

ULSTER COUNTY LEGISLATURE

JOHN R. PARETE, Chairman
DAVID B. DONALDSON, Vice Chairman
DONALD J. GREGORIUS, Majority Leader
KENNETH J. RONK, JR., Minority Leader
VICTORIA A. FABELLA, Clerk



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MINUTES

APRIL 15, 2014

REGULAR MEETING

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:05 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Chairman John R. Parete

MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

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

CELL PHONES

Please silence cell phones and refrain from texting for the duration of Session.

MICROPHONES

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

ROLL CALL: Present: 22 Absent: 1 (Legislator Briggs)

BIRTHDAYS:

District No. 23 Majority Leader, Don Gregorius April 19th, Legislative Counsel Chris Ragucci April 6th.

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

COMMUNICATIONS FROM:

Chairman John Parete

Appointment Letter, Ways and Means Committee Deputy Chairman, Tracey Bartels

UC Legislative News Press Release, Health Insurance Open Enrollment Deadline

UC Legislature Girl Scout Press Release

Citizens for Local Power

Power Grid Issues in the Hudson Valley Part II, Forum

UC Resource Recovery Agency Report

Independent Accountant's Report Year Ending 12/31/12

Congressman Chris Gibson

Focus on Veterans Update

Energy Costs Update

Concerned Citizens

3 Emails In Support of Rails

Hudson Valley Mall, Terry Parisian General Mgr.

Letter, Parental Escort Policy

Behavior Codes, FAQs

UC Personnel Department

Civil Service Exam Announcements

The Carnright Family

Thank You Note

The Naccarato Family

Thank You Note

The Rudge Family

Thank You Note

COMMUNICATIONS (continued)

C&S Companies UC Commissioner of Finance	Advances Brochure, Winter 2014 Federal Drawdown UCAT Grant#NY-90-X682-00 Letter, 2013 (CAFR)
Ulstercountyalive.com UC Attorney	TRENDING Brochure for April 2014 Letter, Powers & Duties Audit Committee, Legislature, County Executive
UC Community Action	Invitation, 50 Yrs. Fighting Poverty To Opportunity
UCRRA Cornell University Cooperative Extension	Meeting Agenda, Minutes Recycling Program Update – March 2014
NYSAC	Legislative Report, Spring 2014 48 th Annual County Finance School Registration Form
Eileen Baul Elizabeth Shults Berardi The Senate State of NY, John Bonacic, Senator Central Hudson Glenn Dobbs, Community Services Board & Mental Health Sub-Committee Town of Denning, Town Clerk	Letter to Town of Rochester Letter, Safe Sober Living In Receipt of Resolution No. 83 Energy Bulletin, March 2014 Resignation Letter, April 4, 2014
UC Legislative Counsel Catskill Watershed Corporation	Resolution No. 32 of 2014, US Postal Service Letter Supporting Mike Vaia Town Rep for UC Planning Board Letter to UC Comptroller
Town of New Paltz, Town Clerk Ulster County Fire Advisory Board	Notice of Preliminary Decisions April 2, 2014 Resolution US Postal Service EMS Coordinator Report, 3/26/14 & Meeting Minutes, 3/26/14
The Senate State of NY, James L. Seward, Senator UC Human Rights Commission	In Receipt of Resolution No. 83 Meeting Minutes, November 7, 2013 & December 6, 2013
Town of Shandaken, Town Clerk UC Community Services Board	Support of Resolution No. 68-14 Meeting Minutes March 10, 2014

COMMUNICATIONS (continued)

Ulster BOCES

Kick Butts Day, Student Comment
Cards

COUNTY EXECUTIVE COMMUNICATIONS:

Letter, Appointment & Nominating
Acting Director & Director Office of
the Aging, Kelly McMullen

ANNUAL REPORTS:

DATE:

UC Sheriff's Office
UC Soil & Water Conservation District

2013 Annual Report
2013 Annual Report
July 1-September 30, 2013
October 1-December 31, 2013

COMMITTEE REPORTS:

DATE:

Economic Development, Tourism, Housing, Planning & Transit
Energy and Environment
Law Enforcement and Public Safety
Laws and Rules, Governmental Services

March 4, 2014
March 17, 2014
March 12, 2014
March 4, 2014
March 17, 2014
March 5, 2014
March 10, 2014
March 6, 2014
March 12, 2014
March 18, 2014

Legislative Programs, Education & Community Services
Public Health and Social Services
Public Works and Capital Projects
Ways and Means

PRESENTATIONS:

Chairman John R. Parete called upon Legislator Kenneth Wishnick, District No. 17, to present a Pride of Ulster County Award to Jennifer Halpern, in recognition of her service with the Dispute Resolution Center (DRC), for Ulster County.

PRIVILEGE OF THE FLOOR:

Chairman John R. Parete granted Privilege of the Floor to Butch Dener. Mr. Dener presented information regarding April's Organ Donor Month. He was joined by former Orange County Executive Ed Diana, and local artist Charles Lyonhart, who spoke about their personal experiences as organ recipients.

Chairman John R. Parete called upon Legislator David B. Donaldson, Chairman of the Legislative Programs, Education and Community Services Committee, and Legislator Craig V. Lopez, Chairman of the Public Health and Social Services Committee, who presented a Proclamation to Butch Dener, on behalf of the Ulster County Legislature, declaring the month of April Organ Donor Month.

PUBLIC COMMENT: There were (6) speakers at tonight's meeting and (16) people watching the online webcasting.

1. Mike Treanor: Mr. Treanor, owner of the Nevele Resort, thanked the Legislature for their consideration, support and is working hard for the casino to become a reality at the Nevele.
2. Tyler Carell: Mr. Carell spoke in support of the Polar Express Railroad.
3. Kathy Nolan: Ms. Nolan extended an invitation to the Legislature for the upcoming Kiwanis Kingston Classic and Friends Family Walk, April 27, 2014.

PUBLIC COMMENT CONT'D.

4. Peter Fluchere CMRR: Mr. Fluchere spoke in support of the Railroad events for the fall and holiday seasons, Peanuts and the Polar Express. Mr. Fluchere also provided a flyer of events to all Legislators. Mr. Fluchere respectfully requested that the Legislature have a dialogue with the County Executive to better understand the need for railroad related events to continue in Ulster County.
5. Mr. Nicholas (Santa Claus): Mr. Nicholas (volunteers as Santa Claus on the Polar Express train ride during the holiday season) spoke in favor of the Railroad Events – Polar Express.
6. Mike Wendel: Mr. Wendel discussed his plight regarding his home as part of the Greater Catskill Remediation Bill (Wawarsing Flood Buyout).

Please Note: Complete content of the public comment period for tonight's Session can be heard on the Legislative website.

RESOLUTION NOS:

Motion by Majority Leader Donald Gregorius, seconded by Minority Leader Kenneth Ronk to move Resolutions Nos. 123 into the Non-Concent Agenda. All in favor.

Motion by Majority Leader Donald Gregorius, seconded by Minority Leader Kenneth Ronk to move Late Resolutions Nos. 148, 149 & 150 into the Consent Agenda. All in favor.

Resolution Nos. 54.1, 114, 116-122, 125-150 were adopted unanimously as part of the Consent Agenda.

First Reading

54.1 Amending The Rules Of Order To Require Participation On Standing Committees

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

Consent

- 114 Supporting The Passage Of New York State Senate Bill 3812B And Assembly Bill A7713A, An Act To Amend The State Tax Law To Permanently Authorize Certain Counties, Cities And School Districts To Impose Up To A Four Percent Rate Of Sales And Compensating Use Taxes**

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

- 115 Appointing And Reappointing Members To the Ulster County Community Action Committee, Inc., Board Of Directors**

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
(Abstaining: Legislator David Donalson)
(Absent: Legislator Briggs)

- 116 Establishing The Legal Work Week For The Clerk Of The Legislative Board Regular Pay Positions**

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

- 117 Confirming Appointment Of A Member To The Environmental Management Council**

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

- 118 Confirming The Appointment Of Dorraine Whitney As Insurance Officer**

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

119 Creating One Full Time Position And Amending The 2014 Ulster County Budget – County Attorney’s Office

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

120 Confirming The Appointment Of Marc Rider As Director of Purchasing

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

121 Confirming The Appointment Of Lisa Berger As Director Of The Department Of Employment And Training

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

122 Confirming The Appointment Of Sheree Cross As Personnel Director

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

123 Adopting Proposed Local Law No. 1 of 2014, A Local Law Applying The Salary Revisions of Resolution No. 69 Of 2014 To All County Officers Serving For Fixed Terms

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 1
(NOES: Legislator Kevin Roberts)
(Absent: Legislator Briggs)

125 Confirming Appointment Of Member To The Ulster County Fish And Wildlife Board

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

126 Confirming Appointment Of Member To The Ulster County Board Of Ethics

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

127 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Health Alliance Medical Alert – Office For The Aging

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

128 Confirming Re-Appointment Of A Member To The Ulster County Youth Board

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

129 Confirming Re-Appointment Of A Member To The Ulster County Youth Board

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

130 Authorizing A Public Hearing On Tentative Budget Of The Ulster County Community College For The Year 2014 - 2015 To Be Held On Wednesday, June 11, 2014 At 6:30 PM

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

131 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Cornell Cooperative Extension – Department Of Social Services

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

132 Confirming Re-Appointment To The Ulster County Board of Health

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

133 Authorizing The Chairman Of The Ulster County Legislature To Execute A Lease With Lily Lake, LLC For Space To Be Used As A Coordinated Children's Services Mental Health Clinic – Department Of Public Works (Buildings And Grounds)

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

136 Establishing Capital Project No. 408 - Purchase Of Highway Equipment — Department of Public Works (Highways And Bridges)

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

138 Amending The 2014 Ulster County Budget - Appropriating Unexpended Grant Funds From The New York State Office Of Homeland Security And Emergency Services For the State Homeland Security Program (SHSP) Anti-Terrorism Funds – Ulster County Sheriff's Office

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

139 Authorizing The Commissioner Of Finance To Accept A Bid For A Parcel Of County-Owned Real Property For Private Sale And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcel – Department Of Finance

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

140 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – VHB Engineering Surveying And Landscape Architecture, P.C. – Planning Department

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

141 Urging The New York State Legislature To Pass Legislation Amending The General Municipal Law And Vehicle And Traffic Law To Authorize Ulster County To Regulate The Registration And Licensing Of Taxicabs, Limousines And Livery Vehicles

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

142 Amending The 2014 Ulster County Budget - Appropriating Unexpended Grant Funds From The New York State Department Of State – Department Of Tourism

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

143 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement To Receive Grant Funding From The New York State Environmental Facilities Corporation For Green Infrastructure Elements Utilized In The STRIVE Project – SUNY Ulster Satellite Campus – Department Of Planning

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

146 Commemorating The 44th Anniversary Of Earth Day On April 22, 2014

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

147 Supporting The Passage Of New York State Senate Bill 06417 And Assembly Bill 08740, An Act To Amend The Election Law, In Relation To The Reimbursement To Counties And The City of New York Of The Costs Associated With Administering Primary Elections

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

Non-Consent

81 Denying Use Of The County Seal Or Any Other Ulster County Identification With Regard To The New York Safe Act

Legislator Greene motioned, seconded by Legislator Bartels, to strike from the first RESOLVED the phrases, "*the name or*" and "*or any of its officers, letterheads or address.*"

Legislator Ronk offered a friendly amendment to strike from the first RESOLVED only the words "*the name or*" and "*or address.*" Legislator Greene consented.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES:22 NOES: 0
(Absent: Legislator Briggs)

134 Establishing Capital Project No. 404 – Purchase Of Central Auto Vehicles – Department of Public Works (Central Auto)

Legislator Gregorius motioned, seconded by Legislator Ronk, to strike the words "*pickup truck*" in the fourth WHEREAS.

ADOPTED AS AMEMDED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Briggs)

135 **Authorizing The Purchase Of Vehicles For Various County Departments In
BOND** **And For The County Of Ulster, New York, At An Aggregate Maximum
Estimated Cost Of \$305,000.00, And Authorizing The Issuance Of \$305,000.00
Bonds Of Said County To Pay The Cost Thereof**

LONG ROLL

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

137 **Authorizing The Purchase Of Highway And Bridge Equipment For
BOND** **Construction And Maintenance Purposes, For The Department Of Public
Works Of The County Of Ulster, New York, At A Maximum Estimated Cost
Of \$1,321,200.00, And Authorizing The Issuance Of \$1,321,200.00 Serial Bonds
Of Said County To Pay The Cost Thereof**

LONG ROLL

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

144 **Supporting The License Approval And Operation Of A Casino At The Former
Nevele Grande Hotel And Country Club In The Town Of Wawarsing**

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

145 **Authorizing The Acquisition Of Land For Flood Remediation, Open Space,
BOND** **Wetlands, Or Recreational Purposes, In And For The County Of Ulster, New
York, At A Maximum Estimated Cost Of \$6,558,566.00, And Authorizing The
Issuance Of \$6,558,566.00 Bonds Of Said County To Pay The Cost Thereof**

LONG ROLL

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

Late Resolutions

Leader Donald Gregorius, seconded by Minority Leader Kenneth Ronk to move Late Resolutions Nos. 148, 149 & 150 into the Consent Agenda. All in favor.

148 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – LM Sessler Excavating And Wrecking, Inc. – Department Of Public Works

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

149 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – New Century Construction, LLC – Department Of Public Works

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

150 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Creighton Manning Engineering, LLP – Department Of Public Works

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

MEETING ADJOURNED IN MEMORY OF:

Ella Panesa, Town of Kingston, NY
Robert A. Slater, Kingston, NY
Carol H. Downer, Kingston, NY
Berry Stainback, Saugerties, NY
Homer R. VanVoorhis, Saugerties, NY
Paul W. Seyfarth, Kingston, NY

Donald O. Anderson, Bradenton, FL
George F. Moxham Jr., Ulster Park, NY
Douglas R. Blair, Saugerties, NY
Anna C. Haines, Saugerties, NY
Margaret E. Seyfarth, Kingston, NY
Myron Boice Jr., High Falls, NY

MEETING ADJOURNED IN MEMORY OF CONT'D.

John V. Sweeney, Kingston, NY
Ursula J. Henry, Lake Katrine, NY
James H. Mergendahl Jr., New Paltz, NY
James M. Smiseth, Stone Ridge, NY
Robert E. Rushforth, New Paltz, NY
Grace M. Cahill, Saugerties, NY
Harry E. Teetsel Jr., Kingston, NY
Joseph Trapani, Highland, NY
Marion M. Kells, Gardiner, NY
Richard M. Patterson, Saugerties, NY
Raymond Acevedo, Plattekill, NY
Norma T. Cardona, Wallkill, NY

Katharine Dean Cordts, Kingston, NY
Juanita A. DeGraff, Lake Katrine, NY
Jeffrey J. Otis, Pine Bush, NY
Audrey J. Carpino, Kingston, NY
Anna T. Pardini, Kingston, NY
William Kozack, Stone Ridge, NY
Eileen V. Baggot, Kingston, NY
Nicholas Tozzi, New Paltz, NY
Alice M. Banks, Kingston, NY
Jane Smith, Claryville, NY
Anne J. Kasnowski, Town of Ulster
Humberto Lens, Wallkill, NY

Legislator Litts motioned, seconded by Majority Leader Gregorius to adjourn. All in favor.

MEETING ADJOURNED: 8:28 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **May 20, 2014 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, April 30, 2014 at 12 Noon.**