

Economic Development, Tourism, Housing, Planning & Transit Committee

Special Meeting Minutes

DATE & TIME: October 16, 2014, 6:16 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chair Thomas J. Briggs
LEGISLATIVE STAFF: Krista Barringer, Deputy Clerk
PRESENT: Legislators Chris Allen, Lynn Archer, Herbert Litts, III, and Kenneth Wishnick
EXCUSED: Legislators Mary Beth Maio and James F. Maloney
QUORUM PRESENT: Yes
OTHER ATTENDEES: Director of Information Services Sylvia Wohlfart, Deputy County Executive Ken Crannell, County Attorney Bea Havranek, and Department of Planning Director Dennis Doyle.

Chair Briggs called the meeting to order at 6:16 PM.

Motion No. 1 Resolution No. 379 – October 21, 2014

Motion Made By: Legislator Archer

Motion Seconded By: Legislator Wishnick

Text of Motion: **Resolved to approve Resolution No. 379** - Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Lighttower Fiber Networks II, LLC f/k/a HV Datanet LLC – Department Of Information Services

Resolution No. 379 Summary: This Resolution states the Ulster County Legislature has examined the contract, and hereby approves the contract in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney and Legislative Counsel.

Discussion:

Legislator Archer noted the contract was for two years and had heard there was intent to link it to a BOCES contract. She requested additional details as to what the contract entailed, as it was a contract that was renewed multiple times without going out for bid.

Director Wohlfart stated the contract was for the networking of internal servers. She stated it was for eighteen (18) months of service and that they typically would be

contracting for twelve (12) months of service. She noted they added the additional months to coincide with the BOCES internet service contract that provides external networking service. She noted the recent partnership with BOCES for internet service netted a huge savings due to the group buying power and anticipated joining them for a group RFP for internal networking as an additional savings effort. She noted BOCES contracts were typically for three years as they receive a better rate through multi-year contracts. She highlighted the internal infrastructure costs when changing to new providers and noted there was an investment in the infrastructure. She indicated the price for this contract was below the current New York State bid price and that the county was saving approximately \$6,000 over the New York State price. In response to questions regarding the sites no longer in serviced, Director Wohlfart noted Flatbush Avenue was no longer housing operations and was mothballed. She also reported the City of Kingston Police Department had been provided a circuit to access the law enforcement network but that due to upgrades in their system, this was no longer needed and was being removed.

Roll Call Vote: No
Voting In Favor: Legislators Allen, Archer, Briggs, Litts, and Wishnick
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Carried

Deputy County Executive Crannell noted additional information requested by the Ways and Means Committee was sent to the Legislative Clerk.

Motion No. 1 Resolution No. 363 – October 21, 2014

Motion Made By: Legislator Litts for discussion

Motion Seconded By: Legislator Allen for discussion

Text of Motion: **Resolved to approve Resolution No. 363** - Authorizing The Chairman Of The Ulster County Legislature To Execute A Settlement Agreement And Release Between HealthAlliance Hospital Mary’s Avenue Campus, Benedictine LaSalle Medical Office, LLC, The City Of Kingston, The Kingston City School District And The County Of Ulster

Resolution No. 363 Summary: This Resolution authorizes the Chairman of the Ulster County Legislature to execute a settlement agreement and release, and any amendments thereto as well as any and all additional documents necessary, between HealthAlliance

Hospital Mary's Avenue Campus, Benedictine LaSalle Medical Office, LLC, the City of Kingston, the Kingston City School District and the County of Ulster in relation to litigation and claims for back taxes owed for real property located at 111 Mary's Avenue, Kingston, New York for the years 2006 through 2012 in the form as filed with the Clerk of the Legislature, or as modified with the approval of the County Attorney.

Discussion:

County Attorney Havranek provided an overview of the settlement. She noted in 2003, the IDA and HealthAlliance entered into a pilot and that the County had approved a deviation from the standard pilot calculations. She noted some parts of the pilot covered the for-profit component and others covered the not-for-profit component of the business. She indicated the HealthAlliance paid all tax bills during the duration of the pilot. In 2013-2014, she noted the City of Kingston found some discrepancies and their Corporation Council filed a Summons of Notice to allow the Assessing Entity (City of Kingston) to go back six-years in their review of the pilot. She noted while the County, not the School District are part of the lawsuit, they benefit from the pilot and as such, they must consent to it. She indicated the City of Kingston, HealthAlliance and a successor in interest of the property, Benedictine LaSalle agreed to a calculation, based on an assumption of all bills being correct back to 2003, which indicated \$138,000 was the total amount owed. She noted it was further agreed that upon looking at the six-year statute of limitations, \$70,000 was the total amount owed. She stated they finally negotiated to a final amount, based on other issues that were presented, of \$40,594. She stated this figure was sixty percent (60%) of the original total amount due. She noted the determination of distribution of this amount was based on the equalization rate which pro-rated the amounts to the County, the Kingston City School District, and the City of Kingston. She reiterated HealthAlliance paid all its tax bills throughout the years and the settlement had to do with the part of the building that was a hospital. She noted the complications of the hospital portion changing annually and the City Assessor having to go in annually to determine what portion of the structure and property was being used as a hospital.

Legislator Wishnick inquired as to when the pilot was set to expire. Department of Planning Director Doyle replied it was between 20-25 years.

Legislator Wishnick clarified the County's involvement in municipal pilot agreements. County Attorney Havranek replied the County is not an assessing unit and as such only, it only is involved if a proposed pilot deviates from the statute regarding pilots. She noted, at that point, the County is only able to consent or not consent to the deviations.

Roll Call Vote:	No
Voting In Favor:	Legislators Allen, Archer, Briggs, Litts, and Wishnick
Voting Against:	None

No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Carried

Motion No. 3 Resolution No. 380 – October 21, 2014

Motion Made By: Legislator Archer

Motion Seconded By: Legislator Litts

Text of Motion: **Resolved to approve Resolution No. 380** - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Westchester Community Opportunity Program, Inc. – Employment and Training

Resolution No. 380 Summary: This Resolution states the Ulster County Legislature has examined the contract, and hereby approves the contract in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney and Legislative Counsel.

Discussion:

Deputy County Executive Crannell noted this contract was for a program done in partnership with Westchester, Putnam, and Orange Counties. He noted Westchester applied for the grant and that New York State Office of Temporary Disability Agency (OTDA) was the funding source. He stated the program was for a very targeted population of less than 200% of poverty. He stated they serve the population anyway and that this funding was a reimbursement for services already provided.

Roll Call Vote: No
Voting In Favor: Legislators Allen, Archer, Briggs, Litts, and Wishnick
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Carried

New Business:

Deputy County Executive Crannell noted he invited Department of Planning Director Doyle to attend this meeting, as there had been some discontent over the funds transfer to the IDA. Department of Planning Director Doyle distributed and highlighted the 2009 Ulster Tomorrow economic development plan (ATTACHED) which had been approved by the Legislature. He stated the county was continuing to implement this plan. He

noted the \$150,000 was to fund the marketing portion of the plan, which was recommended in 2009.

Members discussed the changing environment since 2009 and the desires by the Committee to have a presentation on the comprehensive plan, implementation activities to date and review possible future changes and updates to the plan. All agreed to meet at 5:30 PM on November 13, 2014 for this economic development presentation to be followed by their regular monthly meeting.

Old Business: None

Adjournment

Motion Made By: Legislator Litts
Motion Seconded By: Legislator Allen
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 7:35 PM

Dated the 17th day of October, 2014

Krista J. Barringer, Deputy Clerk

Minutes Approved on: November 13, 2014