

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 17, 2014

PUBLIC HEARING &

MEETING IN ANNUAL SESSION

6:05 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 6:09 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.

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ROLL CALL: Present: 22 Absent: 1 (Richard Parete)

CALL OF THE PUBLIC HEARING BY CLERK:

Proposed Local Law No. 15 of 2014 (A Local Law Establishing A Construction Apprenticeship For Agreements For Certain Bridge Contracts In Excess Of \$500,000)

PUBLIC COMMENT:

There were no speakers signed up for the public hearing comment period.
Legislator Kenneth Ronk motioned, seconded by Legislator Donald Gregorius to adjourn. All in favor.

PUBLIC HEARING ADJOURNED: 6:11 PM

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

COMMUNICATIONS FROM:

Chairman John Parete

Legislator David Donaldson
O'Connor Davies, LLP
C & S Companies
Wallkill Valley Rail Trail Association

Niagra Bottling Plant Letter
Press Release, Common Core Initiative
Press Release, Directory Photo Contest
Letter to Editor, Resolution No. 458
Press Release, Tourism Railroad Support
Invitation December 10, 2014
Proudly Supporting Communities
Trail Map & Information

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COMMUNICATIONS (continued)

Concerned Citizens

UC Resource Recovery Agency

Congressman Chris Gibson

Ken Hall

UC Awareness Program

ProAct Inc.

Olive Free Library

Town of Woodstock Board, Jeremy Wilber

CFA News

UC Sheriff's Office

Ulster Police Department, Chief Cruise

County of Fulton, Board of Supervisors

UC Regional Chamber of Commerce

NACO County News

UC Tourism

UC Personnel Department

Mike LaPaglia

Ashdown Family

UC Traffic Safety Board

Family, A United Way Agency

UC Cornell Cooperative Extension

Catskill Center, Alan White Executive Director

The Children's Home of Kingston

City & State

New Horizons Resources, Inc.

State of New York Department of State

People For The Ethical Treatment Of Animals

UC Office of Economic Development

UC Planning Board

UC Fire Advisory Board

UC Human Rights Commission

UC Youth Board

UC Area Transit

Emails (16) Save The Rails

Agenda & Resolution No. 2339

Newsletter

Letter, Tobacco Fight Continues

DWI Presentation 12/1/14

UC Discount Card October 2014

UC Discount Card November 2014

Museum Rm. Ribbon Cutting 12/6/14

Letter, Niagara Bottling Proposal

Volume 32, No. 3&4 Summer & Fall

Bench Warrant

Support for File Check Program

Repeal NYS "Scaffold Law" Res. 370

Tonner Doll Co. Grand Opening

Sam's Detailing LLC Grand Opening

Vol. 46, No. 22 November 17, 2014

Vol. 46, No. 23 December 1, 2014

Trending Flyer, December 2014

Civil Service Exam Announcements

Letter to the Editor DSS Security

Thank You Note

Minutes 11/3/2014 & Attendance
Sheet 12/ 2/ 2014

Formal Solicitation Financial Support
2014 Annual Report

Food Forums December 3rd & 4th 2014

Support Catskill Center - Region Area

Support – Year End Contribution

November 17, 2014 Issue

Fall 2014 Brochure

Receipt of Local Law No. 5 of 2014

Receipt of Local Law No. 6 of 2014

Brochure

Brochure, Fact Sheet, Magazine Ad

2015-2020 Capital Program Report

Meeting Dates 2015, Minutes

Mtg. Minutes 10/2/2014 & 11/6/2014

Meeting Minutes 10/16/2014

Federal Drawdown ECHO Project

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COMMUNICATIONS (continued)

UC Insurance Department
Catskill Mountain Railroad Company, Inc.
UC Attorney
Friends of Catskill Mtn. Rail Trail
UC Soil & Water Conservation District
The Senate State of New York, James Seward

Kingston Plaza
Pamela Longley
UC Prevention Council
UC Community Services Board

Letter, Receipt of Correspondence
Letter, Exempt Status Grade Crossing
County Litigation
Email Rail Trail/Rail Compromise
Annual Quarterly Report 3rd Quarter
Receipt of Resolution Nos. 350 & 395
July 1 – September 30, 2014
Brochure Promoting Plaza Businesses
Lyme Bill Support, Letter to Governor
Appointments & Reappointments
Mtg. Minutes 9/8/14 & 10/6/14

COUNTY EXECUTIVE COMMUNICATIONS

Press Release, 2015 Budget Signing
Press Release, Top Gov't. Official
Press Release, Anti-Tethering Law
Press Release, Railroad & Trail
Budgetary Transfers, November 2014
Inter-municipal Collaboration Council
Minutes December 30, 2013
Executive Order No. 2-2014

COMMITTEE REPORTS:

Economic Development, Tourism, Housing,
Planning & Transit
Energy & Environment
Law Enforcement and Public Safety

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

DATE:

November 13, 2014

November 10, 2014
November 3, 2014
November 12, 2014
November 5, 2014
November 3, 2014
November 13, 2014
November 18, 2014
November 12th, 17th, & 18th, 2014

PRESENTATION:

Chairman John R. Parete called upon Legislators David B. Donaldson Chairman, and Deputy Chair Mary Warwo both of the Legislative Programs, Education and Community Services Committee, to present a Proclamation to Donald C. Katt, President of SUNY Ulster County Community College, in honor and celebration of SUNY Ulster's 50th Anniversary and President Katt's retirement in 2015.

Chairman John R. Parete called upon District No. 8 Legislator Carl Belfiglio to present a Pride of Ulster County Award to the Mount Academy Varsity Boys Soccer Team in recognition of reaching the New York State Class D Boys Soccer Championship Final. Accepting the award on behalf of the team was Mr. Kim Comer, Director of Studies, along with team members Nils Menz and Seth Thompson.

Chairman Parete introduced Mr. & Mrs. DeLuca who were in attendance showing support for the Mount Academy Soccer team. Chairman Parete complemented Vincent DeLuca's ongoing efforts advocating for youth sports in Ulster County. The Chairman recalled fond memories he had as a youth, whereas Mr. DeLuca provided him with support and advice in the game of baseball and football.

PUBLIC COMMENT: There were (2) speakers signed up for public comment.

1. Cory Newton, Wawarsing: Mr. Newton expressed economic development and economic growth are two entirely separate processes with distinct definitions that cannot be used interchangeably. Mr. Newton explained the differences between what he felt real economic development is vs. the type of economic development advanced across New York State and in Ulster County. Mr. Newton's submitted his written thoughts to the Clerk to be added to the official minutes. Mr. Newton also spoke during public comment last month.
2. Kathy Nolan: Ms. Nolan expressed celebration regarding Governor Cuomo's announcement today that fracking will not be allowed in New York State – sighting a better quality of life for everyone.

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: 314, 344, 408, 411, 443, 454- 457, 459 – 461, 463- 477;
345, 367 & 453- POSTPONED; 458- DEFEATED; 462- WITHDRAWN**

A motion was made by Majority Leader Gregorius, seconded by Minority Leader Ronk to move Resolution Nos. 408, 456, and 472 out of the Non-Consent Agenda and into the Consent Agenda. All in favor.

Resolution No. 453 – Establishing A Policy For The Attendance Of Conferences And Educational Training By Officers And Employees Of Ulster County
POSTPONED IN COMMITTEE

Resolution No. 458 – Establishing A Policy For Suspicionless Warrant Checks At The Entrance Of Certain County Buildings
DEFEATED IN COMMITTEE

Resolution No. 462 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Olympic Regional Development Authority For The Payment Of Bus Fares For Visitors To The Belleayre Ski Center – Department Of Public Transportation (Ulster County Area Transit)
WITHDRAWN BY SPONSORS

Consent

411 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – NCACOMP, Inc. – Insurance Department

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
(1 Abstention: Legislator Allen)
(Absent: Legislator Richard Parete)

455 Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law

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

- 460 Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To An Agreement With The Ulster County Board Of Cooperative Educational Services For Internet Procurement Services – Department Of Information Services**

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

- 461 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Transportation To Accept New York State Funds For Public Transit Service Between Ulster And Dutchess County (LINK) – Department Of Public Transportation (Ulster County Area Transit)**

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

- 463 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Office Of Children And Family Services For Day Care Registration And Inspection Program Funding – Department Of Social Services**

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

- 464 Amending The 2015 Ulster County Budget To Accept A New York University School Of Medicine Grant – Department Of Social Services**

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

- 465 Confirming Re-Appointment To The Ulster County Board of Health**

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

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

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

- 467 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Occupations, Inc. – Department Of Mental Health**

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

- 468 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – NYU School Of Medicine – Department Of Social Services**

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

- 469 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – St. Catherine’s Center For Children – Department Of Social Services**

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

- 470 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Prestige Services, Inc. – Office for the Aging**

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

- 471 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Aramark – Ulster County Sheriff**

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

- 473 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Suburban Restoration Co., Inc. – Department Of Public Works**

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

- 474 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – IBM Corporation – Information Services**

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

- 475 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – SunGard Public Sector – Information Services**

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

- 476 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Tyler Technologies, Inc.– Information Services**

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

- 477 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – NTS Data Services LLC – Information Services**

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

Non- Consent

- 314 Establishing A Pilot Program For Alternative Fuel And Committing To Create A Green Fleet Policy**

Referred back to the Energy and Environment Committee by the Ways and Means Committee on December 17, 2014

- 344 Setting A Public Hearing On Proposed Local Law No. 12 of 2014 (A Local Law Regulating The Use Of Polystyrene Foam Disposable Food**

Service Ware By Food Service Establishments In Ulster County) To Be Held On Tuesday, February 17, 2015 At 7:00 PM

Legislator Bartels motioned, seconded by Legislator Gregorius, to strike the words "unclassified misdemeanor" in Section 7.B.3 of Proposed Local Law No. 12 of 2014, and insert the word "violation."

MOTION ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

408 Setting A Public Hearing On Proposed Local Law No. 16 of 2014 (A Local Law Establishing An Automatic Re-Canvassing Procedure In And For The County Of Ulster, State Of New York) To Be Held On Tuesday, February 17, 2015 At 7:05 PM

MOVED TO CONSENT

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

443 Setting A Public Hearing On Proposed Local Law No. 17 of 2014, A Local Law Amending Local Law No. 9 Of 2008 (A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster) To Be Held On Tuesday, January 6, 2015 At 6:30 PM

Legislator Gregorius motioned, seconded by Legislator Maio, to change the date of the Public Hearing from Tuesday, January 6, 2015 to Wednesday, January 7, 2015.

MOTION ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

454 Calling Organizational Meeting Of 2015

Legislator Donaldson motioned, seconded by Legislator Ronk, to change the date and time of the Organizational Meeting from Tuesday, January 6, 2015 at 7:00 PM, to Wednesday, January 7, 2015 at 6:30 PM.

MOTION ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

456 Adopting Proposed Local Law No. 11 of 2014, 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), To Provide Status Of Contract Negotiations

MOVED TO CONSENT

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

457 Confirming Reappointment Of Member To The Ulster County Resource Recovery Agency

ADOPTED BY THE FOLLOWING VOTE: AYES: 15 NOES: 7
(Noes: Legislators Archer, Bartels, Greene, Gregorius, Loughran, Rodriguez, and Wishnick)
(Absent: Legislator Richard Parete)

459 Authorizing And Directing Charges Against The City Of Kingston For

Home Relief Costs

ADOPTED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 3
(Noes: Legislators Donaldson,
Loughran and Provenzano)
(Absent: Legislator Richard Parete)

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

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Richard Parete)

Chairman Parete called upon Legislator Thomas Briggs who thanked the legislative body for their bipartisan effort supporting the Nevele, noting their support was very much appreciated by the people in his district. Legislator Briggs went on to say, “ The casino would have done great things for the local economy, but the fact that we all came together for the right reason, for the right cause, to help one another and help our county, should not go unnoticed.”

MEETING ADJOURNED IN MEMORY OF: Read by Legislator James Maloney

Carolyn E. Dwyer, Kingston, NY
Patricia J. Turco, Town of Ulster, NY
Deidre A. O’Halloran, Roslindale, MA
Nina Busch, Kingston, NY
Doris Riseley Burns, Kingston, NY
James P. Cauldwell, Red Hook, NY
Fred Schiskie, Port Ewen, NY
William H. Gutierrez, Boiling Springs, SC
Thomas B. Caulfield, Hurley, NY
Pasquale Mayone, Glasco, NY

Vincent J. Leone, Lake Katrine, NY
Harold C. Motzer, Saugerties, NY
Ralph Adams Jr., Poughkeepsie, NY
Shirley A. Jackson, West Hurley, NY
Rowland Mitchell Jr., Kingston, NY
Elizabeth Hain, New Paltz, NY
Philip J. Buonfiglio, Saugerties, NY
Paul Mountan, Kingston, NY
Kevin L. Nash, New Paltz, NY
David B. Van Etten, Lake Katrine, NY

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Dominick A. DeGregoria Sr., Glasco, NY

Michael F. Edwards, West Hurley, NY

John S. Nielsen, Rhinebeck, NY

Bruce Turner, High Falls, NY

Paul Henderson, Napanoch, NY

Jennie Pellegrino, Marlboro, NY

Gayle A. Donoghue, Woodstock, NY

Anna C. DeCapua, New Paltz, NY

Jack A. Gill, Hurley, NY

Deborah A. Brown, Kingston, NY

Michael Brown & Eric Gardner

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

MEETING ADJOURNED: 6:53PM

NEXT MEETING:

The Organizational Meeting of the Ulster County Legislature will be held on **Wednesday, January 7, 2015 at 6:30 PM**, in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.