in 2010 the Towns set their budgets for 2011 and then the State Legislature make an adjustment to the cost sharing ratio which caused the Towns to seek relief from the County Legislature. He requested consideration be given to the developing plans in relation to Safety Net at the County level and the timing of the Towns presentation of their budgets.

Chairman Gerentine replied the Legislative branch of government is not forming a budget at this time and thus, the Legislature does not have any way to provide the Towns information regarding Safety Net. He noted he was aware of the letter submitted and he took the liberty to call the County Executive and seek his ability to do anything prior to the release of his budget proposal. He specifically asked if the County Executive would meet with the Town Supervisors to provide some indication of what he is proposing. **Chairman Gerentine** reported the County Executive indicated a meeting was held with the Town of Woodstock Supervisor. He noted he spoke with the Town of Woodstock himself and was told by Supervisor Wilber that there was no additional information provided at the meeting. **Chairman Gerentine** indicated the only thing they could do is wait to see what the County Executive proposes and then the Legislature can set policies or make decisions. He noted the biggest point to the discussion was that everyone should be contacting their State representatives as they were the ones that changed from the 50/50 split to the 71/29 percent split without any conversations with the Counties or Towns or Cities. He stated the County and municipalities should be knocking on Albany's door and indicating the local communities have their own problems and they just added to this problem.

Legislator Gregorius noted Ulster County is one of two States in the United States that hasn't had the State take over these costs. **Legislator Bernardo** indicated the State is going in the wrong direction. **Legislator Gregorius** suggested the County may want the relief from the State since they just unilaterally solved their problem by handing it to the County. **Legislator Bernardo** concurred that it was the State's mandate. **Legislator Gregorius** suggested the State be held accountable and trying to talk to the State about accepting this so it does not have to come back to the property tax. **Chairman Gerentine** suggested the Committee draft a resolution from the Legislative body with these concerns and in conjunction with the Town Supervisors Association to request relief from the mandate. **Legislator Bernardo** noted she, Legislator Maloney, and Legislator Loughran were leaving tomorrow for the New York State Association of Counties Fall Seminar and suggested they speak with other Counties about this issue.

Legislative Counsel Chapman noted the Senate has passed legislation year in and year out but it has not moved out of the Assembly.

General discussion progressed among Committee members.

Adjournment:

Chairman Roberts requested a motion to adjourn and this was received from Legislator Rodriguez. Legislator Maio seconded the motion which was carried. The meeting ended at 6:30 pm.

Dated the 11th day of October, 2012

Krista J. Barringer, Deputy Clerk, Ulster County Legislature

Minutes Approved on:

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: September 19, 2012 5:15 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Don Gregorius, Deputy Committee Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Bernardo, Gregorius, Harris, Maio, Maloney, Provenzano Rodriguez and Gerentine (5:40)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Tracey Bartels and John Parete; Langdon Chapman, Legislative Counsel; Sandy Mathes, Leg. Budget Director; Ken Crannell, Deputy County Executive; Beatrice Havranek, Susan Plonski, County Attorney; James Hanson and Lisa Cutten, Executive Budget Office; Burt Gulnick, Dept. of Finance; Sylvia Wohlfahrt, UC Information Services; Michelle Haines, public; Patricia Doxey, Daily Freeman.

- Deputy Chairman Gregorius called the meeting to order at 5:30 PM.
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I. MOTIONS:

MOTION NO. 1 Draft Resolution No. 223

TEXT OF MOTION: Draft Resolution No. 223 - Authorizing The Commissioner Of Finance To Reinstate The Installment Agreement With ERED Enterprises, Inc. And Accept Payment Of 2008 And 2009 Taxes Under Said Agreement. **WITHDRAWN BY SPONSOR.**

DISPOSITION: Motion Withdrawn

MOTION NO. 2 Draft Resolution No. 243

TEXT OF MOTION: **RESOLVED**, 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 Rodriguez
MOTION SECONDED BY: Legislator Provenzano

DISCUSSION: Deputy Chairman Gregorius recognized Legislator Maloney for discussion regarding the Roemes, Wallens, Gold and Mineaux contract for professional services. Legislator Maloney asked the historic amount the company was paid for services rendered and explanation regarding NYSUT. Legislator Harris explained that NYSUT is middle management level of school teachers throughout the county. Legislator Maloney asked Sue Plonsky to explain the large difference in contract amount between the old agreement and the new. Sue Plonski explained that the old agreement had to be amended during the contract period and that the Personnel Director Brenda Bartholomew, had requested this not to exceed amount to ensure that the contract would not have to be amended. Legislator Maloney asked for an explanation as to the \$290,000 increase in which Mr. Hanson stated that due to the complexity of labor negotiations the contract amount is a not to exceed amount not a guaranteed payment amount. Bea Havranek further explained the scope of work that the firm is conducting.

Deputy Chairman Gregorius recognized Legislator Bartels who asked for clarification on hourly rates specified in the contract. Mr. Hanson and Ms. Plonski explained that those price listing are for all services provided by the firm. Chairman Gerentine asked Mr. Hanson to verify contract amount paid last year, which is less than the proposed \$300, 000 a year contract increase. Chairman Gerentine motions to reduce contract amount to a certain number and if more funds are needed then via resolution may be requested.

ROLL CALL VOTE: No

VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 3 Draft Resolution No. 224

TEXT OF MOTION: RESOLVED, Requesting Transfer Of Funds From Contingent Account For Cornell Cooperative Extension in Ulster County – Amending The 2012 Ulster County Budget.

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

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 4 Draft Resolution No. 226

TEXT OF MOTION: RESOLVED, Authorizing The 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.

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

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 5 Draft Resolution No. 227

TEXT OF MOTION: RESOLVED, Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The Onteora Central School District For Substance Abuse Prevention Services - Department Of Mental Health.

MOTION MADE BY: Legislator Gregorius
MOTION SECONDED BY: Legislator Harris

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 6 Draft Resolution No. 228

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Natural Resources Conservation Service, United States Department of Agriculture To Accept Funding For A Stream Remediation Project - Department Of Public Works (Highways and Bridges).

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

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 7 Draft Resolution No. 231

TEXT OF MOTION: **RESOLVED**, Establishing Capital Project No. 374 For The Purchase And Installation Of Eight Salt Storage Buildings At Department of Public Works Facilities Throughout The County – Amending The 2012-2017 Capital Program– Amending the 2012 Capital Project Fund – Department Of Public Works (Highways and Bridges). **BOND Resolution 232 Required.**

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

DISCUSSION: **Chairman Gerentine** recognized Joe Whittaker, UCDPW, for an explanation regarding the necessity of these storage facilities, the mixing of sand & salt and the saving of County funds by investing in these sheds. **Chairman Gerentine** calls for further debate, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 8 Draft Resolution No. 233

TEXT OF MOTION: **RESOLVED**, Establishing Capital Project No. 375 For The Purchase Of 64 Computerized Salt Spreaders For Snow Plows – Amending The 2012-2017 Capital

Program And The 2012 Capital Project Fund – Public Works (Highways and Bridges).
BOND Resolution 234 Required.

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

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 9 Draft Resolution No. 235

TEXT OF MOTION: **RESOLVED**, Amending Resolution No. 253 Dated October 19, 2010, And Authorizing The Chairman Of The Ulster County Legislature To Execute A Revocable Permit Agreement With The State of New York, Allowing The New York State Department Of Correctional Services And Community Supervision To Use Space At Ulster County's Old Jail – Department of Public Works, Division Of Buildings And Grounds.

MOTION MADE BY: Legislator Maloney
MOTION SECONDED BY: Legislator Gregorius

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 10 Draft Resolution No. 236

TEXT OF MOTION: **RESOLVED**, Authorizing the Chairman of the Ulster County Legislature to Execute An Agreement With The New York State Unified Court System For Funding For Court Attendants For The Period April 1, 2012 to March 31, 2013 – Amending The Ulster County Budget – Sheriff's Office.

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

DISCUSSION: Chairman Gerentine recognized Mr. Hanson, Budget Director, for a correction on the Fiscal impact of the Resolution. Mr. Hanson stated that the amount of \$28,423 currently on the resolution should be amended to \$22,508. Chairman Gerentine called for further discussion, hearing none called for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division Of Criminal Justice Services For A Domestic Violence Program – District Attorney.

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

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none called for a vote.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 15 **Draft Resolution No. 242**

TEXT OF MOTION: **RESOLVED**, Authorizing An Agreement Between The County Of Ulster And The Ulster County Unit Of The Civil Service Employees Association, Inc., For The Years 2011 through 2014.

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

DISCUSSION: **Chairman Gerentine** recognized **Legislator Harris** who asked for explanation from the County Executive staff. Mr. Hanson provided summary of changes. **Chairman Gerentine** called for further discussion, hearing none called for a vote.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 16 **Draft Resolution No. 243**

TEXT OF MOTION: **RESOLVED**, 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 Harris**
MOTION SECONDED BY: **Legislator Maio**

DISCUSSION: **Chairman Gerentine** recognized **Legislator Maio** who asked for specifics on the contract with Next Step Digital. Ms. Plonski, County Attorney Contract Management, explained that is a contract for web design. **Chairman Bernardo** asked Ms. Plonski why the contract excludes the other elected branches of Government.

Chairman Gerentine recognized Counsel Chapman who stated that the contract explicitly excludes the County Legislature, District Attorney and other elected offices from receiving services. Mr. Hanson stated that it was not intentional and if the other elected offices wish to have web design done then submit a contract. Ms. Plonski added that it was her understanding that this clause was not an exclusion but rather a protection for these offices. Counsel Chapman stated that it may not have been the intent; however the clause is in fact an exclusion.

Chairman Gerentine recognized **Legislator Gregorius** who asked if this contract went through the Environmental, Energy and Technology Committee for review. Mr. Hanson stated that yes if was routed through that committee for informational purposes only. **Chairman Bernardo** emphasized that the committee did not vote but was merely informed.

Chairman Gerentine motioned a request that the Informational Services Department be present at the next Ways and Means meeting, seconded by **Legislator Harris**, passed unanimously.

Chairman Gerentine recognized **Legislator Gregorius** who stated that he is concerned in regards to the insurance coverage for the Taylor Recycling contract. Ms. Plonski agreed to look into the amount of coverage.

Chairman Gerentine recognized **Chairman Bernardo** who asked why the proposed contract with Roemer, Wallens, Gold and Mineaux for \$900,000 was not subjected to the competitive bid process. Ms. Plonski responded by saying that they are currently involved in representing the County and these types of professional service contracts are exempt from the competitive bid process.

Chairman Gerentine called for further debate, hearing none, this resolution will be tabled until the next meeting or until questions can be answered.

DISPOSITION: **Laid aside until September 19, 2012.**

MOTION NO. 17

Draft Resolution No. 244

TEXT OF MOTION:

RESOLVED, Legislature Of The County Of Ulster, Providing Exemptions From Sales And Compensating Use Taxes For Receipts From Sales Of, And Consideration Given Or Contracted To Be Given For, Or For The Use Of, Property And Services Exempt From State Sales And Compensating Use Taxes Pursuant To Subdivision (hh) Of Section 1115 Of The New York Tax Law, Pursuant To The Authority Of Article 29 Of The Tax Law Of The State Of New York.

MOTION MADE BY:

Legislator Gregorius

MOTION SECONDED BY:

Legislator Rodriguez

DISCUSSION:

Chairman Gerentine recognized **Legislator Gregorius** who motioned to have the actual tax law that the resolution is referring to attached to the Resolution or the Resolution be amended to reflect the text of the tax law. Seconded by **Legislator Rodriguez**, passed unanimously as amended.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Gregorius, Harris, Maio, Maloney and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

6

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed as Amended

III. DISCUSSION:

Chairman Gerentine explained the RFP for the Budget Analyst for the 2013 Proposed Budget is in its final stages and the Committee will be selecting an agency in the very near future.

Chairman Gerentine calls for any further debate or discussion, hearing none.

- **There being no further business before the Committee, a motion was made by Legislator Harris seconded by Legislator Rodriguez and carried to recess the meeting at 6:16 PM.**
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Dated the 11th day of September, 2012

Franklin R. Reggero, Legislative Staff

Minutes Approved On: October 9, 2012 (fr)