

# 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

**AUGUST 18, 2015**

**REGULAR MEETING**

**7:00 PM**

**MEETING CALLED TO ORDER BY VICE CHAIRMAN: 7:09 PM**

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Legislator Mary Wawro

**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: 23 Absent: 0

Note: Chairman John R. Parete and Legislator Richard A. Parete were in attendance – linked via computer, located at 1221 Millstone Road, Brewster, MA 02631

**BIRTHDAYS:**

Legislator Jeanette Provenzano, August 5<sup>th</sup> and Legislator Mary Wawro, August 20<sup>th</sup>

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

Majority Leader Donald Gregorius motioned, seconded by Minority Leader Kenneth Ronk.  
All in favor.

**COMMUNICATIONS FROM:**

Leg. Jeanette Provenzano & Health Committee

UC Finance Commissioner, Burt Gulnick

Traffic Safety Board

NACO County News

UC Tourism

Catskill Forest Association, Inc.

Press Release, Safe Staffing for Quality Care

Expense & Revenue Budget Performance Report Fiscal Year to Date 6/1/15

Meeting Minutes, June 1, 2015

Vol. 47, No.14, 7/13/15 & No.15 8/3/15

Trending, August Calendar of Events

CFA News, Vol. 33, No. 3 Summer

**COMMUNICATIONS:** (continued)

Trails Advisory Committee

The Arc Ulster-Greene NYSARC, Inc.  
UC Comptroller's Office

UC Attorney, Bea Havranek  
NYS Dept. of Taxation and Finance

NYS Dept. of Real Property Tax Services  
Central Hudson Gas & Electric Corp.  
Woodstock, Universal Day of Peace  
UC Office Of The Sheriff, Paul VanBlarcum  
NYSAC

UC Personnel Department  
The Assembly State of New York, Kevin Cahill

UC Finance Department  
Family of Woodstock, Inc  
O'Connor Davies, LLP, Bruce Parker

Community Foundations of The Hudson Valley  
UC Chamber of Commerce

Mr. Oscar Keogan  
Bernadette Kennedy  
James Noble, President Kingston Common Council

Center For Photography At Woodstock  
Town of Shandaken, Supervisor Robert Stanley

Meeting Minutes, June 15, 2015  
Meeting Sign In Sheet, July 20, 2015  
Fall Golf Classic, September 21, 2015  
Review of Internal Controls over IT  
Equipment, July 28, 2015  
Press Release, IT Equipment Safeguards  
Press Release, Comptroller Office  
Compliance  
UC Litigation Report, July 2015  
Town of Wawarsing Apportionment  
Rate, July 23, 2015  
2015 State Final Equalization Rates  
Clean Energy Flyer, July 2015  
Woodstock Summer Walk, 8/8/2015  
High Intensity Drug Trafficking  
2015 Fall Seminar Brochure  
UC Civil Service Exam Announcements  
Receipt of Letter, Gilboa Dam / Esopus  
Creek DEP Discharges  
UCCC Survey  
Family Ties, Summer 2015  
Special Consulting Report UC  
Comptroller's Office  
Independent Acct. Report On Applying  
Agreed-Upon Procedures  
Summer 2015 Brochure  
Ribbon Cutting Frogmore Tavern's  
New Roof Dining, July 30, 2015  
Ribbon Cutting Gateway Grille &  
Catering, August 19, 2015  
Ribbon Cutting, Ole Savannah Southern  
Table & Bar, August 18, 2015  
Thank You Letter  
Letter, Tax Exemptions Non-Profits  
Press Release, Public Hearing Rail  
and/or Trail, 8/24/15  
Photographers' Fellowship Fund 2015  
12<sup>th</sup> Annual Shandaken Day

**COMMUNICATIONS:** (continued)

Town of Wawarsing, Supervisor Leonard Distel  
  
Town of Olive, Supervisor Sylvia Rozzelle  
The Sottile Family  
Family Services  
Coalition of Watershed Towns  
C&S Companies  
UC Community Action  
American Kennel Club, Director Sheila Goffe  
The Humane Society, Director Brian Shapiro  
Theresa S. Romain  
City of Kingston Common Council Pres. James Noble  
  
SUNY Ulster  
Pam Delamater  
Community Foundations Of The Hudson Valley

Letter, Memorializing Resolution  
Request  
Resolution #18 of 2015 Smart Meters  
Thank You Note  
Relocating - 100 Aaron Court Kingston  
2015 Annual Membership Dues  
Newsletter, Summer 2015  
Roof Repair Funding Request  
AKC Concerns Pet Seller Regulations  
American Kennel Club Response  
Letter, Automatic Stay Request  
Press Release, Public Hearing  
Postponed, Rail & Trail Forum  
Budget 2015-2016  
Letter of Support PLL No. 11 of 2015  
2015 Garden Party, 9/27/15

**COUNTY EXECUTIVE COMMUNICATIONS:**

Community Services Board PW/DD  
Subcommittee Appointment: Helen  
Gonyea, Term: 9/1/15 ~ 12/31/18.  
UC Corporate Compliance Committee  
Minutes 4/22/15  
Appointment, UC Office for the Aging  
Advisory Council: Ethan Mass, Term  
8/1/15 ~ 7/31/18  
Dedication & Opening Kingston Center  
of SUNY Ulster, 8/18/15 10AM  
Budgetary Transfers July, 2015  
Reappointing Youth Board Members:  
Renee Falanga-Brenner, Marco Ochoa,  
Loretta Cherryann Norfleet Term:  
10/1/15 ~ 9/30/18.

**COMMITTEE REPORTS:**

**DATE:**

Economic Development, Tourism, Housing, Planning & Transit	July 7, 2015
Energy and Environment	June 8, 2015 and July 21, 2015
Law Enforcement and Public Safety	July 6, 2015 and July 15, 2015
Laws and Rules, Governmental Services	July 20, 2015
Legislative Programs, Education & Community Services	July 15, 2015 and July 21, 2015
Public Health and Social Services	July 6, 2015
Public Works and Capital Projects	July 9, 2015 and July 21, 2015
Ways and Means	July 15, 2015 and July 21, 2015
Joint Meeting Ways and Means & Legislative Programs, Education &Community Services	July 15, 2015

**PRIVILEGE OF THE FLOOR:**

Vice Chairman David B. Donaldson granted Privilege of the Floor to District No. 12 Legislator Kevin Roberts, who introduced Mr. Denis Murphy, founder of the “Friends of Jaclyn Foundation”. The foundation aims to improve the quality of life for children battling pediatric brain tumors and other childhood cancers by pairing them with local high school and college sports teams.

**PRESENTATIONS:** There were no presentations for tonight’s meeting.

**PUBLIC COMMENT:** There was (7) speakers signed up for Public Comment.

1. Margaret Rhoda, Kingston: Ms. Rhoda is employed as a Registered Nurse at Health Alliance Hospital, Kingston, NY. Ms. Rhoda spoke in support of Memorializing Resolution No. 299, Supporting The Passage Of The Safe Staffing for Quality Care Act.

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2. Lenny Distel, Supervisor of Wawarsing: Supervisor Distel spoke in support of Resolution No. 314, Approving The Execution Of A Contract Between The County Of Ulster And The UC Economic Development Alliance To Implement The Recommendations Of The Ellenville Million Committee. Supervisor Distel noted they still have high hopes for the redevelopment of the 540 acres of the Nevele property as well.
3. Tom Delaney, Saugerties: Mr. Delaney who previously spoke at the August 12, 2015 Public Hearing regarding Proposed Local Law No. 12 of 2015, For The Regulation of Pet Sellers. Mr. Delaney supports the proposed law however made the request to send the proposed law back to the Laws & Rules Committee to resolve the following issues: housing standards inconsistencies and deficiencies, enforcement conflicts of interest, onerous veterinary and documentation standards for small breeders, inappropriate warranty definitions and potential legal complications. Mr. Delaney for the record provided the Clerk with literature outlining his concerns.
4. Ed Noll, Saugerties, NY: Mr. Noll has been a breeder of Labrador retriever's for 25 years. Mr. Noll also spoke to the same concerns as the previous speaker Mr. Delaney noting the proposed law ties their hands, whereas they can't meet all of the requirements and the law conflicts with state regulations.
5. Cynthia Werthamer, Saugerties, NY: Ms. Werthamer also spoke regarding the regulation for pet sellers, noting there's a difference between breeders that are experts in the field vs. back yard breeders. Ms. Werthamer also asked that they be a part of the process crafting legislation and also spoke to Mr. Delaney's summary sheet on file with the Clerk of the Legislature.
6. Lynda B. Doughty, Saugerties, NY: Although Ms. Doughty signed up for public comment, she choose not to speak when called upon.
7. Melissa Fairweather: Ms. Fairweather is a breeder of Golden retriever's who echoed the previous speakers sentiments noting she was pleased the legislation will be going back to committee for further review.

Please Note: Complete content of the public comment period can be heard on the Ulster County Legislative Website.

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**RESOLUTION NOS: 255, 271, 294, 296, 297, 299- 317, 319- 321, 323 and 324;  
254, 298, 318, 322- POSTPONED; 295- DEFEATED**

**Resolution No. 254** – Setting A Public Hearing On Proposed Local Law No. 8 of 2015 (A Local Law Providing For Regulation Of Pawnbrokers, Precious Metal Dealers, And Second Hand Dealers)  
*POSTPONED IN COMMITTEE*

**Resolution No. 298** – Setting A Public Hearing On Proposed Local Law No. 13 of 2015 (A Local Law Regarding Campaign Finance Reform in Ulster County)  
*POSTPONED IN COMMITTEE*

**Resolution No. 318** – Authorizing The Commissioner Of Finance To Accept The New York State Department Of Environmental Conservation’s Offer To Purchase A Parcel Of County-Owned Real Property In The Town Of Lloyd And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcel  
*POSTPONED IN COMMITTEE*

**Resolution No. 322** – Requiring The Payment Of A Living Wage To Employees Employed By The County Of Ulster That Work A Minimum Of Seventeen Hours Per Calendar Week, Or Thirty-Four Hours Per Pay Period  
*POSTPONED IN COMMITTEE*

**Resolution No. 295** – Supporting The Consideration And Inclusion Of 300 Flatbush Avenue, Kingston, New York In The State And National Registers Of Historic Places  
*DEFEATED IN COMMITTEE*

A motion was made by Majority Leader Gregorius, seconded by Minority Leader Ronk, to move Resolution Nos. 271, 297, and 303 out of the Non-Consent Agenda and into the Consent Agenda.

**Consent**

- 294 Confirming Appointment Of A Member To The Community Services Board's PW/DD Subcommittee**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 300 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – United Way Of Ulster County, Inc. – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 301 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Rolling V Bus Corp – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 302 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Arthur F. Mulligan Inc. – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0



- 304 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Gateway Community Industries Inc – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 305 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Multi County Community Development Corporation – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 306 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Family Of Woodstock Inc – Department Of Social Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0  
(1 Abstention: Legislator Wawro)

- 307 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Family Of Woodstock Inc – Department Of Probation**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0  
(1 Abstention: Legislator Wawro)

- 308 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of Health To Continue The Drinking Water Enhancement Program – Department Of Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 309 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The United States Geological Survey To Continue The Joint Funding Agreement For Water Resources Investigations – Department of Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 310 Authorizing The Chairman Of The Ulster County Legislature To Expand Public Transit Service Between Ulster And Dutchess County (LINK) – Amending The 2015 Ulster County Budget - Department Of Public Transportation (Ulster County Area Transit)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 311 Authorizing The Chairman Of The Legislature To Call A Public Hearing To Satisfy The Public Participation Requirement For An Application To The Community Development Block Grant Program (CDBG) – Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 312 Authorizing The Ulster County Executive To Execute A Contract With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal, For Federal Funding For The Implementation Of Community Development Block Grants (CDBG) – Amending The 2015 Ulster County Budget - Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 313 Confirming Ulster County’s Intention To Join A Network and Internet Bandwidth Consortium And Authorizing Ulster BOCES To Act On Ulster County’s Behalf For The Purpose Of Securing A Bid For Internet Bandwidth – Department Of Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 315 Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Agreement With Ulster Savings Bank For Office Space For The Public Defender’s Office - Department Of Public Works (Buildings And Grounds)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 316 Establishing Capital Project Nos. 392 through 402 HVAC/Weatherization Project – Various County Buildings – Department Of Public Works (Buildings And Grounds)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 319 Authorizing The Commissioner Of Finance To Accept Bids For Parcels Of County-Owned Real Properties For Private Sale And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcels – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 320 Authorizing The Conveyance Of County-Owned Property To The Original Owner – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 321 Amending Resolution No. 286 Of 1968, Adopted February 13,1969, Imposing Taxes On Sales And Uses Of Tangible Personal Property And Of Certain Services And On Occupancy Of Hotel Rooms And On Amusement Charges, Pursuant To Article 29 Of The Tax Law Of The State Of New York, As Amended On Various Occasions To Increase The Rate Of Sales And Compensating Use Taxes**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

**Non- Consent**

**255 Setting A Public Hearing On Proposed Local Law No. 9 of 2015 (A Local Law Of The County Of Ulster, New York, Known As The “False Alarm Reduction Act”) To Be Held On Tuesday, September 15, 2015 At 7:05 PM**

Legislator Gregorius motioned, seconded by Legislator Bartels, to refer the resolution back to the Law Enforcement and Public Safety Committee.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 10                      NOES: 13  
(AYES: Legislators Allen, Archer, Bartels, Greene, Gregorius, Loughran, Roberts, Rodriguez, Provenzano and Wishnick)

ADOPTED BY THE FOLLOWING VOTE:

AYES: 13                      NOES: 10  
(Noes: Legislators Allen, Archer, Bartels, Gregorius, Gerentine, Loughran, Roberts, Rodriguez, Provenzano and Wishnick)

**271 Appropriating Funds From The District Attorney Forfeiture Reserve Account - Amending The 2015 Ulster County Budget – Ulster County District Attorney’s Office**

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23                      NOES: 0

**296 Adopting Proposed Local Law No. 3 of 2015 (A Local Law Establishing A Sustainable Green Fleet Policy)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22            NOES: 1  
(Noes: Legislator Loughran)

**297 Adopting Amended Proposed Local Law No. 4 of 2015, A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00**

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23            NOES: 0

**303 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – The Children’s Home Of Poughkeepsie NY, Inc. – Department Of Social Services**

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23            NOES: 0

**314 Approving The Execution Of A Contract Between The County Of Ulster And The Ulster County Economic Development Alliance To Implement The Recommendations Of The Ellenville Million Committee - Amending The 2015 Ulster County Budget – Department Of Planning**

Legislator Gerentine motioned, seconded by Legislator Bartels, to insert an additional RESOLVED as indicated above in bold font.

***RESOLVED, that the UCEDA shall provide a quarterly report to the Economic Development, Tourism, Housing, Planning and Transit Committee on the progress of the disbursements of the funds; and, be it further***

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 23                      NOES: 0

Legislator Bartels motioned, seconded by Legislator Gerentine, to amend Schedule A, Scope of Services, Section III of the contract between Ulster County and UCEDA to read “UCEDA shall submit copies of all approved plans and budgets to the Ulster County Planning Department ***and the Ulster County Legislature.***”

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 23                      NOES: 0

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 21                      NOES: 2  
(Noes: Legislators Bartels and Wishnick)

- 317 BOND Authorizing The Reconstruction Of Various County Buildings And Facilities For Energy Efficient Heating, Ventilation And Air-Conditioning Weatherization Improvements, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$2,500,000.00, And Authorizing The Issuance Of \$2,500,000.00 Bonds Of Said County To Pay The Cost Thereof**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 23                      NOES: 0

- 323 Adopting Proposed Local Law No. 10 of 2015 (A Local Law Amending Local Law No. 5 of 2015, A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21                      NOES: 2  
(Noes: Legislators Loughran and Wishnick)

### **Memorializing Resolutions**

- 299 Supporting The Passage Of The Safe Staffing for Quality Care Act**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 19                      NOES: 3  
(Noes: Legislators Gerentine, Roberts, Ronk)  
Legislator Briggs left Chambers at 8:41 PM and  
returned at 8:43 PM



**Late**

**324 Requesting The Public Service Commission To Direct Verizon To Provide Fiber-Optic Internet Access To The Hudson Valley**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 2  
(Noes: Legislators Belfiglio and Ronk)  
(1 Abstention: Legislator R. Parete)

**MEETING ADJOURNED IN MEMORY OF:** Read by Legislator Mary Beth Maio.

Milton T. Gilbert Jr, Kingston, NY  
Kevin R. Hansut, Odessa, FL  
Loretta B. Hof, Kingston, NY - 100 Yrs.  
Michael G. Freer Sr., Ulster Park, NY  
Susan Tiso, Mount Tremper, NY  
Margaret R. Gallagher, Kingston, NY  
Marie Kennedy, Kingston, NY  
Thomas J. Fitzgerald Jr., Kingston, NY  
Vincent G. Walker, Ulster Park, NY  
Anthony E. DeMaio, New Paltz, NY  
Peter S. Montalvo, Accord, NY  
Joan C. Holt, Marlboro, NY  
Dorothy M. Miller, Kingston, NY  
Edward R. McNulty, Shokan, NY  
Lilly K. Bergwall, Hurley, NY  
Helen Webber, Hurley, NY  
William P. Thompson, Highland, NY  
Kevin Gouldy, Kingston, NY  
Jay Rose, Kingston, NY

Christine E. Bell, Marlboro, NY  
Melanie Tallarico, Marlboro, NY  
Kathleen R. Davis, High Falls, NY  
Gertrude B. McCardle, Kingston, NY  
Walter Hung Jr., Kingston, NY  
Trent W. Costello, Kingston, NY  
Margaret Sullivan, Saugerties, NY  
Ruth E. Jordan, Wilbraham, MA  
Maurice D. Weitman, New Paltz, NY  
Edythe M. Abrams, New Port Richey, FL  
Martin Millman, Phoenicia, NY  
Rudy Mauro, Jr., West Hurley, NY  
Helen Cunaveles, Kingston, NY  
Florrie Bell Boone, Kingston, NY  
Richard A. Kowalski, Hurley, NY  
Howard Quimby, Marlboro, NY  
James Dennison, Kingston, NY  
Clifford Mahood, Newburgh, NY

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Motion by Legislator Herbert Litts, seconded by Minority Leader Ronk to adjourn Legislative Session.  
All in favor.

**MEETING ADJOURNED: 9:01 PM**

**NEXT MEETING:**

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, September 15, 2015 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, August 26, 2015 at 12 Noon.**