

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

DECEMBER 15, 2015

MEETING IN ANNUAL SESSION

6:30 PM

MEETING CALLED TO ORDER BY CHAIRMAN:

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 the 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

BIRTHDAYS:

Legislator Herbert Litts, December 6th
Legislator Kevin Roberts, December 8th
Legislator David Donaldson, December 11th
Chairman John Parete, December 30th
Legislator Hector Rodriguez, December 30th

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

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

COMMUNICATIONS FROM:

Chairman John Parete

Legislator Kenneth Wishnick
Hudson Valley Youth Bureau Assoc.
UC Commissioner of Finance
American Cancer Society
State of New York, Dept. of State

NYC Environmental Protection
NYS Department of Tax & Finance
UC Clerk's Office

Press Release, Funding For Propane Pilot Programs Available
Press Release, Business of Bullying in the Catskills
Letter in Support of NYS Senate Bill S.6010 & Assy. Bill A.8307 – Ref. 911
Sheriff VanBlarcum Gun Safety Letter Presentation 12/4/15 10AM
UTASC Background & Meetings
Guide To Quitting Smoking
Receipt of UC Local Law Nos. 13 & 14 of 2015
Letter, Campaign Sign Removal
Receipt of Resolution No. 321 of 2015
Semi-Annual Mortgage Report 4/1/15 –

MINUTES

PAGE 3

DECEMBER 15, 2015

COMMUNICATIONS: (continued)

NYS Department of Public Service

UC Traffic Safety Board

The Children's Home of Kingston

Central Hudson Gas & Electric Co.

Made In Kingston

NACO County News

Ulster County Chamber of Commerce

William A. Scafidi Sr. Family

UC Resource Recovery Agency

Concerned Citizens

Concerned Citizens

C& S Companies

O'Connor Davies

North Shore LIJ

UC Fire Advisory Board

Family, Executive Director Michael Berg

Hudson Valley Pattern For Progress

Ulster County Tourism

Town of Shandaken, Town Clerk Grant

Wawarsing Historical Society & Knife Museum

ProAct Inc.

Eric Kight

UC Office of the Comptroller

UC Office of Economic Development, Suzanne Holt

The Tremper Family

UC Attorney's Office

Rosendale Town Council, John P. Hughes

UC Youth Board Committee

UC Human Rights Commission

UC Purchasing Department

9/30/15

NYS Winter Outreach & Education Campaign

Attendance Sheet 11/2/15 & 12/7/15

Holiday Letter – Contribution

November 2015 News Letter

Third Annual Event 12/10/15

County News, Vol. 47, No. 22 & 23

Grand Opening, Hair by Carolina

Chamber News December 2015

Grand Opening, Highland Pet Resort

Thank You Note

Agenda, November 24, 2015

(4) Letter in Support of Save The Rails

(1) Department of Environment

Post Card Giving Thanks

Invitation Westchester Marriott

NYS Kids Newsletter

Minutes 12/2/15 & Appointments

Newsletter & Contribution Request

Newsletter 2015 Year in Review

Trending Flyer December 2015

Resolution in Support of Local Transportation Funding

Year in Review Letter

UC Discount Card Utilization Report Nov.

Ashokan Reservoir Traffic Weir Bridge

Order of Succession, Evan R. Gallo

Receipt of Proposed Bylaws Changes

Thank You Note

November 2015 County Litigation

Letter Opposing UC Sheriff Comments

Agenda, Minutes 9/17, 10/15 & 11/19

Agenda, Minutes 10/1 & 11/5/2015

November 2015 Executed Contracts

COUNTY EXECUTIVE COMMUNICATIONS:

Appointments, UC Youth Board:
Theresa V. Briggs, Ruth E. Zaccardo,
Amber Storm – Term: 01/01/2016 –
12/31/2018
Budgetary Transfers November 2015
Re-Appointment, Sheree Cross Director
of the Personnel Department
Appointment, UC Youth Board: Jordan
Scruggs – Term: 2/1/2016 – 1/31/2019
Re-Appointment Withdrawal,
Community Services Board-Mental
Health Subcommittee: Nancy Tiano
11/30/15.
UC Corp. Compliance Committee
Minutes 10/2/15

COMMITTEE REPORTS:

Economic Development, Tourism, Housing,
Planning & Transit
Energy and Environment
Law Enforcement and Public Safety
Laws and Rules, Governmental Services
Legislative Programs, Education & Community Services
Public Health and Social Services
Public Works and Capital Projects

Ways and Means

DATE:

November 4, 2015
November 10, 2015
November 2, 2015
November, 16 2015
November 4, 2015
November 2, 2015
November 5, 2015
November 17, 2015
November 10, 2015
November 17, 2015

PUBLIC COMMENT: There were (11) eleven speakers signed up for public comment.

1. Evan Gallo UC Deputy Comptroller- Mr. Gallo spoke on behalf of his office in favor of Resolution No. 446, Amending The Electric Vehicle Charging Station Policy To Require A Fee For Use. Mr. Gallo stated his office fully supports tourism, reducing our carbon footprint, and economic development however gifting electricity through free electric car charging stations is a violation of the New York State constitution's gift and loan clause.
2. Frank Nazzaro – Mr. Nazzaro is a volunteer with the Catskill Mountain Railroad and member of the Heart of the Catskills Chamber of Commerce. Mr. Nazzaro spoke in favor of Resolution No. 480, Establishing Capital Project No. 459 To Provide for Design and Engineering Work for the Ulster County Rail Trail Project along the Ashokan Reservoir (“Ashokan Rail Trail”), the railroad history, and the effects on the local economy. Mr. Nazzaro and his family have walked the rails for over 50 years using the right-of-way.
3. David Hilliard – Mr. Hilliard is on the Board of Directors for the Catskill Mountain Railroad and spoke on behalf of Ernie Hunt who was unable to be in attendance. Mr. Hilliard thanked everyone on the U&D Corridor Advisory Committee for their support of the railroad and Resolution No. 480.
4. Steve Rice- Mr. Rice is the Chair of the UC Trails Advisory Committee. Mr. Rice also supports Resolution No. 480. He thanked the U&D Corridor Advisory Committee members for taking time away from their families, jobs, other civic duties, the holidays, and for their leadership skills to arrive at a consensus resolution.
5. Tim Weideman- Mr. Weideman is Co-Chair of the Rail Trail Kingston Committee and Green Line Committee who thanked County Executive Hein and the UC Planning Department for putting forward their vision for the U&D Corridor.
6. Patty Goodwin- Ms. Goodwin is President of the Board of the Woodstock Land Conservancy and on the Friends of the Catskill Mountain Rail Trail. Ms. Goodwin thanked the legislature and all the supporters of train operations in Ulster County enhancing the U&D Corridor.
7. Meg Carey- Ms. Carey as a resident of Ulster County thanked and shared her appreciation of support and the work the U&D Corridor Committee has accomplished.

8. Kathy Nolan- Ms. Nolan noted not all the businesses listed in the ads being circulated were not in favor of the railroad. Ms. Nolan thanked the corridor consultants that benefited all stake holders.
9. Philip Gerruari, Kingston – Mr. Gerruari noted Ulster County organic history begins in 2016 building Belleayre Green from the design stage forward.
10. Kevin Smith- Mr. Smith is Chairman of the Woodstock Land Conservancy and Co-Chair of the Friends of the Catskill Mountain Rail Trail. Mr. Smith thanked all U&D Corridor funders, volunteers and Ulster County to help restore and renovate the corridor.
11. Stuart Auchincloss, Woodstock- Mr. Auchincloss who likes to bicycle ride thanked everyone involved with the U& D Corridor's progress.

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

RESOLUTIONS

**RESOLUTION NOS: 445, 446, 458- 475, 477- 488; 456 & 457- NO ACTION TAKEN;
357, 364, 386, 455, 476- WITHDRAWN**

Resolution No. 456 – Adopting Proposed Local Law No. 13 of 2015 (A Local Law Regarding Campaign Finance Reform In Ulster County)

NO ACTION TAKEN

Resolution No. 457 - Adopting Proposed Local Law No. 14 of 2015 (A Local Law Prohibiting The Sale Of Personal Care Products Containing Microbeads In Ulster County)

NO ACTION TAKEN

Resolution No. 357 – Setting A Public Hearing On Amended Proposed Local Law No. 12 of 2015 (A Local Law Of The County Of Ulster For The Regulation Of Pet Sellers)

WITHDRAWN BY SPONSOR

Resolution No. 364 - Setting A Public Hearing On Amended Proposed Local Law No. 17 of 2015 (A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), To Modify The Appointment Process Of The Audit Committee And To Clarify The Authority Of Said Committee)

WITHDRAWN BY SPONSOR

Resolution No. 386 - Setting A Public Hearing On Amended Proposed Local Law No. 18 of 2015 (A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), To Modify The Appointment Process Of The Charter Revision Commission)

WITHDRAWN BY SPONSOR

Resolution No. 455 – Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Department Of Transportation (NYSDOT) For The Maintenance Of Lights At The Kingston Traffic Circle

WITHDRAWN BY SPONSOR

Resolution No. 476 – Confirming Reappointment Of A Member To The Community Services Board’s Mental Health Subcommittee

WITHDRAWN BY SPONSOR

Consent

459 Calling Organizational Meeting Of 2016

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

460 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Rose & Kiernan, Inc. – Department Of Personnel

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

461 Approving The Execution Of A Contract Amendment Causing The Aggregate Contract Amount To Be In Excess Of \$50,000.00 – Essex Technology Group Inc – Information Services

MOVED TO NON-CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 3
(Noes: Legislators Belfiglio, R. Parete, and Wawro)

462 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Crawford & Associates Engineering & Land Surveying, PC – County Attorney

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

463 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Johnson Controls Inc – Department of Public Works

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

464 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Motorola Solutions Inc – Department of Emergency Management

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 465 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Cornell Cooperative Extension – Department of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 467 Confirming Appointment Of A Member To The Ulster County Youth Board**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 468 Confirming Appointment Of A Member To The Ulster County Youth Board**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 469 Confirming Appointment Of A Member To The Ulster County Youth Board**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 470 Confirming Re-Appointment Of A Member To The Ulster County Board Of Ethics**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 471 Confirming Re-Appointment Of Member To The Fish And Wildlife Board**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

472 Confirming Re-Appointment Of Member And Appointment Of Alternate Member To The Fish And Wildlife Board

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

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

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

474 Confirming Appointment Of A Member To The Community Services Board's Substance Abuse Subcommittee

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

475 Confirming Reappointment Of A Member To The Community Services Board's Mental Health Subcommittee

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

477 Authorizing The Chairman Of The Ulster County Legislature To Enter Into Two Lease Agreements With Astor Services For Children & Families As Lessee, For Office Space To Provide Family Mental Health Services To The Community – Department Of Public Works (Buildings And Grounds)

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 478 Amending The 2015 – 2020 Capital Program To Establish Capital Project No. 458 – Replacement Of The Carmine Liberta Bridge (BIN #3045230) On Route 299 Over The Wallkill River In New Paltz – Department Of Public Works (Highway And Bridges)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 481 Establishing The Ulster County Legislature As Lead Agency Under The State Environmental Quality Review Act (SEQRA) For The Installation Of A Solar Project On The Ulster County Resource Recovery Closed Landfill In The Town Of Ulster – Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 483 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

- 484 Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Non Consent

445 Amending The 2015 Ulster County Budget To Reimburse The Town Of Denning For Flood Mitigation Work Performed On Clair Road In The Wake Of Hurricane Irene

Legislator Gerentine motioned, seconded by Legislator Briggs, to amend the resolution by inserting an additional RESOLVED, as well as adding language to the final RESOLVED, as indicated in bold font.

RESOLVED, that no County money shall be paid to the Town of Denning until a Memorandum of Receipt signed by the Supervisor of the Town of Denning, providing for the County of Ulster's full reimbursement in the event the Town receives flood remediation monies from the State of New York and/or the New York Works Program, is delivered to the Commissioner of Finance; and, be it further

RESOLVED, that upon delivery of the Memorandum of Receipt the Commissioner of Finance is authorized and directed to issue payment in the amount of \$25,300.88 to the Town of Denning for flood remediation and mitigation costs stemming from Hurricane Irene, and moves its adoption.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

446 Amending The Electric Vehicle Charging Station Policy To Require A Fee For Use

ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 11
(Noes: Legislators Allen, Archer, Bartels, Briggs,
Donaldson, Greene, Gregorius, Loughran,
Provenzano, Rodriguez, and Wishnick)

455 Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Department Of Transportation (NYSDOT) For The Maintenance Of Lights At The Kingston Traffic Circle

WITHDRAWN BY SPONSOR

458 Adopting Proposed Local Law No. 19 of 2015 (A Local Law Applying Salary Revisions for Certain Elected Ulster County Officials Serving For Fixed Terms)

ADOPTED BY THE FOLLOWING VOTE:

AYES: 15 NOES: 8
(Noes: Legislators Bartels, Belfiglio, Litts,
Lopez, J. Parete, R. Parete, Roberts, and
Wishnick)

466 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – International Business Machines Corp – Information Services

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 3
(Noes: Legislator Belfiglio, R. Parete, and
Wawro)

479 BOND Authorizing Preliminary Planning And Design For The Replacement Of The Carmine Liberta Bridge In The Town Of New Paltz, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$30,000.00, And Authorizing The Issuance Of \$30,000.00 Bonds Of Said County To Pay The Cost Thereof

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 23 NOES: 0

480 Establishing Capital Project No. 459 To Provide for Design and Engineering Work for the Ulster County Rail Trail Project along the Ashokan Reservoir (“Ashokan Rail Trail”)

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

482 Adopting Updated Procurement Manual Pursuant To General Municipal Law Section 104-b – Department Of Purchasing

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Late Resolutions

- 485 Urging The New York State Department Of Environmental Conservation To Assume Lead Agency Status For The State Environmental Quality Review Process For The Pilgrim Pipeline Project**

ADOPTED BY THE FOLLOWING VOTE:

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

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

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 487 Declaring Certain County-Owned Real Property Located In The Town of Wawarsing, Acquired by the County Through the Greater Catskill Flood Remediation Program To Be Surplus Property And Authorizing The Commissioner Of Finance To Sell Said Real Property To The Highest Bidder Pursuant to Section 215 (6) Of New York State County Law**

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

- 488 Amending Resolution No. 275 Of 2014, Establishing A Policy For A “Rail With Trail” Along The County-Owned Ulster And Delaware Railroad Corridor**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

MEETING ADJOURNED IN MEMORY OF: Read by Legislator Donald J. Gregorius

Otto Richards, Gardiner, NY
Ruth M. Jorgensen, Albany, NY
Kathleen M. Sheehan, Kingston, NY
Jerry A. Rice, New Paltz, NY
Edna E. Klothe, Hurley, NY
Joyce M. Steinlauf, Woodstock, NY
Josephine Persuo, Kingston, NY
Elsie F. Elliott, 101yrs., Glenford, NY
Marylou Richards, Rockville, MD
Robert H. Peterson Sr., Rifton, NY
Robert S. Stedge, Town of Ulster, NY
Frank C. Carle, Shokan, NY
Gloria Slutsky, Ellenville, NY
Stanley C. Newkirk, Rifton, NY
Sandy Zinman, Stone Ridge, NY

Brian J. Knapp, Floyd, VA
Lucy DeFilippo, Lake Katrine, NY
Raymond C. Scheffel, Lake Katrine, NY
Joan H. Barten, Kingston, NY
William F. Paulus, Ulster Park, NY
Stanley H. Fletcher, Sawkill, NY
John Rosans, Saugerties, NY
Mary M. Saccoman, Kingston, NY
Stanley London, San Diego, CA
Vito J. Truncali, Marlboro, NY
James A. Brown Sr., Town of Ulster, NY
Joseph F. Santucci, Marlboro, NY
Fred E. Pirog Jr., Pine Bush, NY
Robert S. Haines, Phoenicia, NY

Motion made by Majority Leader Donald Gregorius, seconded by Minority Leader Kenneth Ronk to adjourn Legislative Session. All in favor.

MEETING ADJOURNED: 7:41 PM

NEXT MEETING:

The Organizational Meeting of the Ulster County Legislature will be held on **Wednesday, January 6, 2016 at 6:30 PM**, in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.