

**Ways & Means Committee
Regular Meeting Minutes**

DATE & TIME: March 17, 2015 – 5:00 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Donald J. Quesnell
PRESENT: Legislators Gerentine, Gregorius, Allen, Briggs, Maio, Maloney, John Parete, Rich Parete
ABSENT: Legislator Belfiglio
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Archer Bartels, Greene, Provenzano, Ronk, Wishnick, Legislative Counsel Cappy Weiner, Chris Ragucci, Erica Guerin County Attorneys Jonathan Engel, Tracy Steeves, Deputy County Executive Kenneth Crannell, Commissioner of Finance Burt Gulnick, Sheriff Paul Van Blarcum, Clerk of the Legislature Victoria Fabella

- Chairman Gerentine called the meeting to order at 5:02 PM

Motion No. 1: Resolution No.42 – March 17, 2015

Text of Motion: Resolved to Approve Resolution No. 42 – March 17, 2015 - Establishing An Environmental Remediation Reserve Account

Motion Made By: Legislator Maio

Motion Seconded By: Legislator Briggs

Discussion: Legislator Gerentine explained that a report on the fiscal analyst and the commissioner of finance was distributed to everyone. Burt Gulnick stated he did not disagree with Donald Quesnell's numbers but he wanted to include the properties that did not sell as well. Legislator Bartels asked Donald Quesnell why he did not include the properties that did not sell. Donald Quesnell explained that the reason they were excluded was because the analysis was not based on a budget year review but instead a property to property review. He went on to say the life span of properties on the auction block vary and deferred cash flows both positive and negative would be coming in at different times. Legislator Allen asked both Burt Gulnick and Donald Quesnell if there was research done to determine how many properties normally sell. Donald Quesnell explained that there are too many variables to determine that it would require the work of an actuary. Legislator Allen asked how this resolution would be financially detrimental to the budget. Burt Gulnick said it would be taking funds to balance the budget and putting it into a reserve account. It was explained a resolution would be required to release these funds. Legislator Rich Parete said there was an attorney already hired for this purpose so we should budget money for this. Legislator Gerentine explained that the attorney that was hired came out of Bea's office budget. Legislator Gregorius said he didn't have a problem with a fund account being proposed but with a lesser amount being put into it. Legislator Briggs said looking at the account wanted to know why do we want to get involved he stated some properties have been fixed. It was explained if we didn't

fix it we couldn't sell it because the court changed their philosophy. Legislator Allen asked who determines which properties get remediated. Counsel Guerin stated the Legislature does. Burt Gulnick said we do need to have a phase 1 and phase 2 done before the DEC can come. Counsel Guerin gave an explanation as to the legal processes involved in order for the county to make changes to the property. Legislature Wishnick said he looks at this and he knows many phase 1 estimates fall short of the actual expenses that are required and that we should not take over these properties if we don't have to. Legislature Gerentine said that is our intent but the court orders have forced us to act in a certain way. Legislator Gregorius said he would rather have the resolution read as an opt in and not an opt out. A discussion took place regarding the cap of the funds and the extent to which it is an opt out or an opt in as well as if there is a resolution required to deposit these funds.

Voting In Favor: Legislators Gerentine, Gregorius, Allen, Maio, Maloney, John Parete, Rich Parete
Voting Against: Legislator Briggs
No. of Votes in Favor: 7
No. of Votes Against: 1
Disposition: Carried

Motion No. 2: Resolution No.43 – March 17, 2015

Text of Motion: Resolved to Approve Resolution No. 43 – March 17, 2015 - Establishing Policy For Use Of The Environmental Remediation Fund

Motion Made By: Legislator Rich Parete
Motion Seconded By: Legislator Maio

Discussion: Counsel Ragucci stated this resolution goes hand in hand with resolution 42.

Voting In Favor: Legislators Gerentine, Gregorius, Allen, Briggs, Maio, Maloney, John Parete, Rich Parete
Voting Against: None
No. of Votes in Favor: 8
No. of Votes Against: 0
Disposition: Carried

Motion No. 3: Resolution No.125 – March 17, 2015

Text of Motion: Resolved to Approve Resolution No. 125 – March 17, 2015 - Authorizing The Purchase Of Components For An Aegis Mobile Software System For The County Sheriff's Office, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$312,970.00, And Authorizing The Issuance Of \$312,970.00 Bonds Of Said County To Pay The Cost Thereof

Motion Made By: Legislator Rich Parete
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Gerentine, Gregorius, Allen, Briggs, Maio, Maloney, John Parete, Rich Parete
Voting Against: None
No. of Votes in Favor: 8
No. of Votes Against: 0
Disposition: Carried

Motion No. 4: Resolution No.129 – March 17, 2015

Text of Motion: **Resolved to Approve Resolution No. 129 – March 17, 2015** - Adopting 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

Motion Made By: Legislator Gregorius
Motion Seconded By: Legislator Allen

Discussion: Legislator Allen stated he represents a lot of restaurants and he felt there were some short comings in the resolutions. He said he brought them up to the sponsors of the bill and they addressed every one of his concerns. He went on to mention some of his concerns in detail. Legislator Bartels said Mary and her are committed to seeing this through past the passage. Legislator Ronk said there is no stated appeals process in the law. He went on to say in the law in the opt out they could ask for your tax return and while there may be no expectation for this commissioner to do so the next commissioner may. Legislator Maloney said he conducted research on this and it will effect to many businesses and too many people. The businesses he has talked to are just going to add a takeout charge and he is a no vote.

Voting In Favor: Legislators Gregorius, Allen, Briggs, John Parete, Rich Parete
Voting Against: Legislators Gerentine, Maio, Maloney
No. of Votes in Favor: 5
No. of Votes Against: 3
Disposition: Carried

Motion No. 5: Resolution No.130 – March 17, 2015

Text of Motion: **Resolved to Approve Resolution No. 130 – March 17, 2015** - Adopting 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

Motion Made By: Legislator Maio
Motion Seconded By: Legislator Gerentine

Discussion: Legislator Provenzano asked if there was going to be an amendment to his. It was explained the resolution was passed as amended through the previous committee. Legislator Bartels said she is supporting this and it was discussed in L&R. She went on to say the election commissioner showed there are discrepancies. She explained one of the discrepancies was circling the votes.

Voting In Favor: Legislators Gregorius, Allen, Belfiglio, Briggs, Maio, Maloney, Parete

Voting Against:	Legislator Gerentine
No. of Votes in Favor:	7
No. of Votes Against	1
Disposition:	Carried

New Business

Old Business

There being no further business before the Committee, a motion was made by Legislator Gregorius, seconded by Legislator Maio and carried to adjourn the meeting at 5:55 pm.

Dated the 19th day of March, 2015
Donald J. Quesnell, Fiscal Analyst
Minutes Approved On: April 15, 2015