



Ulster County Legislature
Standing Committee Meeting Minutes

August 2013

Economic Development and Tourism
Environmental, Energy & Technology
Health & Personnel
Law Enforcement & Public Safety
Laws & Rules, Governmental Services
Public Works & Capital Projects
Social Services
Ways & Means

Economic Development & Tourism Committee

Regular Meeting Minutes

DATE & TIME: August 14, 2013/6:00 PM
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building
PRESIDING OFFICER: James Maloney, Chairman
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Maloney, Loughran, Maio and Roberts
ABSENT: Legislator Wishnick
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Deputy Executive Ken Crannell

Chairman Maloney called the meeting to order at 6:00 PM.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the July 10, 2013 Meeting Minutes
MOTION MADE BY: Legislator Roberts
MOTION SECONDED BY: Legislator Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Maloney, Loughran, Roberts and Maio
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2
TEXT OF MOTION: RESOLUTION No. 229 - August 20, 2013
RESOLVED to approve Resolution No. 229- Appointing Member To The Ulster County Planning Board – Village of New Paltz

Resolution Summary: Pursuant to Section C-49(A) of the Ulster County Charter and Section A7-5(A) of the Administrative Code, County Planning Boards shall consist of 25 members and associated alternate members appointed by the County Legislature to serve for 4-year terms. The Town Board/Village Board of each town and village in Ulster County shall make recommendations to the Legislature, one person and one alternate from the town or village for consideration and appointment. The Village of New Paltz Board has recommended Curt Lavalla to represent the Village on the Ulster County Planning Board.

DISCUSSION: Legislator Maio requested clarification with regard to the residency of the individual being recommended for appointment. The proposed Resolution reflected Curt Lavalla of Highland, NY. Legislator Roberts remarked that the person was the New Paltz Building Inspector so all should be "above board." Resolution passed subject to clarification.

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Roberts
ROLL CALL VOTE: No
VOTING IN FAVOR: Legs. Maloney, Roberts, Maio and Loughran
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed Unanimously

MOTION NO. 3

TEXT OF MOTION:

RESOLUTION No. 230 – August 20, 2013

RESOLVED to approve Resolution No. 230- Appointing Member And Alternate Member To The Ulster County Planning Board – Town of Hurley

Resolution Summary:

Pursuant to Section C-49(A) of the Ulster County Charter and Section A7-5(A) of the Administrative Code, County Planning Boards shall consist of 25 members and associated alternate members appointed by the County Legislature to serve for 4-year terms. The Town Board/Village Board of each town and village in Ulster County shall make recommendations to the Legislature, one person and one alternate from the town or village for consideration and appointment. The Town of Hurley Town Board recommended Douglas Whitaker to represent the Town on the Ulster County Planning Board.

MOTION MADE BY: Legislator Loughran

MOTION SECONDED BY: Legislator Roberts

Discussion: None

ROLL CALL VOTE: No

VOTING IN FAVOR: Legs. Maloney, Maio, Roberts, and Loughran

VOTING AGAINST: None

NO. OF VOTES IN FAVOR: 4

NO. OF VOTES AGAINST: 0

DISPOSITION: Motion Passed Unanimously

MOTION NO. 4

TEXT OF MOTION:

RESOLUTION No. 231 - August 20, 2013

RESOLVED to approve Resolution No. 231- Adopting The Inclusion Of Additional lands In Agricultural Districts Within Ulster County As Recommended By The Ulster County Agricultural And Farmland Protection Board – Department Of Planning

Resolution Summary:

Consistent with Section 303(b) of the New York Agriculture and Markets Law (AML), Ulster County Established an annual 30-day review period for farmer to request the inclusion of additional lands in Ulster County Agricultural Districts. During the review period, 12 requests were submitted to the Legislature, consisting of 19 parcels with 516 acres. On June 13, 2013, the Legislative Chairman transmitted the requests for inclusion to the Agricultural and Farmland Protection Board for their recommendations as required under Section 303(b) of the AML. The Board met and reviewed the requests on July 11, 2013 and took the necessary actions by a majority of its members to recommend the inclusions of lands in Agricultural Districts within Ulster County that consisted predominately viable agricultural and, and determined that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry with the district. The Board recommended the inclusion of 11 of the request seeking the addition of lands to agricultural districts. The request of Valenti with a single parcel of approximately 13.4 acres in the Town of Ulster SBL 48.13-2-1 was not recommended. The Board filed the recommendations and supporting documentation including public comment, with the Clerk of the Legislature. All required notices, reports and public hearings have been complied with. The addition of lands to agricultural districts is considered an Unlisted Action pursuant to Parts 617.2(ak), 617.4, and 617.5 (SEQRA) and the Environmental Assessment Form has been completed and filed with the Legislative Clerk.

MOTION MADE BY: Legislator Loughran

MOTION SECONDED BY: Legislator Maio

Discussion: None

ROLL CALL VOTE: No

VOTING IN FAVOR: Legs. Roberts, Maio and Loughran

VOTING AGAINST: None

ABSTENTION: Leg. Maloney

NO. OF VOTES IN FAVOR: 3

NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed Unanimously

Chairman Maloney stated that although he typically didn't promote abstentions, he felt it necessary with regard to this Resolution due to conversations he had directly with the individuals involved with the property that was being excluded.

- **There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Roberts, and carried to adjourn the Meeting at 6:03 PM.**

Dated the 16th Day of August, 2013

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: September 10, 2013

Environmental, Energy, & Technology Committee

Regular Meeting Minutes

DATE & TIME: August 8, 2013, 5:45 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chair Carl Belfiglio
LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk
PRESENT: Legislators Tracey Bartels, Mary Wawro (arrived at 5:54 PM), Kenneth Wishnick and Craig Lopez
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Langdon Chapman, RRA Board Member Charles Landi and RRA Executive Director Tim Rose
Chair Belfiglio called the meeting to order at 5:47 PM.

MOTION NO. 1 Approval of Minutes from July 11, 2013

Motion Made By: Legislator Lopez
Motion Seconded By: Legislator Wishnick

Discussion:

Legislator Bartels requested a change to the minutes on page four to clarify the term “term limits” and on page eight did not recall offering to call the Solar Energy Consortium, did not recognize the name Sara Thompson and if she was to call this person, requested a phone number.

Roll Call Vote: No
Voting In Favor As Amended: Legislators Bartels, Belfiglio, Lopez, Wawro, and Wishnick
Voting Against As Amended: None
No. of Votes in Favor As Amended: 5
No. of Votes Against As Amended: 0
Disposition: Carried, As Amended

Motion No. 2 Resolution No. 182 – August 20, 2013

Text of Motion: Resolved to approve Resolution No. 182 - Authorizing Counsel To The Legislature To Prepare A Potential Amendment To The Ulster County Resource Recovery Agency Operating Agreement With The County Of Ulster

Motion Made By: Legislator Bartels for discussion

Motion Seconded By: Legislator Lopez

Resolution Summary: This Resolution authorizes and directs Counsel to the Legislature to prepare an amendment to the current RRA Operating agreement with the County of Ulster, in cooperation with the County Attorney and the Counsel to the RRA, that embodies legislative intent in regards to the RRA's bonding rights and that said amendment shall be presented to the Legislature no later than fifteen (15) days after the adoption of this resolution to allow for review and possible modification by any/all members of the Legislative Body.

Discussion:

Chair Belfiglio noted this Resolution had been postponed last month as the Committee had already had discussions with the RRA Executive Director and Board Chair to move forward with the activity. He noted the Committee was interested in just drafting an amendment.

Legislative Counsel Chapman stated Legislative Counsel Guerin had prepared a proposed amendment to which he modified a bit and suggested, if the Legislators agreed with it conceptually, he would take it to the County Attorney for review followed by a submission of review by the RRA Attorney Gilligan.

Deputy Clerk Barringer noted Legislator Parete was consulted regarding his Resolution and he indicated he would prefer the Resolution be moved to the floor.

Legislator Bartels asked if the Resolution had changed from last month. Chair Belfiglio indicated it had not and noted the Resolution was drafted and submitted on the same day that he submitted his letter detailing their meeting with the RRA. He indicated this Resolution was based on RRA Resolution 2298 and highlighted everything included in the Amendment was what was discussed by the Committee publicly as well as the public meetings of the RRA Board. Legislator Bartels felt there was no point to the Resolution. Chair Belfiglio discussed the rules for Resolutions moving to the floor. Legislative Counsel Chapman noted the Resolution directs the Legislative Counsel to prepare a document for the Legislature with the potential amendment as prepared for this meeting. Legislator Bartels felt this type of Resolution could impact other Committee's work if similar Resolutions were submitted and viewed this Resolution as a glorified memorializing Resolution of the Committee's work and.

Chair Belfiglio expressed concern if the Resolution failed on the floor; the Legislature would be unable to discuss possible negotiation of the contract with the RRA and could not be brought back to the Legislature for a full year. He noted the Resolution to add two Legislators to the RRA Board failed. Legislator Bartels stated she did not think the Resolution would fail or affect the amendment discussions but did feel there was enough real work for the Committee to do. She suggested postponing the Resolution as the Committee was doing the work. She felt the reason to postpone the Resolution was because the Committee was in the process of doing the work and indicated if the Committee voted the Resolution down; it would come to the floor.

Legislator Wishnick asked if the Legislator has asked staff to do something and staff was doing it, why a Resolution needed to tell staff to do it.

Legislator Wishnick motioned to postpone the Resolution to the next meeting of the Environmental, Energy, and Technology Committee.

Chair Belfiglio preferred to vote the Resolution up or down and highlighted bringing the Resolution to the floor would show the redundancy and wasted effort the Committee has spent on this Resolution for the past two months.

Legislator Wawro seconded the motion.

Roll Call Vote:	No
Voting In Favor of Postponement:	Legislators Bartels, Wawro, Wishnick
Voting Against Postponement:	Legislators Belfiglio and Lopez
No. of Votes in Favor of Postponement:	3
No. of Votes Against Postponement:	2
Disposition:	Resolution Postponed

Further Discussion

Legislative Counsel Chapman distributed the draft amendment and suggested Legislators share any concerns with the Chair Belfiglio. He indicated he would be available after the meeting to discuss the draft amendment with individual Legislators. Chair Belfiglio noted the draft amendment was not intended to be discussed during the meeting. Legislator Bartels noted ideally the Committee would like to see something for the September session. Legislative Counsel Chapman indicated he would bring any input from the Committee and the draft amendment to his August 20th meeting with the County Attorney. He stated he would return to the Environmental, Energy, and Technology Committee with any concerns expressed by the County Attorney and based on their decision; advance it with changes or in the present form. Legislator Bartels confirmed the draft Amendment would then move to RRA Attorney Gilligan. She clarified the next RRA Board meeting would be August 19th and noted the Amendment would need to push out by one month.

New Business:

- **Proposed Local Law X of 2013: To Update The Term Of Membership To The Environmental Management Council (For Discussion Purposes Only)**

Discussion:

Chair Belfiglio noted this proposed amendment to the charter would waive the six year term limit to the Environmental Management Council and strike out that provision in the Charter. Legislative Counsel Chapman clarified the County has been operating under three year terms but the New York State Law states two for the additional members that are appointed by the County Executive. He indicated the County has broad powers but concurred it was better to be consistent with State law. He noted it was not discussed last month and was noted in the research in preparing the draft Local Law by Deputy Clerk Barringer.

Legislator Bartels felt the Committee should reach out to the County Executive as the appointments come from them. She noted the issue of getting people to serve and being outside the term issue.

Chair Belfiglio confirmed this would cancel any term limit. Legislative Counsel Chapman stated this was correct.

Chair Belfiglio and Deputy Chairman Bartels concurred a Resolution be prepared for September with the entire Committee listed as the sponsors.

Old Business:

- **Draft Letter to Environmental Management Council Appointees**

Discussion:

Chair Belfiglio asked and Legislative Counsel Chapman confirmed a change to the term would be in effect for new appointees. Legislative Counsel Chapman indicated the change as suggested the proposed Local Law would not affect anyone with a current term.

Legislator Bartels asked if all the letters were addressed to sitting members. Deputy Clerk Barringer indicated Mr. Littlefoot was a new appointment and read his letter. Legislators Bartels and Wishnick suggested edits and it was agreed Committee members could sign the letter on Tuesday, August 13, 2013.

Legislative Counsel Chapman indicated he would tweak the proposed Local Law to address the effective date.

New Business:

▪ **Ulster County Resource Recovery Agency (UCRRA) 2014 Budget**

Discussion:

Chair Belfiglio noted he invited RRA Board Chair Smith to attend and received a regrets email from him today.

RRA Executive Director Rose stated he was advised by RRA Council to not answer any of the Committee's questions as the budget document submitted was not approved by the Board, does not really exist and was an internal document. He stated the budget was done in August and this document was a starting point.

RRA Board Member Landi indicated the budget document was not an official document. RRA Executive Director Rose stated it could change 2-4 times with the rates going up and down. He felt it was pre-mature to discuss the budget.

Chair Belfiglio explained his reason to request the budget. He noted in the past, the Legislature never pushed the July 15th submission date for the proposed budget. He noted this is the first year with flow control in the mix with no net service fee. He felt the Legislature should have time to look at the budget and be able to recommend changes and that if no recommendations were received by August 15th, the budget would stand as submitted to the County Executive. He noted this was the only time the Legislature was legally allowed to offer suggestions.

RRA Executive Director Rose stated it was his understanding that the County Executive makes comments due to the Charter form of government. Chair Belfiglio stated he understood the RRA Board goes by the letter of the bylaws and the contract. He noted it took an RRA Board Resolution to allow him to speak at the Board meeting.

Legislative Counsel Chapman asked the date that the budget was submitted. Chair Belfiglio replied the budget proposal was submitted on July 27, 2013; fourteen days late. RRA Executive Director Rose reiterated this submission was not a budget as it was not approved by the Board of Directors. Legislative Counsel Chapman read the pertaining section from the contract and noted the Agency has stated it did not submit a proposed budget as specified in the contract. He advised if once the Agency submits its budget, the Legislature can go to court and request an interpretation. He did not feel this was necessary or that it would happen. He highlighted this was the first time the Legislature was having some oversight. He felt the Committee and the Agency could find some common ground and that it was laudable that the Legislature was seeking oversight. He suggested if the Legislature wanted to ask some general questions of the Agency but not about the budget specifics, the Agency might be able to answer them. He noted the Agency breeched the dates of the contract.

Chair Belfiglio reiterated his reason for asking for the budget as per the contract as he was unsure this year what would happen and/or what would be coming down the pike. He felt that since the RRA Board meeting was on August 19th, they might welcome comments on the budget. He also felt the RRA Board should have had the budget ahead of time to discuss. He indicated it would have been acceptable if the RRA Board requested a delay in budget submission and provided the Legislature the 30 days after the budget submission to make comments.

Legislator Wishnick felt if the Committee followed the logic that they cannot have input until the RRA Board approves it and there is no process for the Board to reconsider once they do approve, it presented roles the Committee was not intended to have under the terms of the original Agreement. He indicated the Legislature and Board was in the process of amending the Agreement and if the Agreement needs to be tweaked to clarify the role between the Legislature and the RRA, in term of budget review, now may be the time to address this. He felt they were on a path that does not seem to work as the Legislature cannot review the budget before nor after the RRA Board approves it.

RRA Executive Director Rose stated the process allows the Board to review and tweak his proposal and once the Board approves, it is submitted to the County Executive and Legislature to make comments. He stated they can revise the budget as they did revisions this past November and February. He noted there would be an October public hearing on the budget and another opportunity to revise. He felt the request for a budget in July was inserting the Legislature between the RRA Board and the Executive Director.

Chair Belfiglio clarified as per the contract, the purview for review and comment was with the Legislature. Legislator Bartels noted the County Legislature makes comment, not the Committee. Legislator Wishnick suggested the budget be relabeled as a staff projection and allow the Environmental, Energy, and Technology Committee to make comment on the staff projection. Chair Belfiglio noted the contract can be amended to give the Agency more time in it's submission.

Legislator Bartels agreed with the ability to comment on a staff projected budget but noted she would need more detail. She noted the letter submitted by Chair Belfiglio was based on Environmental, Energy, and Technology Committee discussions. She highlighted the RRA Attorney made clear statements to the Environmental, Energy, and Technology Committee that the County approved the budget. She expressed concern that the Agency's attorney does not deal with the Legislature and was dealing with the County Executive. She stated the contract was very clear on this, it was the Legislature. She stated the July 15th submission date put a wrench in the works, given the RRA Attorney and Board Chair remarks. She expressed concern that the request for a budget submission would result in the threat of a net service fee. She stated this does not make for good will and was grateful for RRA Executive Director Rose participation in the dialogue. She felt while the Legislature needed to stay on top of the oversight role, she

did not wish to be in court with the Agency. She noted pushing the dates back to August, affect the County Executive's Budget.

Chair Belfiglio noted the department budgets where with the County Executive for a least the last month. He indicated the contact specified the Agency would seek ways to make the Agency self-sufficient without a net service fee. He felt it would be a disservice to the County, if the Committee did not exert it's oversight as specified in the contract. He noted the current budget projection is listing a \$32,000 deficit.

RRA Executive Director Rose stated he preferred that the Legislature work directly with the RRA Board as they have the final say over the proposed budget submitted to the Legislature. RRA Board Member Landi felt there was nothing controversial in the budget projective and did not feel there would be substantial changes made by the Board.

Chair Belfiglio asked why the tonnage had decreased. RRA Board Member Landi replied the volume had decreased and noted the loss of elementary schools and hospital closures as the impact to tonnage. RRA Executive Director Rose stated the volume was currently 6-8% lower industry wide. He noted Waste Management had opened a transfer station in the Town of Ulster which drew some of the C&D (construction and debris waste) from the facility.

Chair Belfiglio reiterated he was seeking insurance that the Agency would give the Legislature 30 days following the submission of the budget to make comment. RRA Board Member Landi suggested Chair Belfiglio put that request in writing to the RRA Board. Legislator Bartels noted by the time the RRA Board reviewed the letter, it would be too late to comment this budget cycle. RRA Board Member Landi stated as just one Board Member, he agreed to allow the comment period. Legislator Wawro noted this was the point of contention. Legislator Bartels indicated she did not feel the contention from the RRA Board or the RRA Executive Director but that it came all from the RRA Attorney.

RRA Board Member Landi asked Legislator Bartels if based on her prior experience as a Legislative Liaison to the RRA Board, she had a similar experience with RRA Attorney Wing. She indicated she had not. Legislator Wishnick felt RRA Attorney Wing attempted to be informative and helpful. Legislator Bartels stated the ground swell of discontent began with RRA Attorney Gilligan's presence at the Environmental, Energy, and Technology Committee meeting where he repeatedly advised the Legislature to go by the contract. Chair Belfiglio indicated this was a trust issue. Chair Belfiglio reiterated the request for assurance that the Legislature will have an opportunity to comment on the budget.

Legislative Counsel Chapman indicated the need for attorney/client session.

Chair Belfiglio noted the RRA Board Members and Executive Director have been allowed to comment at the Environmental, Energy, and Technology Committee meetings.

He noted the Legislature is only allowed to speak at the RRA Board Meeting prior to the Legislature being aware of the full discussion as they receive the agenda packet only two days before the meeting. He suggested the RRA Board hold a workshop meeting to allow the Legislature and public an opportunity to offer input. RRA Board Member Landi stated he was also seeking a transparent process. He noted his follow up with the Public Authority Council and their determination that the RRA Board can invite the Legislative member to attend and give them the ability to speak during the meeting. He stated the Public Authority Council further advised the Board can invite expert individuals to participate in their Executive Sessions. He stated he would bring this information to the next RRA Board meeting.

Chair Belfiglio motioned to enter Attorney/Client session. Legislator Wawro seconded the motion and with all voting in favor, the Committee entered Attorney/Client session at 6:52 pm.

Legislator Bartels motioned to exit Attorney/Client session. Legislator Wishnick seconded the motion and with all voting in favor, the Committee exited Attorney/Client session at 7:17 pm.

Chair Belfiglio reiterated the Legislature's request for assurance that they will have an opportunity to comment on the budget. RRA Board Member Landi replied he can only see it that way as he feels his colleagues want input on the budget.

Legislator Wishnick asked if the RRA anticipated a rate increase. RRA Board Member Landi replied they expect a slight increase of approximately 3% for private haulers but this may be an area that will be adjusted.

Chair Belfiglio asked if the budgeted raises were contractual. RRA Board Member Landi indicated the contract expired last year and they were in negotiation with the union. He noted the proposed budgeted does indicate an increase of salaries. RRA Executive Director Rose stated this was estimated at 2% assuming a two year contract. RRA Board Member Landi noted the employees are not currently paying for health insurance and was a key point in their negotiations. RRA Executive Director Rose noted the administrative positions, 8 people, were not in the union.

Chair Belfiglio asked why the sludge expense was down. RRA Executive Director Rose replied this was an area of cost savings as they were taking all sludge waste to Colony and not traveling to Buffalo.

Chair Belfiglio asked which municipalities, the increase to the municipal self-pull was affecting. RRA Executive Director Rose stated at this time it was Kingston and New Paltz. Legislator Wishnick noted the Town of New Paltz was responsible for transport to the RRA's New Paltz transfer station which was located right next door.

RRA Executive Director Rose noted 95% of the sludge was received from the municipalities, especially with the recent sewage breaks. He noted they pay \$.50 for

leachate. He stated he would seek a final budget product at the August RRA Board meeting.

Chair Belfiglio asked if the Agency received comments from the Legislature since Mr. Rose took over as Executive Director. RRA Executive Director Rose indicated he could not recall any comments from the Legislature in his tenure. Chair Belfiglio noted the request from the County Executive that the Agency use more from their fund balance to offset an increase in the net service fee. RRA Board Member Landi noted there was only \$54,000 in the fund balance, which was not a lot of money. Chair Belfiglio noted the request to use 500,000 to reduce a proposed 3.4 net service fee was in 2004. He hoped the Agency would have a great budget projection and if changing, it would be unfortunate that the Legislature would be unable to comment. He noted the Legislature was seeking to fulfill its oversight role with input. He felt they should be cooperating for the taxpayer and should not be at odds with this goal.

Old Business:

- **Climate Smart Committee (For Discussion Purposes Only)**

Discussion:

Chair Belfiglio noted he received correspondence from a Town of Marbletown Councilman inquiring into the Committee. He noted the Councilman would be taking the appointment discussion back to their Town Board to seek candidates. He indicated the Environmental, Energy, and Technology Committee would continue this discussion next month.

Old Business:

- **AppMe, Inc**

In a follow-up from last month's presentation of the AppMe Smartphone Application Presentation, Chair Belfiglio distributed sample app screenshots provided by the developers.

Old Business:

- **Mid-Hudson Valley Rural Technology & Broadband Alliance**

Legislator Wishnick asked if the Committee's letter was sent to Mr. Ramos. Deputy Clerk Barringer confirmed this was sent and Mr. Ramos replied that he would continue to email the Committee to keep them informed of the status of their proposal. Legislator

Wishnick noted the receipt of a letter from Green County discussing a memorializing Resolution for a state-wide broadband initiative.

Adjournment

Motion Made By: Legislator Wishnick

Motion Seconded By: Legislator Lopez

No. of Votes in Favor: 5

No. of Votes Against: 0

:TIME: 7:31 PM

Dated the 14th day of August, 2013

Krista Barringer, Deputy Clerk

Minutes Approved on: September 12, 2013

Health and Personnel Committee

Regular Meeting Minutes

DATE & TIME: August 5, 2013, 5:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Robert T. Aiello
LEGISLATIVE STAFF: Krista Barringer, Deputy Clerk
PRESENT: Legislators Carl Belfiglio, and Jeanette Provenzano
ABSENT: Legislators Robert Parete and Kenneth Ronk
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Erica Guerin, Legislative Deputy Clerk Fawn Tantillo, League of Women Voters Observer Lee Cane, Deputy County Executive Ken Crannell, and Personnel Director Brenda Bartholomew

Chairman Aiello called the meeting to order at 5:31 PM.

Health & Personnel Committee Minutes of July 22, 2013

Chairman Aiello noted the approval of these minutes will be postponed to the September meeting of the Health & Personnel Committee due to a lack of quorum of members who were present at the July 22nd meeting.

MOTION NO. 1 RESOLVED To Approve the Health & Personnel Committee

**MOTION NO. 1 RESOLVED To Approve the Health & Personnel Committee
Minutes of June 3, 2013 and the Joint Health & Personnel and Social Services
Committee Minutes of June 3, 2013**

Motion Made By: Legislator Belfiglio

Motion Seconded By: Legislator Provenzano

Discussion: None

Roll Call Vote: No

Voting In Favor: Legislators Aiello, Belfiglio, and Provenzano

Voting Against: None

No. of Votes in Favor: 3

No. of Votes Against: 0

Disposition: Carried

Old Business (Monthly Personnel Report) :

The monthly Personnel Report for July was distributed at the meeting.

Legislator Belfiglio thanked Personnel Director Brenda Bartholomew for supplying this monthly report. He requested the addition of the to and from position numbers and titles for transfers. Deputy County Executive Crannell felt there would be no problem supplying this information. He noted the County regularly identifies vacancies in Departments and seek comparable positions to reduce layoffs.

Legislator Provenzano inquired as to the transfer of an RN to the Health Department. Deputy County Executive Crannell and Personnel Director Brenda Bartholomew noted RNs are utilized in the WIC and Public Health units.

Legislator Belfiglio asked if an employee retired, would a new position number be established for the new hire. He noted he was unable to locate some of the position numbers in the Personnel Listing. Personnel Director Brenda Bartholomew replied there would not be new position numbers for new hires as all position numbers are created and funded in the budget. She noted new hires would be put into existing position numbers.

Legislator Belfiglio noted overall the report was great and anything to make it easier to read would be appreciated.

Motion No. 2 Resolution No. 216 – August 20, 2013

Text of Motion: Resolve to Approve Resolution No. 216 - Establishing And Reporting The Standard Work Day For Elected And Appointed Officials

Motion Made By: Legislator Provenzano

Motion Seconded By: Legislator Belfiglio

Resolution No. 216 Summary: This Resolution establishes the following as Standard Work Days for the stated elected and appointed officials who are not covered by a collective bargaining agreement, and reports days worked to the New York State and Local Employees' Retirement System based on the established time keeping system or the record of activities (ROA) maintained and submitted to the Clerk of the Legislature. In addition, the Clerk of the Ulster County Legislature is directed to post a copy of this resolution on the County's website or official sign-board of the County for a period of not less than 30 days and directed to file a certified copy of this resolution along with an affidavit of posting with the Office of the New York State Comptroller within 45 days of the adoption of this resolution.

Roll Call Vote: No
Voting In Favor: Legislators Aiello, Belfiglio, and Provenzano
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: Carried

Discussion:

Chairman Aiello noted this Resolution was referred back to the Health & Personnel Committee at the last General Session of the Legislature. Legislator Provenzano felt any State inquires into individual hours reported is the responsibility of the State and not other Legislators.

Chairman Aiello discussed the media reporting of this Resolution and noted the clarification that the pension credits maxed out at 20 days no matter how much a Legislator worked. He noted the amount of work Deputy Clerk Tantillo put into the Resolution and her guidance at last month's Committee meeting that the Resolution needed to move out of Committee then. He indicated the Committee members waited until Legislator Parete arrived to ensure it moved last month.

Legislator Belfiglio noted there were no changes to the Resolution from last month to this month. Legislators discussed the reasons and the process by which the Resolution was referred back to Committee.

New Business:

- ❖ Legislator Provenzano introduced a concern expressed via email by Town of Lloyd Supervisor Paul Hansut regarding five young boys in the Town developing the same type of cancer. She noted a similar situation which occurred in Hurley in the past whereby there was an increase in a particular type of cancer. She asked if there was a State entity that could review this. Deputy County Executive Crannell replied the County's Department of Health Commissioner had been in contact with Supervisor Hansut and would be following up on this concern.

Chairman Aiello noted similar hot spot situations that occurred at TechCity during IBM's operations as well as in the Town of Saugerties.

Legislators agreed this topic will be added to next month's Committee meeting and that Supervisor Hansut and Commissioner Smith will be invited to further discuss.

- ❖ Legislator Belfiglio noted the changes occurring at HealthAlliance. He indicated he has heard from many people and shared incidents regarding treatment received at the hospitals by patients and employees of the Northeast Special Care Center.

He requested the leadership of HealthAlliance be asked to return to the Committee to discuss the current status of the health care organization. Legislator Provenzano noted she had also heard the criticism of the Northeast Special Care Center and indicated the history of concerns may be the cause to the isolation treatment received at the hospitals. Legislator Belfiglio replied if there was a reason for concern, the community should be made informed.

Chairman Aiello stated his concern that both hospitals will close and patients will be sent to Northern Dutchess. He noted HealthAlliance's stated plan to be a Medicaid/Medicare facility. Legislator Provenzano stated the current plan was publicized as a plan to merge with a bigger entity.

Legislator Belfiglio reiterated his request to bring HealthAlliance to the next meeting. Chairman Aiello and Legislator Provenzano agreed to have the topic put on the next agenda and invite the current Board to present.

Mrs. Cane recommended the Legislators review the recent Consumer Reports listing of surgical hospitals. She noted Albany Med was given a negative rating.

Adjournment

Motion Made By: Legislator Belfiglio

Motion Seconded By: Legislator Provenzano

No. of Votes in Favor: 3

No. of Votes Against: 0

TIME: 6:04 pm

Dated the 6th day of August, 2013

Krista J. Barringer, Deputy Clerk

Minutes Approved on: September 24, 2013

Law Enforcement & Public Safety Committee

Regular Meeting Minutes

DATE & TIME: August 6, 2013 5:30 PM
LOCATION: Ulster County Law Enforcement Center, The Rotunda
PRESIDING OFFICER: Chairman Richard Parete
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators MaryBeth Maio, Carl Belfiglio and Thomas (T.J.) Briggs
ABSENT: Legislator Ronk
QUORUM PRESENT: Yes
OTHER ATTENDEES: Sheriff Paul VanBlarcum, Legislative Counsel Langdon Chapman, Barbara O'Brien, Captain Michael Freer, Supt. James Hanstein

Chairman Richard Parete called the meeting to order at 5:30 p.m.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the July 9, 2013 Meeting Minutes
MOTION MADE BY: Legislator Belfiglio
MOTION SECONDED BY: Legislator Briggs
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Rich Parete, Ronk, Maio, Briggs and Belfiglio
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion passed

MOTION NO. 2
TEXT OF MOTION: RESOLUTION NO. 217A – September 24, 2013
RESOLVED to Approve Resolution No. 217A – Setting Public Hearing On Proposed Local Law No. 6 of 2013, (A Local law Of The County Of Ulster, New York, Known As the "False Alarm Reduction Act"), To Be Held On Tuesday, September 24, 2013 At 7:00 PM

Resolution Summary: Public Hearing is required to be held regarding Proposed Local Law No. 6 of 2013, known as the "False Alarm Reduction Act" to be held Tuesday, September 24, 2013 at 7:00 p.m. in the Legislative Chambers, UCOB, Kingston.

DISCUSSION: Leg. Belfiglio requested updated accounting of actions taken over the past few years to be available for Public Hearing. Chairman Parete stated that Detective Markowitz had the information pertinent to the Sheriff's responses only available at a previous meeting. Captain Freer agreed to e-mail a breakdown of calls sorted by Town for a 3-4 year period to Legislative Employee Mance which was to be forwarded to Committee members and have a copy for public inquiries at the Hearing.

Leg. Maio inquired as to the format for the statement being mailed to violators. Counsel Chapman responded that it was written that the Sheriff would mail the statement. Sheriff VanBlarcum remarked that if the sales tax extension didn't go through and cuts were made to the Sheriff's Office, the arrangement would not be feasible, with the exception of providing the report, due to manpower needed to generate statements, etc. Chairman Parete suggest that the proposed law could be changed to allow the Sheriff to retain some of the money received from fines. Leg. Maio also questioned where funds were going since checks were payable to the "Commissioner of Finance" and Sheriff Van Blarcum asked if there would be an issue making checks payable

to the Sheriff's Office. Counsel Chapman responded that it wasn't possible since if the fines were not paid, they would be relieved on the tax bills. Counsel Chapman suggested a change be made to the proposed Local Law stating the Commissioner will report by February 1st the amount of revenue derived in prior year. It was agreed by the Committee to have Counsel Chapman make the changes. Chairman Parete stated that he would be contacting Leg. Ronk to discuss holding a special meeting of the Committee to vote on the Resolution.

DISPOSITION: Postponed by Committee Chairman Parete until Special Meeting of the Committee.

MOTION NO. 3

TEXT OF MOTION:

RESOLUTION No. 228 - August 20, 2013

RESOLVED to approve Resolution No. 228 – Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Division Of Criminal Justice Services For Juvenile Justice ATD And Diversion Funding– Amending The 2013 Ulster County Budget – Department Of Probation

Resolution Summary: The Probation Director has requested the Chairman of the Ulster County Legislature be authorized to execute a contract with the NYS Division of Criminal Justice Services for the Juvenile Justice ATD and Diversion Funding program for a period from March 1, 2013 through August 31, 2014 in the amount of \$157,487.00. The program provides diversion services for low and moderate risk youth aged 7-15 who engage in conduct that would constitute a crime if not for their age. The Program would be administered through Family of Woodstock, Inc. which is a sub-grantee under the grant application and would be paid upon completion of certain program milestones. The total program cost is \$174,986.00 of which \$157,487.00 was State funding and Family of Woodstock, Inc. was responsible for the required \$17,499.00 (10%) match.

DISCUSSION: Chairman Parete directed the attention of the Committee to the contract attached to the Resolution. The terms of the contract were discussed among Legs. Belfiglio, Maio and Briggs with Chairman Parete stating that Deputy Executive Sudlow should be contacted if any questions existed.

MOTION MADE BY:	Legislator Briggs
MOTION SECONDED BY:	Legislator Maio
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Legislators Parete, Maio, Belfiglio and Briggs
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	4
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion passed

MONTHLY REPORTS: Sheriff VanBlarcum remarked that although board-in revenues were doing well, due to Dutchess County, it was expected to change by early next year, as Dutchess County would be putting up its own modules. Sheriff stated he was looking toward options for next year in anticipation of losing the Dutchess county board-ins. The Sheriff's report is on file with the Clerk of the Legislature.

Supt. Hanstein added a slight staffing problem exists and is currently compounded by vacations. He indicated there were 5-6 openings in corrections that couldn't be filled until an eligible list was received from which they could select applicants. He stated that the agility tests had been upgraded to become more challenging, hoping to bring in a younger and possibly a healthier work force. Supt. Hanstein reflected on the pitfalls of 207c violators and the costs to the County.

OLD BUSINESS: Chairman Parete informed the Committee that he had received an e-mail from DA Carrnight for a late Resolution for "Operation Impact" which could be taken up at the special meeting and would also be going to the Laws and Rules Committee.

Leg. Maio informed the Committee what took place at the Ways & Means Committee with regard to Resolution 199 and specifically, its postponement as a result of Leg. Provenzano requesting an itemized list of what equipment was purchased.

NEW BUSINESS: Chairman Belfiglio distributed an e-mail he had received from a Deputy he had met, requesting an individual from Brekford Corporation be allowed to provide a presentation on the installation of traffic control cameras (e-mail is on file with the Clerk of the Legislature). The Committee discussed the legality and fines imposed. Counsel Chapman stated a State Law would be required to utilize the service. Chairman Parete indicated prior to granting privilege of a presentation to the Committee, a determination should be made as to the feasibility of the installation and whether the State would grant the ability to utilize the cameras. Leg. Belfiglio indicated that he would contact the individual to determine the length of the presentation.

There being no further business before the Committee, a motion was made by Legislator Briggs, seconded by Legislator Maio, and carried to adjourn the meeting at 6:00 P.M.

**Dated the 7th Day of August, 2013
Lisa K. Mance, Legislative Employee
Minutes Approved: September 10, 2013**

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: August 19, 2013 / 6:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building, 244 Fair Street, Kingston, NY
PRESIDING OFFICER: Kevin Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Roberts, Donaldson, Fabiano, Loughran, R. Parete, Maio, and Ronk
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Erica Guerin, Counsel to the Legislature; Ken Crannell, Deputy County Executive; William Weishaupt, District Attorneys Office ; Victor Melville, League of Women Voters.

- Chairman Roberts called the meeting to order at 6:30 PM.

I. Chairman Roberts recognized **Legislator Loughran** for a motion to approve the minutes from the July 22, 2013 Committee meeting, seconded by **Legislator Donaldson** and unanimous vote in favor of approving the minutes.

II. RESOLUTIONS:

MOTION NO. 1 Chairman Roberts motions to take **Resolution No. 235 – August 20, 2013**, out of order unanimously adopted:

TEXT OF MOTION: **RESOLVED to approve LATE Resolution No. 235** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division of Criminal Justice Services For Participation In Operation IMPACT X – District Attorney – Ulster County Sheriff – Department Of Probation.

Resolution Summary: The Chairman of the Ulster County Legislature is hereby authorized to sign an agreement and any amendments thereto, with the New York State Division of Criminal Justice Services, for the purpose of participating in Operation IMPACT X for the period of July 1, 2013 through June 30, 2014.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Loughran

DISCUSSION: **Chairman Roberts** recognized Mr. Weishaupt who stated that this resolution is grant money for the District Attorney that is spent via voucher. **Legislator Donaldson** asked what the grant actually covers, to which Mr. Weishaupt stated it is shared throughout the Department as well as the Sheriffs Office and the Kingston City Police Department.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, Loughran, Donaldson, Fabiano, Maio, Parete and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 2

Resolution No. 187 – August 20, 2013

TEXT OF MOTION:

RESOLVED to approve Resolution No. 187 - Amending The Rules Of Order To Set Procedure For Memorializing Resolutions.

Resolution Summary:

Rule 3 of the Rules of Order of the Ulster County Legislature shall be amended to add Section C(c) to.

**MOTION MADE BY:
MOTION SECONDED BY:**

**Legislator Loughran
Legislator R. Parete**

DISCUSSION:

Chairman Roberts recognized **Legislator Loughran** who stated he supports a mechanism to limit the amount of memorializing resolutions that have no impact.

Legislator Donaldson stated that he agrees that some memorializing resolutions do not have an impact however does not support doing away with the memorializing resolution. **Legislator Donaldson** may support the declaration concept but does not support eliminating memorializing resolutions.

Chairman Roberts recognized **Legislator Fabiano** who stated that he would also support a mechanism other than memorializing resolutions and endless debate that will have zero impact on the County.

Chairman Roberts recognized **Legislator Bartels** who stated that there are occasions where memorializing resolutions deal with important issues to constituents therefore she does not support eliminating memorializing resolutions. **Legislator Bartels** further stated that she would like to see the definition of the proposed declaration before supporting the idea that memorializing resolutions should be replaced.

Chairman Roberts recognized **Legislator Fabiano** who stated that debate on memorializing resolutions has, in the past, affected the amount of time the Legislature or a Committee has to debate resolutions of significant importance to the residents of Ulster County and therefore supports the proposed resolution.

Chairman Roberts recognized **Legislator Ronk** who stated that although he understands **Legislator Fabiano's** concern he still supports the idea that debate on any resolution is the best process to vet the issues before the residents of Ulster County. **Legislator Ronk** further stated that he would support establishing a set of criterion that memorializing resolutions must be applicable in order for it to be addressed by the Legislature.

Chairman Roberts recognized **Legislator Maio** who stated that she does not support this resolution in its current form.

Chairman Roberts motions to withdraw the resolution and postpone debate for next months Committee meeting, seconded by Legislator Ronk with unanimous consent.

Chairman Roberts called for further discussion, hearing none.

DISPOSITION:

Motion Postponed

MOTION NO. 3

Resolution No. 232 – August 20, 2013

TEXT OF MOTION:

RESOLVED to approve Resolution No. 232 - Amending The Rules Of Order To Eliminate Automatic Discharge Of A Resolution After 120 Days.

Resolution Summary: Rule 3 E (b) of the Rules of Order of the Ulster County Legislature shall be amended to delete the words "within one hundred twenty days of such Petition's being filed with the Clerk".

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Ronk

DISCUSSION: **Chairman Roberts** recognized **Legislator Donaldson** who stated that he does not support this proposed change after the extensive debate and subsequent changes to the Rules. **Legislator Donaldson** further stated that he believes every legislator should have the opportunity to get their resolution before the full Legislature.

Chairman Roberts recognized **Legislator Loughran** who stated that his belief and confidence in the Committee system of government is validated with this proposed change to the Rules.

Chairman Roberts recognized **Legislator Bartels** who stated that she does not support this proposed change after the month long debate and process to which the Rules of the Legislature where modified and to change them again at this point would not be honoring the spirit of compromise to which the Rules where changed and subsequently adopted.

Chairman Roberts recognized **Legislator Donaldson** who stated that he does not support the idea that the Rules should be picked apart every month after the Committee debated and compromised on several issues to produce a set of improved Rules.

Chairman Roberts recognized **Legislator Maio** who motioned to call the question, seconded by **Legislator R. Parete**.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Loughran, R. Parete, and Ronk
VOTING AGAINST: Legislators Roberts, Donaldson, Fabiano, and Maio.
NO. OF VOTES IN FAVOR: 3
NO. OF VOTES AGAINST: 4
DISPOSITION: Motion Defeated

MOTION NO. 4 Resolution No. 233 – August 20, 2013

TEXT OF MOTION: **RESOLVED to approve Resolution 233** - Amending The Rules Of Order Pertaining To The Number Of Required Signatures On A Petition To Discharge

Resolution Summary: The Rules of Order of the Ulster County Legislature, this resolution and the amendment proposed herein shall be read at two consecutive meetings of the Ulster County Legislature prior to its adoption. A simple majority of the total number of Legislators who belong to the Sponsor's caucus shall have signed such Petition. In the event that a resolution is sponsored by members from each caucus, the sponsors shall decide which caucus the Petition shall be circulated amongst. Signatures may be an actual signature on the Petition to be held in the custody of the Clerk, or a written request to the Clerk (hand delivered, mailed, e-mailed, or faxed and in any event, received by the Clerk within thirty days of such Petition's being filed) that the Clerk place such Legislator's name to the Petition

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator R. Parete

DISCUSSION: **Chairman Roberts** opened discussion on the resolution and recognized **Legislator Donaldson** who does not support increasing the number of Legislators required to approve the petition to discharge.

Chairman Roberts recognized **Legislator Bartels** who stated that she believes that this resolution is unfair and she will not support the proposed resolutions.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Loughran, Fabiano, and R. Parete
VOTING AGAINST: Legislator Roberts, Donaldson, Ronk, and Maio
NO. OF VOTES IN FAVOR: 3
NO. OF VOTES AGAINST: 4
DISPOSITION: Resolution Defeated

MOTION NO. 5 **LATE Resolution No. 234 – August 20, 2013**

TEXT OF MOTION: **RESOLVED to approve Resolution 234** - Urging The Governor Or Assembly Speaker To Call A Special Session To Consider Unfinished Business Including The Adoption Of Assembly Bill No. A5130, Authorizing Ulster County To Continue The Additional 1% Rate Of Its Sales And Compensating Use Tax For Two More Years.

Resolution Summary: The Ulster County Legislature hereby entreats the Governor or Assembly Speaker to call a Special Session to consider unfinished business including honoring Ulster County's Home Rule Request (Request by a Local Government for Enactment of a Special Law), pursuant to Article IX of the Constitution, requesting passage of Assembly Bill No. A5130 entitled "An act to amend the tax law and Chapter 200 of the laws of 2002 amending the tax law relating to certain tax rates imposed by the County of Ulster, to impose an additional 1% sales and compensating use tax," and the expeditious delivery of S.4516/A.5130 to the Governor for enactment.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Maio

DISCUSSION: **Chairman Roberts** recognized **Legislator Ronk** who stated the Resolution is open for sponsorship and any member wishing to be added to contact the Clerk of the Legislature.

Chairman Roberts recognized **Legislator Parete** who stated that he believes better lines of communication should established with the elected officials within the County especially on matters impacting the residents of the County.

Chairman Roberts called for further discussion, hearing none calls for a vote.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, R. Parete, Donaldson, Fabiano, Loughran, Maio, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

II. DISCUSSION

Chairman Roberts asked if there is any other business before the Committee; hearing none, he recognized **Legislator Maio** for a motion to adjourn, seconded by **Legislator Donaldson** at 7:19PM.

Dated the 19th day of August, 2013
Franklin R. Reggero, Sr. Legislative Employee
Minutes Approved on: Draft / September 23, 2013

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: August 14, 2013 @ 5:00 PM
LOCATION: Karen L. Binder Library, 6th Floor County Office Building
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Franklin Reggero
PRESENT: Chairman Dean Fabiano, Jim Maloney, John Parete and Kevin Roberts
ABSENT: Legislator Thomas Briggs
QUORUM PRESENT: Yes
OTHER ATTENDEES: Sue Ronga, David Bolles, Department of Public Works

Chairman Fabiano:

- Called the meeting to order at 5:07 PM

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of July 10th meeting.
Motion Made By: Legislator Parete
Motion Seconded By: Legislator Maloney
Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, J. Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

RESOLUTIONS:

MOTION NO. 2 Resolution No. 224, August 20, 2013

Text Of Motion: RESOLVED to approve Resolution No. 224 – Amending The 2013 Ulster County Budget- CHIPS Funding Adjustment - Department Of Public Works (Highways And Bridges).

Resolution Summary: The Ulster County Commissioner of Public Works requests the 2013 CHIPS appropriations and revenues be increased by \$461,161.25.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Parete

Discussion: **Chairman Fabiano** called for further debate, hearing none called for a vote.

Roll Call Vote: No
Voting In Favor: Fabiano, Maloney, J. Parete and Roberts.
Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

Voting Against: None
No. Of Votes In Favor: 4
No. Of Votes Against: 0
Disposition: Motion Passes

DISCUSSION:

Chairman Fabiano recognized Ms. Ronga for a DPW update:

Ms. Ronga submitted the monthly Highway and Bridges progress report to the Committee.

Legislator Maloney asked have all the new salt sheds be completed, to which Mr. Bolles stated yes along with some re-tuning that is required after the first year. Chairman Fabiano confirmed that all the work is being done in house.

Ms. Ronga continues with update on Highways and Bridges.

Chairman Fabiano asked Mr. Bolles the status of the PVI Bridge in Saugerties. Mr. Bolles stated that the engineering is progressing however they do not want to start construction so close to the winter months and have to close the bridge indefinitely. Mr. Bolles stated that he expects the work to start in the spring of 2014.

Ms. Ronga and Mr. Bolles distributed pictures of work currently being conducted in the County.

Legislator Maloney confirmed that the work on Sottile road is complete. Mr. Bolles stated yes.

Chairman Fabiano asked how much road the County has been resurfaced this year. Ms. Ronga stated that she does not know off hand but will provide that information.

Chairman Fabiano asked Ms. Ronga if the amount of shared road services in the County has changed, to which she stated no.

Ms. Ronga addressed the Committee in regards to the Ways and Means Committee requesting information on relocating the Bridge facility on Van Dale Road. Ms. Ronga provided documentation to the Committee. Ms. Ronga stated that it would cost approximately \$3 million to construct a new comparable facility.

Chairman Fabiano called for more discussion, hearing none.

The next Committee Meeting is September 10, 2013 at 5:00 PM.

There being no further business before the meeting, on the motion duly made by **Legislator Maloney**, seconded by **Legislator Roberts**, and carried, the meeting adjourned at 5:30 pm.

Dated the 14th day of August 2013
Franklin R. Reggero, Committee Clerk
Minutes Approved on: September 10, 2013 / frr

Social Services Committee

Meeting Minutes

DATE & TIME: August 5, 2013, 6:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICERS: Chairmen Mary Wawro
LEGISLATIVE STAFF: Deputy Clerk Krista Barringer
PRESENT: Legislators Craig Lopez, Richard Parete and Hector Rodriguez
ABSENT: Legislators Kenneth Ronk
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Erica Guerin
Chairmen Wawro called the meeting to order at 6:33 PM.

Motion No. 1 RESOLVED To Approve the Minutes of the Joint Health & Personnel and Social Services Committee meeting held June 3, 2013 and the Social Services Committee meeting held July 8, 2013

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Lopez
Discussion: None
Roll Call Vote: No
Voting In Favor: Legislators Lopez, Richard Parete, Rodriguez and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 2 Resolution No. 220 – August 20, 2013

Text of Motion: Resolve to Approve Resolution No. 220 - Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Department Of Social Services

Motion Made By: Legislator Rodriguez for discussion only

Motion Seconded By: Legislator Lopez

Resolution No. 220 Summary: This Resolution reports the Ulster County Legislature has examined the stated contract amendment with Rondout Services and approves the contract amendment 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:

Legislative Counsel Guerin noted there was communication received that indicated this contract may need to go for an RFP.

Legislator Rodriguez motioned to postpone Resolution No. 220 until the September meeting of the Social Services Committee and Legislator Lopez seconded. All voted in favor of postponing the Resolution until the September 9, 2013 meeting of the Social Services Committee.

Roll Call Vote: No
Voting In Favor to Postpone: Legislators Lopez, Parete, Rodriguez and Wawro
Voting Against of Postponement: None
No. of Votes in Favor to Postpone: 4
No. of Votes Against: 0
Disposition of Motion to Postpone: Carried

Motion No. 3 Resolution No. 221 – August 20, 2013

Text of Motion: Resolve to Approve Resolution No. 221 - Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Department Of Social Services

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Resolution No. 221 Summary: This Resolution reports the Ulster County Legislature has examined the stated contract amendment with Family of Woodstock for Rental Assistance for Families and approves the contract amendment 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: None
Roll Call Vote: No
Voting In Favor: Legislators Lopez, Parete, Rodriguez and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 4 Resolution No. 222 – August 20, 2013

Text of Motion: Resolve to Approve Resolution No. 222 - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Department Of Social Services

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Resolution No. 222 Summary: This Resolution reports the Ulster County Legislature has examined the stated contract with Family of Woodstock for Rental Assistance for Individuals and approves the contract amendment 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: None
Roll Call Vote: No
Voting In Favor: Legislators Lopez, Parete, Rodriguez and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 5 Resolution No. 223 – August 20, 2013

Text of Motion: Resolve to Approve Resolution No. 223 - Amending The 2013 Ulster County Budget – Accepting The New York University School Of Medicine Grant – Department Of Social Services

Motion Made By: Legislator Lopez

Motion Seconded By: Legislator Rodriguez

Resolution No. 223 Summary: This Resolution amends the 2013 Ulster County Budget to increase the appropriation line A4-2612-4585 by \$45,450.00 for the expenditures associated with the Atlas Project (NYU) and the revenue line A3-2612-4689 to accept Federal Aid for Other Social Services project in the amount of \$45,450.00. In addition, this Resolution indicates if funding for this program is eliminated, the program will be eliminated as well.

Discussion: None

Roll Call Vote: No

Voting In Favor: Legislators Lopez, Parete, Rodriguez and Wawro

Voting Against: None

No. of Votes in Favor: 4

No. of Votes Against: 0

Disposition: Carried

New Business:

Legislator Rodriguez noted the Committee has completed walk throughs of the Department of Social Services and Children & Family Center buildings and have gotten the flavor of what the Department is doing. He stated there is only so much impact they can have on policy due to the State and Federal mandates. He suggested a conversation with Commissioner Iapoce may be helpful to discuss the status of Safety Net. He noted it is expected the applications for the benefits are increasing and noted it would be good for the Committee to understand what the status is going forward on the County's takeover of the expenditures. Legislator Parete noted by the September meeting, Commissioner Iapoce should have a good sense regarding the budget as well. Legislators agreed to add this topic to the agenda for the September meeting of the Social Services Committee and invite Commissioner Iapoce to the meeting.

Adjournment

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

No. of Votes in Favor: 4

No. of Votes Against: 0

TIME: 6:40 PM

Dated the 6th day of August, 2013

Krista Barringer, Deputy Clerk

Minutes Approved on: October 7, 2013

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: August 13, 2013 5:00 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.
ABSENT: Legislator Gregorius
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Wishnick, Erica Guerin, Legislative Counsel; Joe Eriole, Deputy Comptroller; Ken Crannell, Deputy County Executive; James Hanson and Lisa Cutten, Budget Office; Sue Plonski and Roland Bloomer, County Attorney Office.

- **Chairman Gerentine called the meeting to order at 5:00 PM.**
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I. RESOLUTIONS:

MOTION NO. 1

Resolution No. 199

TEXT OF MOTION:

RESOLVED, Appropriating Funds From The District Attorney Forfeiture Reserve Account – Amending The 2013 Ulster County Budget – Ulster County District Attorney's Office.

MOTION MADE BY:

Legislator Harris

MOTION SECONDED BY:

Legislator Maloney

DISCUSSION:

Chairman Gerentine recognizes Mr. Weishaupt from the District Attorney's Office who explained the distribution of forfeiture funds to the Committee.

Chairman Gerentine recognized **Legislator Provenzano** who stated that she would appreciate in the future, a list of items that were purchased or to be purchased, be submitted as back-up to the resolution.

Chairman Gerentine recognized **Legislator Rodriguez** who clarified that the forfeiture funds requested to be transferred are a reimbursement of funds already expended to purchase the equipment list provided to the Committee. Mr. Weishaupt stated yes.

Chairman Gerentine recognized **Legislator Wishnick** who asked Mr. Hanson if the forfeiture funds could be appropriated to other lines in the budget. Mr. Hanson stated that the funds could not be used for personnel lines but could be used for law enforcement purposes elsewhere in the budget. Mr. Weishaupt stated that as long as the funds are used for law enforcement purposes. **Legislator Wishnick** further requested that the District Attorney's Office prepare a capital spending plan for anticipated forfeiture funds in the future.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

6

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 2

Resolution No. 221

TEXT OF MOTION:

RESOLVED, Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Department of Social Services (Families). Family of Woodstock.

MOTION MADE BY:

Legislator Provenzano

MOTION SECONDED BY:

Legislator Harris

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

6

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 3

Resolution No. 222

TEXT OF MOTION:

RESOLVED, Approving The Execution Of A Contract In Amendment In Excess Of \$50,000.00 Entered Into By The County – Department Of Social Services (Individuals). Family Of Woodstock.

MOTION MADE BY:

Legislator Provenzano

MOTION SECONDED BY:

Legislator Rodriguez

DISCUSSION:

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

6

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 4

Resolution No. 223

TEXT OF MOTION:

RESOLVED, Amending The 2013 Ulster County Budget – Accepting The new York University School Of Medicine Grant -Department Of Social Services.

MOTION MADE BY:

Legislator Provenzano

MOTION SECONDED BY:

Legislator Harris

DISCUSSION:

Chairman Gerentine calls for further discussion.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

6

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 5 **Resolution No. 224**

TEXT OF MOTION: **RESOLVED**, Amending The 2013 Ulster County Budget – CHIPS Funding Adjustment – Department Of Public Works (Highways And Bridges).

MOTION MADE BY: **Legislator Maloney**
MOTION SECONDED BY: **Legislator Provenzano**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 6 **Resolution No. 225**

TEXT OF MOTION: **RESOLVED**, 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 Sale Of Such Properties To The Highest Bidders Pursuant To Section 215 (6) Of New York State's County Law – Department Of Public Works

MOTION MADE BY: **Legislator Harris**
MOTION SECONDED BY: **Legislator Maloney**

DISCUSSION: **Chairman Gerentine** recognized **Legislator Maio** who asked the current status of the property and is there anyone interested in purchasing the property. Mr. Hanson stated that it is currently surplus property and this resolution will allow for a closed bid process for someone to purchase it.

Chairman Gerentine recognized **Legislator Harris** who asked the size of the properties. Ms. Plonski stated the lots are small residential parcels.

Chairman Gerentine recognized **Legislator Rodriguez** who asked if the identified properties qualify for the buyout program to which Mr. Hanson stated yes; however they are not contiguous to each other. **Legislator Rodriguez** further stated that this may be a problem in the future as it has been in the past.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 7 **Resolution No. 227**

TEXT OF MOTION: **RESOLVED**, Authorizing The Commissioner Of Finance To Accept Bids For Parcels Of County-Owned Real Property For Private Sale And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcels – Department of Finance.

MOTION MADE BY: **Legislator Harris**
MOTION SECONDED BY: **Legislator Provenzano**

DISCUSSION: **Chairman Gerentine** motions to amend the name of the bidding realty company upon request of the bidder. Moved by **Legislator Harris**, seconded by **Legislator Maloney**, unanimously adopted.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 8 **Resolution No. 228**

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Division Of Criminal Justice Services For Juvenile Justice ATD And Diversion funding --Amending The 2013 Ulster County Budget -- Department Of Probation.

MOTION MADE BY: **Legislator Maio**
MOTION SECONDED BY: **Legislator Harris**

DISCUSSION: **Chairman Gerentine** motions to amend the resolution as provided to the Committee adjusting the years in which money is going to be received. The Sponsor **Legislator Ronk** stated he is in favor of the amendment. Motion by **Legislator Harris**, seconded by **Legislator Provenzano**, unanimously adopted.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 9 **Resolution No. 234**

TEXT OF MOTION: **RESOLVED**, Urging The Governor Or Assembly Speaker To Call A Special Session To Consider Unfinished Business Including The Adoption Of Assembly Bill No. A5130, Authorizing Ulster County To Continue The Additional 1% Rate Of Its Sales and Compensating Use Tax For Two More Years.

MOTION MADE BY: **Legislator Maio**
MOTION SECONDED BY: **Legislator Harris**

DISCUSSION: **Chairman Gerentine** recognized **Legislator Provenzano** who asked for an explanation as to the language. Counsel Guerin clarified.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.**

VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 10 **Resolution No. 235**

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislator To Execute An Agreement With New York State Division of Criminal Justice Services For Participation in Operation IMPACT X – District Attorney – Ulster County Sheriff – Department of Probation.

MOTION MADE BY: **Legislator Maio**
MOTION SECONDED BY: **Legislator Harris**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Harris, Maloney, Maio, Provenzano and Rodriguez.**
VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **6**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

II. MISCELLANEOUS DISCUSSION:

Chairman Gerentine stated that the Request for Proposals have been sent out and further stated that the Committee will start the selection process in September.

Chairman Gerentine calls for further discussion, hearing none.

- **There being no further business before the Committee, a motion was made by Legislator Rodriguez seconded by Legislator Maio and carried to adjourn the meeting at 5:30 PM.**
-

Dated the 13TH Day of August, 2013
Franklin R. Reggero, Legislative Staff
Minutes Approved On: August 20, 2013 / frr

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: August 20, 2013 5:00 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Bartels, Belfiglio and Wishnick; Erica Guerin, Legislative Counsel; Ken Crannell, Deputy County Executive; Sue Plonski and Roland Bloomer, County Attorney Office.

- **Chairman Gerentine called the meeting to order at 5:45 PM.**
-

I. DISCUSSION:

1) **Chairman Gerentine** opens discussion on the Van Dale Property replacement preliminary estimate as provided by Ms. Sue Ronga, Ulster County Department of Public Works.

Chairman Gerentine recognizes **Legislator Provenzano** who stated that the Department of Public Works should provide a list of possible County owned properties that would meet the requirements of relocating the current facility. **Legislators Gregorius and Rodriguez** stated that the documents provided do not address all of the concerns for relocating the facility. **Chairman Gerentine** stated that the Committee should take the documents provided and look them over and prepare a list of questions or concerns to be discussed at a later date.

Chairman Gerentine recognized **Legislator Gregorius** who stated that one question will lead to another and would rather have a joint meeting with the Public Works Committee and the Department of Public Works before making any decisions. **Chairman Gerentine** stated that he would support holding a joint Committee meeting but it will have to be after the Labor Day holiday. **Unanimous Committee consent.**

2) **Chairman Gerentine** opens discussion the two year Ulster County Sales Tax extension of additional 1%.

Chairman Gerentine informed the Committee of the letter he drafted and sent to New York State Legislature's leadership in Albany regarding the devastating effects to the residents of Ulster County if the Sales Tax Extension is not approved by 1 December 2013. Mr. Crannell stated that there is revenue in the 2013 associated with the Sales Tax Extension and further stated that Assemblyman Cahill broke this and he will have to fix it.

Chairman Gerentine stated that regardless of who is to blame if the Sales Tax Extension is not granted to the County serious cuts will have to be made to the Budget that would result in decreased services to the residents. **Legislator Maio** shared her concern and stated that the Legislature should begin the planning process to operate without at least one quarter Sales Tax Revenue. **Legislator Provenzano** recommended to the Committee that the Legislature hire a financial expert to examine the County Budget and come with a plan to operate without the anticipated revenue.

Chairman Gerentine stated that he would appreciate the County Executive being forthcoming with his plan to compensate for the loss in revenue and work with the Legislature to minimize the impact to the residents of the County. **Legislator Rodriguez** stated that the Legislature did budget for a financial position and is willing to consider hiring a person or a firm. **Legislator Harris** stated that he would like to have a direct dialogue with the County Executive and the Budget Department to work collaboratively to solve the current financial issues.

Chairman Gerentine asked Mr. Crannell to communicate with the County Executive the Legislatures desire to work together in addressing solutions to the current fiscal problems facing the County. Mr. Crannell stated that he will.

Chairman Gerentine recognized **Legislator Provenzano** who stated that if the Sales Tax Extension is not approved the proposed County takeover of Safety Net will not happen and the City of Kingston as well as the Towns will have to cover all the local share of costs.

Chairman Gerentine recognized **Legislator Gregorius** who stated that once the Budget comes out during the first week of October the Committee and the Legislature will have a better understanding of how the loss of anticipated revenue is going to affect budget, whether there is a \$5 million impact or a \$22 million impact.

Chairman Gerentine recognized **Legislator Donaldson** stated that there are mechanisms to budget for anticipated revenue without borrowing.

Chairman Gerentine stated that he wanted to make sure everyone understood the gravity of the current situation if the Sales Tax Extension is not addressed.

Chairman Gerentine called for further discussion, hearing none.

3) **Chairman Gerentine** asked the Committee to review the Ulster County Resource Recovery Agency Budget and come to the next scheduled meeting with any questions or concerns.

Chairman Gerentine called for further discussion, hearing none.

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- **There being no further business before the Committee, a motion was made by Legislator Rodriguez seconded by Legislator Maio and carried to adjourn the meeting at 6:19 PM.**
-

Dated the 20th day of August, 2013
Franklin R. Reggero, Legislative Staff
Minutes Approved On: September 12, 2013/ frr