



**Ulster County Legislature**  
**Standing Committee Meeting Minutes**

**February 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:** February 13, 2013/5:30 PM  
**LOCATION:** Library Conference Room, 6<sup>th</sup> Floor, County Office Building  
**PRESIDING OFFICER:** James Maloney, Chairman  
**LEGISLATIVE STAFF:** Lisa K. Mance  
**PRESENT:** Legislators Loughran, Maio and Wishnick  
**ABSENT:** Leg. Roberts  
**EXCUSED:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Rick Remsnyder, Tourism Director, Robert Dibella, Public Transportation Director, Dennis Doyle, Planning Board Director, Joe Michaels, Railroad Advisory Committee, Vic Melville, LWV, Deputy Executive Ken Crannell, Jeff Kane, Kirchoff Medical Properties, March Gallagher, Director Business Services

- Chairman Maloney called the meeting to order at 5:35 PM.

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### MOTIONS:

**MOTION NO. 1**  
**TEXT OF MOTION:** RESOLVED to approve the December 17, 2012 Meeting Minutes  
**MOTION MADE BY:** Legislator Loughran  
**MOTION SECONDED BY:** Legislator Maio  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Maloney, Maio, Loughran and Wishnick  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passes

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**Presentation:** Chairman James Maloney introduced Jeff Kane of Kirchoff Medical Properties who provided information relative to development of the former Miron site with respect to Draft Resolution No. 0129. Mr. Kane extended an invitation to answer any questions. Chairman Maloney stated that the \$4.00 per square foot was a very healthy dollar per square foot in taxation and the PILOT increased 2% every year over the course of the term. From a standpoint of a taxing jurisdiction, the Chairman added that the project should be welcomed by all of the taxing jurisdictions and that it provided strong job creation.

**MOTION NO. 2**                    **RESOLUTION No. 0129 – February 19, 2013**  
**TEXT OF MOTION:**        RESOLVED to approve Resolution No. 129 - Resolution Approving The Terms And Conditions Of A Certain Pilot Agreement To Be Entered Into Between Ulster County Industrial Development Agency And MHMG-KM Kingston LLC In Connection With The MHMG-KM Kingston LLC Project

**Resolution Summary:** Pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 787 of the 1976 Laws of New York, the County Legislature has appointed the Chairman and members of the Ulster County Industrial Development Agency and filed the required certificates with the Secretary of State. The Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase. MHMG-KM Kingston LLC has presented an application to the UCIDA requesting that the Agency consider undertaking a project consisting of: (1) The acquisition of an interest in a portion of land located at 1561 Ulster Avenue in the Town of Ulster, including the existing improvements located thereon containing approximately 15,000 square feet of space; (2) demolition of the existing facility; (3) construction of the land of a new 4-story building to contain approximately 84,000 square feet of space and (4) acquisition and installation of certain machinery and equipment all to be owned by the Company and leased to Mid Hudson Medical Group, P.C. and utilized by the Tenant as medical office space and other directly related activities. In

connection with the undertaking of the Project, the Company will execute and deliver a PILOT Agreement between the Agency and the Company pursuant to which the company will agree to pay certain payments in lieu of taxes with respect to the Project Facility. The proposed payment terms of PILOT Agreement constitute a deviation from the Agency's Uniform Tax Exemption Policy. Prior to entering into the PILOT Agreement that deviates from the Policy's standard terms, the Agency shall (1) Notify each affected tax jurisdiction, and (2) attempt to obtain written consent of all the affected jurisdictions.

The Agency desires that Ulster County, the Town of Ulster, the Kingston City School District, adopt resolutions approving the terms of the PILOT Agreement.

**Discussion:**

**MOTION MADE BY:** Legislator Wishnick  
**MOTION SECONDED BY:** Legislator Loughran  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legs. Maio, Wishnick, Loughran and Maloney  
**VOTING AGAINST:** Loughran  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed Unanimously

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**MOTION NO. 3**                      **Resolution No. 132 – February 19, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 132** – Appointing and Re-appointing Members to the Ulster County Railroad Advisory Committee – Ulster County Legislature.

**Resolution Summary:**      The pursuant to Resolution No. 70 of 1985, the Railroad Advisory Committee was established in Ulster County and re-established pursuant to Resolution No. 127 of May 18, 2010. The Ulster county Legislature appointed individuals to the Committee for the purpose of continuing the on-going efforts of the previous Railroad Advisory Committee. The Ulster County Railroad Advisory Committee is comprised of the following members for a term commencing immediately through December 31, 2013, or until new members are appointed and or re-appointed: Legislator Wayne Harris, Chairman Michael Berardi, Charles Busick, George Bain, Jr., Joseph Michaels, Earl Pardini, Harry Jameson and Stephen Finkle.

**Questions/Comments:**      Leg. Wishnick indicated for record that nominations be separated by name.

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

**Discussion:** Chairman Maloney - Welcomed Joseph Michaels and thanked Mr. Michaels for his service.

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**MOTION NO. 4**                      **Resolution No. 0140 – February 19, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 0140 (Bond Resolution)** - Approving The Shovel Ready Fund Application From The City of Kingston For Improvements To The Drainage System Behind Flatbush Avenue In The City of Kingston; Authorizing The Execution Of The Disbursement Agreement Between The Ulster County Development Corporation And The City of Kingston; Approving The Delivery Of Project Funds And Administrative Fee To The Ulster County Development Corporation; Establishing Capital Project No. 378; And Amending The 2013 General Fund And Capital Fund Budgets

**Resolution Summary:** The Ulster County Industrial Development Agency (IDA) promotes and assists in acquiring, construction, improving, maintaining, and equipping industrial, manufacturing, commercial, research, recreation and civil facilities. The Ulster County Development Corporation (UCDC) fosters business growth and economic development in the County of Ulster and its municipal subdivisions. The County and IDA wish to accomplish their purposes by making funds available that will encourage municipalities within Ulster County to develop, enhance, and expand public supporting infrastructure. The NYS Legislature adopted legislation which is known as the Ulster County Shovel Ready Law, so that the County may fund certain projects. Funds for certain projects are administered for the purpose of economic development within the County of Ulster pursuant to the "Procedures and Guidelines of the Shovel Ready Fund" dated November 28, 2001. Pursuant to the Guidelines, the City of Kingston has submitted an application for assistance from the Shovel Ready Fund. The application for the project that would provide for improvements to the storm water drainage system located behind Flatbush Avenue in an industrial area in the City of Kingston. The Project cost, including engineering, surveys, permits, construction of storm drains, inspection and legal administration is \$507,565. \$125,000.00 in funding from the Shovel Ready Fund is requested for this Project, with the remaining Project cost of \$382,565.00 to be funded with \$132,565.00 from the City, and \$125,000.00 each from Stavo Industries, Inc. and Wolf-tec, Inc. In accordance with the Guidelines, the Shovel Ready Committee and the UCDC have reviewed and recommended approval of the application. The County and the County Legislature have determined that the Project is an industrial project that will improve infrastructure for industrial use and will thereby retain and develop industry and commerce and promote economic welfare and prosperity of Ulster County inhabitants. The project had been approved in the Ulster County 2013-2018 Capital Program.

**Discussion:** Chairman Maloney provided an aerial photograph of the former Colony Liquor site (on file with the Clerk of the Legislature). The Chairman Maloney indicated that the County Attorney had requested an opinion from Bond Council that the project was bondable which opinion was received from Douglas Goodfriend of Orrick, Herrington & Sutcliff, LLC (on file with the Clerk of the Legislature).

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

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**MOTION NO. 5**                      **Resolution No. 0143 – February 19, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 0143** - 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 Ulster And Dutchess County Public Transit Service (LINK) – Department Of Public Transportation (Ulster County Area Transit)

**Resolution Summary:** Ulster County Area Transit (UCAT) provides public transit service that connects Ulster and Dutchess Counties, including service to the MetroNorth Train Station. The Director of Public Transportation has received notification that the NYSDOT will reimburse Ulster County for eligible costs associated with the route, not to exceed \$340,000.00. UCAT has budgeted \$240,000.00 of this aid in the 2013 budget and expects to apply reimbursement of its costs equal to \$300,000.00 which requires amendment of the 2013 Ulster County budget. The Director of UCAT requested that the Ulster County Legislative Chairman be authorized to execute an agreement with the NYSDOT for the term January 1, 2013 through December 31, 2013 in an amount not to exceed \$340,000.00. The Chairman of Ulster County Legislature is authorized to execute an agreement and any amendments, with the NYSDOT to accept reimbursement for the operation of the LINK service in an amount not to exceed \$340,000.00.

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

**MOTION NO. 6                      Resolution No. 0142 – February 19, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 0142** – Appointing Member And Alternate Member To The Ulster County Planning Board – Town Of New Paltz

**Resolution Summary:** Pursuant to the Ulster County Charter and the Administrative Code, Members and alters of the County Planning Board shall be appointed by the Legislature to serve for four-year terms. The Town/Village Board of each town/village shall recommend for consideration and appointment by the Legislature, one person and one alternate from that town/village.

**Questions/Comments:**    Leg. Wishnick indicated for record that nominations be separated by name.

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

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**MOTION NO. 7                      Resolution No. 0144 – February 19, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 0144** – Designating The Ulster County Department Of Tourism As The Official Tourism Promotion Agency Of Ulster County – Department Of Tourism

**Resolution Summary:** NYS Legislature has appropriated funds to be available too tourism promotion agencies in New York State for advertising and promoting tourism. Designation as the official tourism promotion agency in Ulster County will allow the Department of Tourism to apply for and receive matching funds on behalf of the County for 2014.

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

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**MOTION NO. 8                      Resolution No. 0145 – February 19, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 0145** –Pledging Matching Funds For The "I Love New York" Tourism Promotion – Department Of Tourism

**Resolution Summary:** The "I Love New York" Matching Funds Local Assistance Program has been reinstated by NYS for 2013-2014. For the past 20 years, the UC Department of Tourism has participated in the Program which is administered by the NYS Department of Economic Development, Division of Tourism. The Program requires the County to match funds received from NYS and the Department of Tourism anticipated applying for between \$30,000.00 and \$135,250.00 in matching funds. The Program allows for additional advertising which is vital to the continuing growth of Tourism in Ulster County.

**MOTION MADE BY:**            Leg. Wishnick  
**MOTION SECONDED BY:**    Leg. Loughran  
**ROLL CALL VOTE:**            No  
**VOTING IN FAVOR:**         Legs. Maloney, Loughran, Maio and Wishnick  
**VOTING AGAINST:**         None

NO. OF VOTES IN FAVOR: 4  
NO. OF VOTES AGAINST: 0  
DISPOSITION: Motion Passed Unanimously

**Comment:** Director Remsnyder was happy to report that for the 2<sup>nd</sup> year, a national award for the Travel Guide had been received.

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**MOTION NO. 9 Resolution No. 0148 – February 19, 2013**

**TEXT OF MOTION:** **RESOLVED to approve Resolution No. 0148** – 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)

**Discussion:** Chairman Maloney asked Director DiBella where the pickups were for the service. Leg. Loughran asked how often the runs were made and Director DiBella provided a schedule for the bus service. Director DiBella stated that Belleayre paid the cost of the fare.

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

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**MOTION NO. 10 Resolution No. 0155 – February 19, 2013**

**TEXT OF MOTION:** **RESOLVED to approve Resolution No. 0155** – Authorizing The Ulster County Executive To Execute A Contract With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal, For Federal Funding For The Implementation Of Community Development Block Grants (CDBG), Amending The 2013 Ulster County Budget – Department Of Planning

**Discussion:** Leg. Loughran asked Director Doyle if the DEC had made any agreement implementing the clearing the streams and any changes that may help in the future. Director Doyle responded that an emergency agreement had existed with respect to Hurricane Irene. At the Town level, DEC is now working for local flood hazard mitigation and working with DEP to find funds and implement plans for water supply protection. Leg. Loughran indicated that the disasters are being created by inability locally to take necessary action to divert crisis prior to occurrence. Chairman Maloney asked if Director Doyle was aware of the date for Hazard Mitigation applications to be submitted by Towns.

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

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**Discussion:**

Director DiBella extended an invitation to attend the public meeting on February 28, 2013 with regard to schedule changes made as a result of study made by Planning. Director DiBella stated that he had a presentation that could be made to the Committee in the future. Leg. Maio asked for clarification from Director DiBella with regard to specific UCAT

route and there was a situation with regard to which route would be changed/added/deleted. Leg. Loughran asked if any Social Service clients were being transported and the cost to the County to which Director DiBella responded affirmatively. Leg. Loughran indicated that the cost incurred was greatly bothersome to him and the program had generated revenue in the past, prior to being taken over by the State and asked Director DiBella if he could obtain the funds being spent by different surrounding counties (Greene, Dutchess, Orange). Director DiBella indicated that he would provide information requested by Legs. Loughran and Wishnick.

**New Business:**

Chairman Maloney introduced March Gallagher, Director of Business Services for the purpose of a presentation with regard to the Gill Property located on Washington Avenue. Director Gallagher stated that a request had been made by Begnal Motors to ask Legislature to consider surplusing a portion of lands. The 2 parcels abut land owned by Gill and are owned by the County. The property was conveyed by the NYS Thruway Authority and contained a reverter clause. An inquiry was made of the Thruway Authority what would process be to remove the reverter clause which application would need to be made to the Board of the Thruway. The application required a survey and appraisal which costs would appear to be the responsibility of the purchaser. Director Gallagher also noted that a large portion of the Ulster County lands were in a floodway and most of the lands were in a flood plain and that the lands were not well maintained. Leg. Loughran questioned that the proposal by Begnal Motors was the best possible use of the lands. Director Doyle stated that the issue regarding the land would be to attempt to make property marketable. Chairman Maloney asked that the Committee come to a consensus to have Director Gallagher explore and move forward on the application for the State to remove the reverter clause. Leg. Wishnick asked that the process to obtain approval be explored prior to making the application.

- **There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Wishnick, and carried to adjourn the Meeting at 6:30 PM.**

**Dated the 4<sup>th</sup> day of March, 2013**

**Lisa K. Mance, Legislative Employee, Ulster County Legislature**

**Minutes Approved on: March 6, 2013**

## Environmental, Energy, & Technology Committee

### Regular Meeting Minutes

**DATE & TIME:** February 7, 2013, 5:45 PM

**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, COB, Kingston, NY

**PRESIDING OFFICER:** Chair Carl Belfiglio

**LEGISLATIVE STAFF:** Krista J. Barringer, Deputy Clerk

**PRESENT:** Legislators Tracey Bartels, Craig Lopez, Mary Wawro, and Kenneth Wishnick

**EXCUSED:** Legislators John Parete and Kenneth Ronk

**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislative Counsel Langdon Chapman, Ulster County Resident R. Abel Garraghan, RRA Board Member Charles Landi, The Fowler Agency President Paul Fowler, RRA Executive Director Timothy Rose, Ulster County Resident James Freligh II, Ulster County Association of Town Supervisors and Mayors Carl Chipman

- Chair Belfiglio called the meeting to order at 5:30 PM and requested attendees to sign in.

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**MOTION NO. 1**                      **RESOLVED To Approve the Minutes of November 29, 2012**

**Motion Made By:** Legislator Bartels

**Motion Seconded By:** Chair Belfiglio

**Discussion:**

Legislator Bartels motioned to change the word VETO to VET on page 8; motion seconded by Chair Belfiglio, motion to amend carried.

**Roll Call Vote:**                      No



<b>Voting In Favor:</b>	Legislators Bartels, Belfiglio, Lopez, Wawro, and Wishnick
<b>Voting Against:</b>	None
<b>No. of Votes in Favor:</b>	5
<b>No. of Votes Against:</b>	0
<b>Disposition:</b>	Carried

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**Invited Guest:** Abel Garraghan - Landfill

Mr. Garraghan introduced himself as the owner of Heritage Energy and his interest as a citizen but noted he had no other affiliations with solid waste management. He noted his interest was raised when the County introduced Flow Control and he looked at solid waste management with a business eye. He noted it costs \$85 per truckload up the Thruway. He noted the bid from the trucking company includes in the hauling fee, the Thruway toll. He felt the \$85 cost was blind to the average citizen in how the information is put together. He estimated at 18 trips per day there are 4,680 loads or by the tonnage, with 28 tons on each load, it equates to 140 tons per year. Based on this he estimated \$396,000 is being spent on Thruway tolls.

Mr. Garraghan reviewed the other costs as indicated on his handout as distributed. He stated there was an opportunity of an annual savings of \$3.19 million with the siting of a local landfill. He estimated the capital costs of siting a local landfill at \$13.6 million following consultation with Department of Conservation Solid Waste Management Director David Vitale.

Chair Belfiglio and Legislator Bartels noted the Seneca Meadows monthly check for a tipping fee and highlighted the positive cash flow after the debt services are paid for with the three possible illustrations presented by Mr. Garraghan.

RRA Executive Director Rose noted Sullivan County waste is also trucked to Seneca Meadows with the closure of their landfill. He noted the opportunity for savings could be increased with a regional opportunity.

Legislator Bartels thanked Mr. Garraghan for taking the time and making the graphs. She noted the estimates could be conservative and agreed completely with Mr. Garraghan that this needed to be looked at. She noted the estimates were prepared at 150 tons and expressed hope that the County could reduce waste 30 years from now with a zero waste commitment in 200 years.

Legislator Bartels noted previously the discussion to site a landfill was laden with politics, devoid of an inclusive process from the start and the sites were looked at in a vacuum. She noted there was extensive community push back. She suggested this

review was an environmental and fiscally responsible thing to do by both the Legislature and the Agency.

Mr. Garraghan noted a conversation he had with Environmental Advocate Manna Jo Greene regarding the carbon footprint and determined the average citizen carbon footprint is 5,400 metric tons of carbon annually going up to Seneca Meadows. He noted when the Thruway toll receipt is the only thing to show for the solid waste management efforts compared to a possible \$400,000 host community fee could tip the benefit locally.

Legislator Bartels reiterated the NIMBY position could be addressed by a generous host fee.

Mr. Garraghan noted at \$5 per ton, the host community could make \$750,000. He noted the County owns the poorest part of the waste stream as there is no economic value in transportation. He noted his presentation was to generate thoughts and have studies. He suggested the review have a broad base of people who represent different parts and different interests of the County.

Legislator Wishnick also thanked Mr. Garraghan and noted most people do not take the time to provide such a public service when there is no other motive. He noted the siting of a landfill can be very tough and many locations in Ulster County are more suitable for waste to energy. He felt the waste to energy option would not only reduced cost for transport, it would have the benefit of creating electricity for other use. He felt a discount might not be immediately seen but the benefit would be doing something for the environment. He felt manfills as just ash sites might also be easier to site as the only trucks going to the site would be tractor trailers with less volume and easier to travel.

Mr. Garraghan suggested Mr. Jim Taylor is attempting to do something similar in Orange County.

Legislator Wishnick commented Mr. Taylor's attempt was to convert trash to a gas product without combustion. He noted the lack of emissions was more ideal but noted his technology was still in development. He reported Waste Management has used a somewhat similar process in Oregon. He felt with a focus just on landfills may result in the Legislature spending a lot of time and money and still not succeed.

Legislator Wishnick reported landfill failures have been limited with double composite liner construction. He stated with a proper location with infrastructure to support, a community willing to host and with suitable environmental characteristics, the majority of the cost into siting a landfill depends on the availability of clay. He noted the

trucking in of two layers of compacted clay to meet the permeability standard would be substantial.

Mr. Garraghan noted in the petroleum containment standards of today, they no longer use clay and that the matting is made of an epoxy type material. He reiterated it was a double composite material.

Mr. Garraghan reiterated the 3.2 million is an opportunity for a community that is facing the closure of the schools, the lack of jobs, etc.

Chair Belfiglio stated RRA Executive Director Rose had invited the Committee on a field trip to Seneca Meadows. He suggested this visit to the host community might be beneficial if they could talk to the local representatives and the residents.

RRA Executive Director Rose stated Seneca Meadows is the fourth largest landfill in the United States and the gentleman who runs the facility, Rocky, is also a local County Legislator. He suggested a tour in April and noted a number of services that are provided by the facility including education and a nature trail.

Legislator Lopez asked what the turnaround time for a project of this magnitude would be. RRA Board Member Landi responded it could be done in cells and would not have to be a full two hundred acre landfill but could be done in 13 acre cells. He noted David Vitale offered the price of \$500,000 per acre. Mr. Garraghan reported the DEC suggested the 13.6 acres will last for five years at the current capacity of 150,000 tons. He further noted Mr. Vitale felt the 200 acre site would be appropriate.

Legislator Bartels stated she would not only like to go on the tour but would like to visit the Oneida-Herkimer landfill as well. RRA Board Member Landi stated they have reduced their tipping fee from \$70 to \$30 at a time when Ulster County is going from \$80 to \$100. Legislator Bartels noted whereas Seneca Meadows is owned by a Canadian company, the Oneida-Herkimer facility is regionally owned and a model that is closer to what Ulster County is seeking. RRA Executive Director Rose stated he would arrange the tour.

Legislators discussed when to schedule the tour, vector control methods, and the need to notice the public if the majority of the Committee attends the tour. Legislative Counsel Chapman stated he would explore if this would be the ability for the Committee to meet outside the County, what public notice should specify and if the tour would be considered a meeting or just observation with a return to then conducting the business.

Chair Belfiglio and Legislator Bartels thanked Mr. Garraghan and RRA Board Member Landi for their work. Legislator Bartels asked Mr. Garraghan to consider joining the Citizens Advisory Committee, if it is convened.

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**Invited Guest:** Paul Fowler – Animal Rights

Chair Belfiglio noted Mr. Fowler met with the Committee last year regarding an animal rights concern.

Mr. Fowler stated he has volunteered for the ASPCA and when people came to him with complaints regarding the Cole Brothers and Kelly Miller circuses, he researched and learned they both lost their licenses but found a loophole in the law whereby they can lease the act from Carson and Barnes, the last licensed circus. He stated this avoids the USDA law.

Mr. Fowler noted he has met with Police Chiefs Joseph Sinagra and Anthony Cruise to discuss the concern of circuses should an animal escape. He discussed the difficulty of law enforcement not having high caliber weapons that could take down an elephant and noted a wounded animal is even more dangerous.

Mr. Fowler noted the local law from Rio Rancho, the home of Ringling Brothers. He noted the public safety concern from an organization such as Cole Brothers that have had seven cases of escaped animals.

Mr. Fowler stated he ensured the ASPCA had inspectors and the USDA had a special investigator at last year's circus. He stated law enforcement is seeking to enforce the existing laws.

Chair Belfiglio asked about the sample local law handed out last year. Mr. Fowler indicated he gave out his last copy and would get the Committee members copies of the sample local law.

Chair Belfiglio asked about the Department of Health inspections for food vending. Mr. Fowler noted they review electric and water only. Mr. Fowler noted the ASPCA and USDA do not inspect them at every show.

Chair Belfiglio asked about the hosting organization's liability in sponsoring the event. Mr. Fowler stated he did not know about the liability. Mr. Fowler stated the circus applies for permits from the local municipality and felt the municipality approves the permits blind.

Legislator Wishnick asked about an item on the second page, item d which stated "prior to the issuing or denying of a permit, a criminal background check be done of the applicant, the applicant's principals, officers, directors, and all employees who may have contact with or be responsible for the care or handling of any animal. He asked what is being looked at in this background check.

Mr. Fowler indicated he wanted to include the Ulster County fair in the proposed local law and learned it was the opposite as people were harassing the 4-H kids. He stated he would be deleting that portion of his draft proposal.

Chair Belfiglio noted public safety was paramount and asked if the ASPCA or USDA could consult with the County on this proposal.

Chair Belfiglio noted there should be no intent to hinder business activity in the County. Mr. Fowler stated the intent was to have the organizations "clean their acts up".

Chair Belfiglio asked if the Ulster County Sheriff was consulted on this concern. Mr. Fowler indicated he spoke with Sheriff Van Blarcum in the past but not in depth. Chair Belfiglio asked about the City of Kingston and Mr. Fowler stated he had not contacted them yet but would call Lt. Clifford Tremper.

Legislator Bartels felt the next step would be to get a copy of the draft resolution, circulate it around the Committee members, have questions answered via email and at the next meeting move it forward.

Legislator Bartels felt items that seemed straight forward such as the insurance question and felt for a \$75 municipal permit, they must have to show some kind of coverage.

Legislator Wishnick asked Legislative Counsel if it was appropriate to enact this type of law at the County level or if it should reside at the municipal level. Legislative Counsel Chapman replied it would be better off at the municipal level as they control the policing authorities. He felt there should be a model law that regulates the care of animals in traveling circuses. He stated at a municipal perspective, the power of zoning and land use regulation is predominately town, village, and city; not county. He stated Countywide, they could have some protections, if they so desired. He offered they could prepare a model law for the convenience and use by the towns, villages, and city.

Legislator Bartels stated she would support a countywide law and a preparation of a model local law for municipalities to opt in or adopt on own. She felt the protection should also be countywide. She stated she did not want to wait for a municipality to weigh in or not weight in. She felt there would be something in place that offered a minimum protection for public safety and noted the County does have a Sheriff.

Legislator Wishnick offered a hypothetical question of the County enacting standards and a circus is held in Kingston where the City has not enacted an ordinance of this type and where that would leave the enforcement. Legislative Counsel Chapman replied laws are always about enforcement and opined unless the Legislature is planning to put County resources behind the enforcement, it would be difficult. He felt traveling circuses tend to come and go to the same places and it would be up to those localities that would have the incentive and best mechanism to enforce. He stated a site plan

approval law could be enacted at the local level, which is provided for under State law. This law states the site would not have a different use without obtaining site plan approval without Planning Board approval and the Planning Board could attach conditions to it such as a security plan, a plan to control animals, how would the community be compensated for law enforcement for crowd control or for animal security.

Legislator Wishnick asked if single use of a parcel is sufficient to warrant a whole zoning approval process. Legislative Counsel Chapman stated, as a land use law practitioner, site plan is used for generally allowable uses and the zoning ordinance can include “and such mass gatherings as may be permitted through a site plan approval, subject to regulation by the Town Planning Board.”

Legislative Counsel Chapman noted competing events may impact the need for different traffic needs and regulation with a site plan. He noted the County would not necessarily know all events occurring in a given community. He stated they could regulate at both the County and local levels but ultimately, it comes down to the enforcement and the ability to properly enforce. He felt the Town, Village and City levels have better mechanisms to enforce land use regulations, especially at night and weekends. He noted there is a Sheriff’s road patrol that has limitations and asked if the County Sheriff would be enforcing traffic relations in the Town of Ulster.

Legislator Bartels stated traffic language was not included in the proposed law. She noted the proposal was for the permitting of a circus type event and the protection of the public and animals through the permitting process. She felt it could be the Sheriff and/or the Health Department requiring a permit of any such event anywhere in the County.

Legislator Bartels asked what if a local community did not see it as important or did see it important but their process takes ten months to change the zoning law and they may feel why the need to change the law if they have never had an event.

Legislative Counsel Chapman felt traffic safety was inherent to the issue and there are two competing circuses occurring with the Sheriff’s people in attendance to regulate the animals.

Legislator Bartels stated the law was just to seek the permitting of a background check and if the applicant succeeds in providing the background check documentation and a plan for the safety of all residents, the Town would then determine if they want the circus.

Legislative Counsel Chapman felt to do this, the County is most able to do this at the Town level. He stated the County could not necessarily have a plan in place for all the

residents in that particular Town if they do not know all that is going on in that Town that same weekend.

Chair Belfiglio felt the Town takes responsibility for the permitting and the County takes responsibility of the sanitary health of the animals and the attendees and if the Town has a police department, they handle the traffic.

Legislator Bartels felt the Committee was over thinking the matter. She felt the law simply states if an entity wants a circus, in order to get the permit, they would have to show the veterinary checks and if they have a plan in place, not that the County would institute the plan but just ensure they have a plan, for escape, then at that point, the entity is cleared to get a permit. She felt at this point then the Town, Village or City would deal with their regulations to accommodate an event.

Legislative Counsel Chapman opined if the County was going to premature a blessing on an event, if something goes wrong, it would be the County that would be sued. He felt it would be better to construct a model ordinance for the local municipality to use that does all that is proposed.

Legislator Wawro noted the County had an animal abuse registration Resolution that went nowhere. She asked if there were other municipalities that did have databases that could be used. Mr. Fowler stated he was only aware of the USDA records and he would look at to see if it is researchable.

Chair Belfiglio asked if with the County is the authority through the drafting of a County law, then the County would be responsible and liable. He felt if there would be a law it had to be well thought out and iron clad.

Legislator Bartels felt this was a different concern than the traffic safety concerns. She shared the concern regarding liability.

Legislative Counsel Chapman noted it depended on how much the County structured the statute and how much of a guarantee or a premature of a guarantee they are offering to the public. He felt it would be an easy lawsuit if it was not comprehensive.

Legislator Wishnick offered a hypothetical situation of an elephant getting loose and it tramples some people, he asked if the County could be sued for not having any standards. Legislative Counsel Chapman noted the County can be sued for anything but felt there would be no validity to such a lawsuit. He noted the liability would not occur unless the County issued a permit.

Legislator Bartels suggested in the interim, the Committee reach out to the municipalities and explore that communities that host circuses.

Legislator Wawro asked if the municipalities were more vulnerable for not having something in place. Legislative Counsel Chapman felt the risk starts when they start to regulate and then assume some type of duty for someone. He noted someone might sue and get money from the settlement of a lawsuit.

Legislator Bartels stated therein lies the problem that there is no incentive to create legislation to protect the people as the legal reality is that the community should not be responsible.

Legislative Counsel Chapman replied he was not suggesting they not do this but felt the best body to do it is the one that has the most local policing powers. He stated it was hard to get a verdict against a locality unless the locality assumes a specific duty to an individual. He stated health, safety and welfare are more typically addressed at the Town, Village, and City level for this type of land use.

Chair Belfiglio thanked Mr. Fowler for coming in and explaining the concern to the Committee.

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**Discussion:** RRA Board Composition

Chair Belfiglio highlighted a memo of summation received from Legislative Counsel Chapman. He agreed with Legislative Counsel Chapman's third point of increasing the size of the RRA Board that such appointee would be appointed by the Chairman upon the recommendation of the Minority/Majority Leader subject to Legislative Confirmation for the main body of the RRA Board. Legislator Wishnick noted with this the process would remain the same but that the number of members on the board would increase.

Upon request of Legislator Bartels, Chair Belfiglio reviewed the memo point by point.

**INCREASING THE SIZE OF RRA BOARD**

- **Increasing from 5 to 7 the number of RRA Board Members.**

Legislators agreed with this point.

- **The two new Board Members would be Legislators (1 minority and 1 majority).**

Chair Belfiglio felt the Committee agreed with this point.

- **following a vote of the caucuses with written confirmation of the vote of each caucus filed with the Clerk of the Legislature?**
- **at the request of the caucuses subject to official confirmation by the Legislature via resolution?**



- **whether such appointee would be appointed by the Chairman upon the recommendation of the Minority/Majority Leader subject to Legislative Confirmation (like the current appointment at the request of the Minority Leader is made).**

Legislator Bartels clarified Chair Belfiglio agreed with the third point, which is the current way. She asked with the third method, can in effect the Chair appoint anyone he or she wants. Legislative Counsel Chapman stated if the Chair appointed someone who wasn't upon the recommendation of then the Majority or Minority Leader would have standing to sue and invalid that appointment. He stated the remedy would be to go to court and indicate the statute says there must be an appointment at the request of the Majority Leader and Minority Leader. He felt as part of the statute he would recommend including "the Chairman would appoint upon receipt of a written filing filed with the Clerk of the Legislature." Legislative Bartels requested that this be written as tightly as Legislative Counsel Chapman would right it to assist someone who was disenfranchised could prevail in a lawsuit. Legislative Counsel Chapman noted the Legislative Bill Drafters would modify and send back for County confirmation before submission to the State.

Legislator Bartels felt the first method was the lock tight way for the caucuses to get the appointment as they so chose and not the third method. Chair Belfiglio noted caucus appointments would be iron clad. Legislative Counsel Chapman saw two flows with that method, one being that the current Democratic Caucus has eleven members but with one being a non-Democrat, the vote could be litigated. He felt the last option was the most logical, least likely to be litigated and with the remedy if the caucus is not happy is to replace their Minority or Majority Leader.

Chair Belfiglio stated the key step is having the Legislature as representatives on the RRA Board. Legislators took a voice vote to agreed with the third method and struck the first two bullets.

- **The Legislative appointees would serve for a term expiring December 31 of the year of the appointment or until his/her successor is qualified, unless such Legislator's service on the County Legislature concluded (meaning if the new appointment of a Legislator to the RRA Board was not made, the Legislative appointee would hold over unless their service as Legislator had ended).**

Legislator Wishnick clarified the term specified was for Legislators. Legislator Bartels clarified the statement unless such Legislator's service on the County Legislature concluded abruptly and there was a lapse in filling the position. Chair Belfiglio noted vacancies would be filled in the same manner as the original appointment. Legislative Counsel Chapman stated there could be a vacancy or the Legislature could establish an internal mechanism to fill vacancies. Legislative Counsel Chapman suggested leaving the language as suggested as if there was a crisis at the RRA and they needed that member, the Legislature would meet and caucus would appoint quickly. Legislator Lopez asked if there should be an alternate appointment. Legislative Counsel Chapman stated an alternate could be appointed up front. Chair Belfiglio clarified this would be an alternate with full voting power should the original representative was unable to make the meeting. Legislative Counsel Chapman suggested it would be a successor alternate and would be the easiest to implement.

Legislative Counsel Chapman clarified Legislator X is appointed and serves until December 31<sup>st</sup> and if the RRA Board meets on January 4, as long as that Legislator is still a Legislator would continue to hold over. Legislator Bartels stated a concern after an election year, a Legislator may not get re-elected and there has not been a Legislative meeting but the RRA Board meets without the two Legislative members. Legislator Wishnick suggested the caucuses select their representative in advance to have them start serving at the first of the year. Legislator Bartels asked if there would be a problem having Legislators continue to serve until a replacement is determined. Chair Belfiglio noted all Board Members would have the same standing whether elected or not and at that point they would all be citizens. Legislative Counsel Chapman felt this was being over thought and noted he only mentioned it to avoid the conversation in the future that this was overlooked. He felt if the Legislature recognized a concern, they would act. RRA Executive Director Rose stated the January meeting is the annual meeting to which all officers are elected. He noted without the Legislators in attendance, they would not be able to hold office. Legislator Bartels suggested making the appointment in the December of the election year so the appointment starts in January. Legislative Counsel Chapman noted the greater concern of a massive change in the full Legislature which invalidates the appointment of the prior body. Legislator Bartels suggested removing the words "unless such Legislator's service on the County Legislature concluded."

- **Vacancies would be filled in the same manner as the original appointment (I do not believe this point was discussed but will need to be in the legislation unless the Committee has something else in mind).**

### **OTHER STATE STATUTORY CHANGES**

- **Of the 5 non-Legislative appointments, two would be appointed at the request of the Minority Leader (including one of the two whose terms take effect January 1, 2016).**

Legislators agreed with this point. Chair Belfiglio clarified that it would be a 3-2 and not a 1-4 split, starting in 2016.

- **Local elected officials would no longer be prohibited from serving on the RRA Board (it was not clear to me whether you collectively meant any local elected official could serve in any of the seven Board Member positions, or whether you were intending to only allow the two Legislators to serve in the two new positions?).**

Legislator Bartels felt the Committee was clear that no Elected Officials would be allowed to serve in the five other positions on the Board and that these were preserved as non-elected officials. Chair Belfiglio concurred. Legislative Counsel Chapman clarified only the Legislators would be the only elected officials.

Legislators agreed with this point with the clarifications.

### **ADVISORY BOARD**

- **An advisory Board to the RRA would be created.**  
Legislators agreed with this point.
- **The advisory Board would be entitled to written notice of the RRA's decisions.**  
Legislators agreed with this point.
- **The advisory Board would have the ability to reject non-operational decisions of The Board within a certain timeline of the RRA Board's**

**having acted (I do not believe a timeline was decided so this should be considered).**

Chair Belfiglio asked RRA Executive Director Rose if there were any conflicts with the bylaws of the Regular RRA Board. RRA Executive Director Rose indicated he would need to review the bylaws.

Legislator Bartels clarified if the words “certain time” should be specific to possibly 30-days and if this would meet the Open Meetings law. Chair Belfiglio noted if the Advisory Board rejected something the Regular RRA Board would need to convene for a super majority vote to override. Legislator Bartels clarified this in regards to the time for the Advisory Board to have to respond to the RRA Board’s decision. She noted the RRA Board would need to figure the Advisory Board timeline into their decisions. Legislator Wishnick felt this depended on what the decision was. He felt the Advisory Board would need time to communicate and decide if they really need to meet. Chair Belfiglio offered a hypothetical situation of the main scale breaking and needing to replace it immediately. Legislator Bartels suggested operational issues be clarified.

Legislator Wawro suggested this be worded up to x amount of days. Legislator Bartels noted the RRA Board would not have the confidence of the approval of the Advisory Board until the 30 days had passed. She felt 30 days felt reasonable depending on what the issues would be. She asked what the threshold for expenses would be and noted the RRA Board would have to know that there would be a 30 day window before the tipping fee increases could take effect. RRA Executive Director Rose expressed concern that the Agency would face \$50,000 fines issued by the DEC if they do not meet their regulations. Legislator Bartels noted these fines are typically operationally related and not subject to the Advisory Board oversight. Legislator Bartels and RRA Executive Director Rose discussed the different types of contracts that are needed review by the RRA Board in an emergency basis. Legislator Bartels felt even though contracts got into big money they still were operational in nature and felt the Advisory Board would focus on tipping fees, large capital expenditures that required bonding, etc.

Legislator Wishnick asked if Board approval was needed for changes between categories in the budget. RRA Executive Director Rose stated the lines items tend to remain stable throughout the year and if needed, he felt it would need Board approval but he did not know this to be a fact.

Legislator Wishnick suggested the Advisory Committee have a role in tipping fees, approval of the budget, categorical changes to the budget, budgetary matters above a certain threshold and change in policy and bylaws.

Legislator Bartels noted the Recycling Oversight Committee has legal authority over the regulation of regulated recyclables. She stated the law states “the Agency shall request and receive the recommendation of the Committee before it’s order of the addition of any material from designation as a regulated recyclable material, except that if such recommendation is not received within 30 days.” She noted the Recycling Oversight Committee has 90 days to comment if they are taking something off of the list of regulated recyclable material.

Legislator Bartels felt the Advisory Board should not be a part of the DEC permit application nor contractual decisions. Legislator Wishnick felt the Advisory Board should have oversight if the Agency wanted to change the MERF and felt Town Supervisors might want to weigh in on the County going single stream. Legislator Bartels felt it should reflect the flow control of recyclables.

Following clarifying dialogue with Legislative Counsel Chapman, Legislator Bartels felt it should include the expansion or reduction of what recyclable material is required to be processed through the RRA pursuant to the laws of Ulster County.

Chair Belfiglio and Legislator Bartels discussed the Advisory Board having responsibility over items that are bonded and Legislator Bartels felt if expenditures were included the threshold should be over \$200,000.

Legislator Bartels felt they should have approval over the Capital Plan. Legislative Counsel Chapman clarified this should read “approval, annually of an annual plan.” Legislator Wishnick felt it should read “approval of the annual capital plan.” Legislator Bartels noted the list was just a trigger list of items that the Advisory Board could weigh in on. Legislator Wishnick clarified the Advisory Board could weigh in on but were not required to.

Legislator Bartels reviewed the points that the Advisory Board would be aware of:

- Approval of the Budget
- Approval of the Capital Plan
- Ability to review and comment of the solid waste management plan
- Tipping fee increases
- Approval of any bonds issued or to be issued within thirty days
- Expenditures above a certain threshold
- Expansion or reduction of materials accepted by the Agency, subject to the authority provided for under local law #10 of 2012 as amended

Legislative Counsel Chapman clarified this last point to read “expanding or reducing what materials are required to be accepted by the RRA pursuant to the laws of Ulster County.” After discussion, Legislators agreed to the words “required to be processed by” instead of “required to be accepted”.

- **The Advisory Board would consist of:**

- **Two members appointed by Legislature at the request of the Supervisors and Mayors of Ulster County.**
  - **I would therefore suggest language such as “upon the written recommendation of a majority of the total number of Town Supervisors and Mayors of the Villages and Cities within the County of Ulster”**

Legislator Bartels indicated support of this point. All Legislators agreed with the language “upon the written recommendation of a majority of the total number of Town Supervisors and Mayors of the Villages and Cities within the County of Ulster”.

- **Two members of the County Legislature who shall not be on the Board of the RRA;**

Legislator Bartels felt this might need to specify one member of the Majority and one member of the Minority. Legislators agreed with this point as amended.

- **A member appointed by the Ulster County Executive, and if he or she shall decline, the appointee could be upon the recommendation of the Comptroller or the Legislature or the remaining 4 members.**

All Legislators agreed if the appointment was declined by the County Executive, it should be an appointment of the Legislature. Legislator Bartels clarified it should be a non-elected official. Legislative Counsel Chapman clarified it should be a non-elected official appointee of either the County Executive or the Legislature, if declined.

- **Advisory Board Members would serve one year terms and serve until their successors are qualified.**

Legislators discussed the concerns of maintaining a quorum for the Advisory Board. Legislators Bartels and Wishnick felt the Advisory Board Members should be left as holdovers of the position until their successors are appointed. All legislators agreed to this point.

## **QUESTIONS**

- 1. Should there be some standard for the RRA Board to be able to act without the Advisory Board (where the Advisory Board could not require a reaffirmation) if there is an emergency?**

Legislators discussed what might constitute an emergency. Legislator Bartels felt there would be generally no need for the Advisory Board to act on an emergency.

- 2. What to do about the traditional functions of Executive sessions of the RRA (i.e. – what right to information, if any, would you have the Advisory Board have in the statute to understand the RRA's decisions)?**

- 3. Fiduciary obligations of the RRA Advisory Board to the RRA? Are there any such fiduciary obligations?**

Legislator Bartels felt the Advisory Board should be able to attend the Executive Committee, if they so desired. Chair Belfiglio noted the Advisory Board does not weigh in on personnel issues which would be addressed in Executive Session. RRA Executive Director Rose concurred and noted union negotiations and litigation are also done in Executive Session.

Legislator Bartels asked if the Advisory Board members attended an Executive Session if they would be bound by the same responsibilities. Legislative Counsel Chapman stated a member of a Board of Directors has a fiduciary responsibility and he did not think the fiduciary responsibilities passed to an Advisory Board. Legislator Bartels that this be the tipping point in the decisions.

Chair Belfiglio felt the Advisory Board could go into Executive Session with the RRA Board, if it had to do with public safety.

Legislative Counsel Chapman noted there was no appropriation for the Advisory Board and asked if the Advisory Board attempted to exert power, who pays for the retaining of Counsel to resolve any conflicts. He asked can the Advisory Board go to court to preserve their rights and who pays for it.

Legislator Wishnick asked who staffs the meetings, takes minutes, and sends out agendas. Chair Belfiglio noted they did not determine when and how often the Advisory Board would meet. Legislator Bartels asked if that needed to be in the enabling legislation.

Legislator Wishnick felt the RRA would assign staff to the Advisory Board. RRA Executive Director Rose noted staff attending would impact the RRA's budget with associated overtime costs.

Legislator Bartels felt they needed one organizational meeting a year and then may not need to ever meet again.

Chair Belfiglio felt if there was an issue where the Advisory Board and RRA Board could not agree and there needs to be legal fees, there should be a stipulation that the Legislature needs to decide whether legal action takes place and then money is appropriated or the County takes on the action.

Legislator Bartels noted the Advisory Board would have it laid out very clearly what they have the authority to weigh in. Legislators discussed the definition of "weighing in". Legislative Counsel Chapman noted inter-municipal litigation happens often. He advised the language to read "counsel for the Advisory Board may be authorized by Resolution of the Ulster County Legislature or by an inter-municipal agreement between the majority of the Municipalities of the County of Ulster."

He noted the intent of the Advisory Board was for checks and balances and a model for accountability that the Legislature and the Municipalities are seeking.

RRA Executive Director Rose asked Legislative Counsel Chapman about Board Member training for the Advisory Board. He noted the RRA Board is required to attend training and as such are entrusted with a lot of legal responsibility. He asked if there would be too much liability if there was an Advisory Board interfering with their decision making abilities. Legislative Counsel Chapman replied if the Advisory Board says to the RRA Board, you must do this and the



RRA Board finds it to be illegal, then logically the Advisory Board would agree it is illegal or decide to sue. He stated at that determination the Advisory Board would come back to the Legislature or the Municipalities and after reporting the RRA Board is breaking the law and the Advisory Board has the authority to stop them, and request legal counsel to sue. He stated at that point, the Legislature and/or the Municipalities would either determine the Advisory Board is wrong or it is right and provide them the resources to sue. He noted this was the checks and balances that would be used before legal institution of proceedings.

RRA Executive Director Rose asked Legislative Counsel Chapman who removes the Advisory Board members if they run amok. Legislative Counsel Chapman replied the Legislative Committee has not addressed that issue yet.

Legislative Counsel Chapman expressed a legal concern if the Advisory Board was sued by the RRA Board or public. He felt this was a more likely scenario. He offered an example of this happening.

Legislator Bartels felt the duties and responsibilities of the Advisory Board are different and in issues that would be politically unpopular, such as raising tipping fees, might draw the negative vote of the Advisory Board as it is, in its nature, answering to the taxpayers directly. She noted the RRA Board, with its fiduciary responsibility to the RRA, would have to have the resolve to, in the face of a no from the Advisory Board, be able to come up with a super majority of five votes. RRA Executive Director Rose expressed concern of having RRA Board decisions drag out and noted there are business decisions that have to have the timing just right.

Legislator Bartels discussed reasons to embrace the Advisory Board concept and noted instead of having four representative from the Town Supervisors and Mayors Association on the full Board, they are in an advisory role that allows them to weight in but not stop operations.

Chair Belfiglio requested this dialogue in Resolution format and noted if it passes the full Legislature, it would go as a request to the State and if given the authority to do this, then it would come back for another vote to actually do it. Legislator Bartels clarified authority versus enabling language. Legislative Counsel Chapman understood the request to be for a State law would give the County the authority to proceed but not compel the County to proceed. He stated, based on this understanding, the body would need to pass a Resolution requesting the Senate, Assembly and Governor Cuomo to

introduce a bill that allows the County to do x. He noted the drafted bill is then sent to the Ulster County Legislature, who then agrees with the text and indicates their support with the passing of a blue home rule law form. He stated when the State Legislature passes that bill, the Governor signs the law, and then the County has the authority.

Legislator Bartels clarified after all this activity at the State level, the County can decide to forget it and not act upon it. Legislative Counsel Chapman indicated this was correct, the State bill gives the County the authority only as was done with the initial law that gave the County the authority to create the RRA but did not compel the County to create it.

RRA Executive Director Rose clarified this changes the enabling act. Legislative Counsel Chapman indicated this was correct.

Legislator Wishnick clarified once the law is passed in Albany, the County would then name appointees. Legislative Counsel Chapman replied the County would need to pass a local law to create the Advisory Board and name appointees.

Legislator Bartels asked if the enabling law indicate this process. Legislative Counsel Chapman replied yes and noted the language would read, "The County of Ulster may by local law do the following..."

Legislator Wishnick asked if to increase the numbers on the existing RRA Board, would the County need to pass a law to change that. Legislative Counsel Chapman suggested the following language, the RRA Board would "go up to seven members, the new members terms would take effect on these dates." Legislator Wishnick this would be at the State level. Legislative Counsel Chapman confirmed this and with this approval, the County would have to appoint these two new members or the RRA Board would be functioning with seven members but with five members in attendance.

Chair Belfiglio clarified if this would be two Resolutions to the State. Legislative Counsel Chapman indicated it would be two Resolutions with one Resolution requesting the bill to be introduced and one indicating support of the bill as drafted.

Legislator Wishnick clarified when the blue copy is returned, the County would need to pass another Resolution. Legislative Counsel Chapman confirmed this and indicated the following hypothetical timetable: Ulster County Legislature passes a Resolution in April, in May the State can introduce it, in May the Ulster County Legislature agrees to the bill draft, and then in June the State is approving the bill. He further noted the Governor has from the State Legislature passing the bill to the end of the calendar year to sign the bill.

Chair Belfiglio noted if the bill returns this year, the Legislature can pass a resolution to accept it or decide not to even act on it.

Legislative Counsel Chapman noted the importance of ensuring the Legislature wanted seven members. Legislator Bartels stated she wanted the debate of whether the Legislature wanted seven members and have the determination written in stone.

Legislative Counsel Chapman agreed to draft a Resolution.

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**Other Business:**

Chair Belfiglio noted the County's website was down briefly last month. He stated there was a press release on it after the fact and read it on Mid Hudson News Network. He felt there should be a report of what happened and would request this from Deputy County Executive Sudlow. Legislator Wishnick noted Legislative staff was not informed until he called and noted this impacted the preparation for Legislative meetings. Legislative Deputy Clerk Barringer noted the site was inaccessible on this day as there was maintenance which delayed the posting of required audio files.

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**Adjournment**

**Motion Made By:** Legislator Bartels

**Motion Seconded By:** Legislator Belfiglio

**No. of Votes in Favor:** 5

**No. of Votes Against:** 0

**TIME:** 8:51 PM.

**Dated the 25<sup>th</sup> day of, March 2013**

**Krista Barringer, Deputy Clerk**

**Minutes Approved on:**

## Health and Personnel Committee

### Regular Meeting Minutes

**DATE & TIME:** February 4, 2013, 5:30 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, COB, Kingston, NY  
**PRESIDING OFFICER:** Chairman Robert T. Aiello  
**LEGISLATIVE STAFF:** Victoria Fabella, Clerk  
**PRESENT:** Legislators Jeanette Provenzano, Carl Belfiglio, Robert Parete (left at 6:48 PM), and Kenneth Ronk  
**ABSENT:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislator Mary Wawro (arrived 5:53 PM), Legislative Counsel Erica Guerin, League of Women Voters Representative Margaret Sellers, Deputy County Executive Ken Crannell, Personnel Director Brenda Bartholomew and Children's Advocate Len Bernardo

Chairman Aiello called the meeting to order at 5:30 PM.

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#### **MOTION NO. 1                      RESOLVED To Approve the Minutes of January 7, 2013**

**Motion Made By:** Legislator Provenzano  
**Motion Seconded By:** Legislator Ronk  
**Discussion:** None  
**Roll Call Vote:** None  
**Voting In Favor:** Legislators Aiello, Belfiglio, Parete, Provenzano, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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#### **Motion No. 2                      Draft Resolution No. 0123 – February 19, 2013**

**Text of Motion:** Resolve to Approve Resolution No. 0123 - Requesting the County Personnel Officer Provide a Monthly Accounting of All New County Employees, Employee Department Transfers, New Contract Employees, New Department and Deputy Department Head Appointments, Department Head and Deputy Department Head Transfers and Resignations Within All County Departments By Title

**Motion Made By:** Legislator Belfiglio

**Motion Seconded By:** Legislator Parete

**Resolution Summary:** This Resolution requests that the County Executive direct the County Personnel Director furnish on a monthly basis, to Clerk of the County Legislature, an accounting by title all new hires, separations, retirements, department transfers and that the accounting will include County Department, hire date, separation date, appointment effective date (if different from the hire date), transfer date, transfer to and from department. It further requests the Clerk of the Legislature to furnish such report to the Chairperson and Deputy Chairperson of the Health and Personnel Committee within five days of the receipt thereof as well as to publish the report on the Legislature's website as soon as practicable so that the report can be entered as public record for the benefit of transparency and accountability to the Ulster County Legislature and for the benefit of the general public. The Resolution requests that the first accounting report be furnished to the Clerk of the Legislature by the first day of every month starting on February 1, 2013.

**Discussion:**

Deputy County Executive Crannell noted the availability of a sample monthly report from Personnel Director Brenda Bartholomew. Personnel Director Brenda Bartholomew distributed the document.

Legislator Ronk clarified the annual salary listed is without the benefit package. Personnel Director Brenda Bartholomew confirmed this.

Personnel Director Brenda Bartholomew explained the codes for the reason of separation, including RES: Resignation; RET: Retirement; TERM: Termination; and DD: Decease.

Legislators discussed the inclusion of names on the transfer and reassignment report.

Legislator Provenzano noted the six were from the eliminated Children's Mental Health Unit and was pleased they found other positions within the County. Deputy County Executive Crannell stated they were able to reduce the 28 proposed layoffs to 19. He noted more than half of the 19 were clerical type positions. Legislator Ronk noted these individuals stay on the preferred list.

Legislators discussed the revisiting of the discussion which already was held on the Resolution last month.

Legislator Parete would like to see a total number of employees on each report and Personnel Director Brenda Bartholomew stated she would include it.

Deputy County Executive Crannell noted the County Executive would ensure the monthly accounting report from Personnel Director Brenda Bartholomew would be presented monthly.

Legislator Ronk would like to see the years of service for each separation and Personnel Director Brenda Bartholomew stated she would include it.

Legislator Belfiglio stated he submitted the Resolution to ensure the Legislators received a monthly accounting. Deputy County Executive Crannell stated the only delay in submitting a monthly report would be if Personnel Director Brenda Bartholomew runs the report the day after the Committee meets but he assured the County Executive would file the report with the Clerk of the Legislature.

**Roll Call Vote:** None  
**Voting In Favor:** Legislators Parete and Belfiglio  
**Voting Against:** Legislators Aiello, Provenzano, and Ronk  
**No. of Votes in Favor:** 2  
**No. of Votes Against:** 3  
**Disposition:** Defeated

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**Motion No. 3                      Motion to Take Resolution 0136 out of Order**

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Provenzano  
**Roll Call Vote:** None  
**Voting In Favor:** Legislators Aiello, Belfiglio, Parete, Provenzano, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 4                      Draft Resolution No. 0136 – February 19, 2013**

**Text of Motion:**                Resolve to Approve Draft Resolution No. 0136 - Amending The 2013 Ulster County Budget To Increase The Allocation For Federal Medicaid Upper Limits Program Revenues For the Golden Hill Health Care Facility And Participating In The State Intergovernmental Transfer (IGT) Program - Department Of Finance

**Motion Made By:**                Legislator Ronk  
**Motion Seconded By:**        Legislator Provenzano

**Resolution Summary:** This Resolution approves the Commissioner of Finance requests that the County accept the increased Federal allocation of \$609,674.00 and further, participate in transferring to the State 50% of this allocation which equals \$304,837.00.

**Discussion:** Deputy County Executive Crannell noted the County Executive just received notice of the transfer that is about to occur and it was \$609,000 above what was estimated in the County Budget. In response to questions from Legislator Parete, Deputy County Executive Crannell noted the money must go to the Golden Hill Nursing Facility. In clarifying a question from Chair Belfiglio, Deputy County Executive Crannell stated in the IGT, the County is responsible for the net non-federal share of the Medicaid payments. He noted half the money is an expense at Social Services and the full payment goes to the Nursing Home. He clarified for Legislator Parete the allocation is for State Fiscal Year 2011-2012.

**Roll Call Vote:** None  
**Voting In Favor:** Legislators Aiello, Belfiglio, Parete, Provenzano, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 5**                      **Draft Resolution No. 0134 – February 19, 2013**

**Text of Motion:**                Resolve to Approve Draft Resolution No. 0134 as Amended  
- Establishing the Ulster County Public Safety Advisory Committee

**Motion Made By:**                Legislator Parete

**Motion Seconded By:**        Legislator Ronk

**Resolution Summary:** This Resolution creates the Ulster County Public Safety Advisory Committee to study ways in which to identify individuals who are risk of causing violence, identify ways in which these individuals can be helped, identify other ways to prevent violence, and identify ways in which to protect people in public places in Ulster County consisting of the following members: the Chair of the Ulster County Legislature or her designee, two members from the Ulster County Social Services Committee one of whom shall serve as chair, two members from the Ulster County Health and Personnel Committee, two members from the Ulster County Law Enforcement Committee, the Ulster County Sheriff or his designee, the Ulster County District Attorney or his designee, the County Executive or his designee, the Director of Ulster County Department of Health or her designee, the Director of Social Services or his designee, a member from the Ulster County Supervisors Association, a school superintendant, two members who are involved in mental health, and two members who are residents of Ulster County. The Resolution states the Ulster County Public Safety Advisory Committee shall hold its first meeting no later than thirty (30) days after the approval of this resolution and that the members of the Ulster County Public Safety Advisory Committee shall serve without compensation other than for actual and

necessary expenses with appropriations made therefore, unless other provided by resolution of the County Legislature, pursuant to Section C-16 of the Ulster County Charter and Section A2-11 of the Administrative Code. The Resolution directs the Ulster County Public Safety Advisory Committee to meet as needed to review current matters of public safety and mental health, ways in which to enhance the welfare of Ulster County residents, identify opportunities to increase safety in public areas such as schools, parks, and malls, identify educational opportunities for law enforcement personnel, and all other things related to public safety and submit a written report of its findings and recommendations to the County Legislature no later than six months after its first meeting for consideration, review, and appropriate action, if necessary.

**Discussion:**

Legislator Wawro highlighted her reasons for submitting the Resolution following the incident that occurred in New Town, Connecticut.

Legislator Ronk noted there was a discussion with the Ulster County Sheriff on this Resolution and the following amendments had been suggested:

- 1) Adding a fifth WHEREAS to state “substance abuse continues to be a prevalent issue in Ulster County, and our prison population continues to demonstrate the strong connection between crime and drug dependence and abuse”,
- 2) Adding the following language to the first RESOLVED, “examine how drug abuse and drug related crimes can be reduced”.

Legislator Provenzano noted a similar public informational meeting was held recently at the call of the City of Kingston Police Department and that they already had something in place that they were working on. She wanted time to see where the City of Kingston Police Department was going with their initiative.

Legislator Wawro felt this Advisory Committee was broader based as it contained a mental health representatives, school Superintendent and Town Supervisors.

Mr. Bernardo stated he attended the City of Kingston meeting and found it to be narrowly based. He stated the meeting was more information gathering.

Legislator Provenzano asked if the Sponsor discussed with the County Executive’s office the appointment of his Department staff. Deputy County Executive Crannell compared the Resolution to Chairman Aiello’s Lyme Disease Advisory Committee, where first draft included the County Executive’s office and suggested the County Executive’s office and Mental Health Department serve in an advisory capacity. Legislator Provenzano stated the County Executive was involved in the Lyme Disease Advisory Committee because they asked them to participate.

Legislator Parete noted the Legislature did not have the authority to bind the two entities into an Advisory Committee.



Legislator Wawro agreed to modify the Advisory Committee structure.

Mr. Bernardo presented a concern regarding the prescription drug overdose deaths of two children, ages 13 and 15. He suggested there were different issues, such as drug and mental health that need to be addressed in sub-groups with a review of what has worked in the past and what is working currently. He expressed concern with losing 28 people out of mental health.

Deputy County Executive Crannell sought clarification of Mr. Bernardo's name and role at the meeting.

Chair Belfiglio highlighted the resources of Ulster County BOCES and the Substance Abuse Prevention Board.

Legislator Provenzano suggested the Resolution be amended to request the County Departments attend and offer reports to the Committee.

Legislative Counsel Guerin noted there have been seven mass shootings, as defined as seven or more deaths, and only one occurred at a school. She stated Legislator Wawro drafted the Resolution on a broader basis to look at public places and attempting to put public safety in public areas.

Legislator Provenzano noted she did not know all of the programs that offer safety in areas such as a community college and probably should have them present at this Committee.

LWV Representative Sellers noted, as a member of the Community Services Board, many of the items raised are discussed at their monthly meeting and invited all the Legislators to attend their meeting.

Legislators discussed a financial provision for the Advisory Committee and decided to leave it with the Advisory Committee to come back to request money, if it is needed.

Following discussion, the Committee suggested amending the Resolution, specifying in the second RESOLVED, that the Advisory Committee consist of 11 members instead of 18 members who are appointed by the Chairman of the Legislature, to read as follows:

- a. that the Advisory Committee shall consist of the following members who shall be appointed by the Chairman of the Legislature:
  - The Chair of the Ulster County Legislature or her designee;
  - Two One members from the Ulster County Social Services Committee\*,
    - one of whom shall serve as chair;
  - Two One members from the Ulster County Health and Personnel Committee\*;
  - Two One members from the Ulster County Law Enforcement Committee\*;

- (\*At least one of the three appointments representing the above Standing Committees must be a member of the Minority Party)
- The Ulster County Sheriff or his designee;
  - The Ulster County District Attorney or his designee;
  - The County Executive or his designee;
  - The Director of Ulster County Department of Health or her designee;
  - The Director of Social Services or his designee;
  - A member from the Ulster County Supervisors Association;
  - A school superintendant;
  - A member of the Ulster County Police Chiefs Association;
  - Two members who are involved in mental health;
  - Two members who are residents of Ulster County; and be it further”,

Resolution sponsor, Legislator Wawro, consented to all suggested amendments.

**Roll Call Vote:** None  
**Voting In Favor:** Legislators Aiello, Belfiglio, Parete, Provenzano, and Ronk  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 6                      Draft Resolution No. 156 – February 19, 2013**

**Text of Motion:**                Resolve to Approve Draft Resolution No. 156 - Confirming Appointment Of Member To The Ulster County Board of Health

**Motion Made By:**                Legislator Parete

**Motion Seconded By:**        Legislator Ronk

**Resolution Summary:** This Resolution confirms the appointment of Elizabeth Kelly of Kingston to the Board of Health for a term to begin March 1, 2013 and end February 28, 2019.

**Discussion:**                      None

**Roll Call Vote:**                    None

**Voting In Favor:**                Legislators Aiello, Belfiglio, Parete, Provenzano, and Ronk

**Voting Against:**                  None

**No. of Votes in Favor:** 5

**No. of Votes Against:** 0

**Disposition:** Carried

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**Abstract (L49-2: Forensic Medical Services, PC):**

No discussion as this contract was discussed in the Social Services Committee.

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**New Business (Proposed Local Law #1 – For Discussion Purposes Only) :**

Legislator Parete stated he wanted the Committee to have time to read, review, consider and ask questions on his proposal. He summarized his proposed local law where the County would fund schools directly for mental health services and school resource officers or if the schools choose to have Ulster County BOCES to provide the services in house. He noted BOCES has a mechanism to fund the service to school districts through the Center for Special Education.

Legislator Parete highlighted the legislative history section of his proposal. He noted the elimination of the Mental Health Department's FACETS program from most of the school districts. He noted the County's share was reimbursed through State Aid and there was really no County cost except for pension cost. He noted there was a school district cost which is what caused the elimination of the program when the school district budgets could no longer cover the program. Deputy County Executive Crannell noted the last school district, the City of Kingston, was dropping the program at the end of the 2013 school year. He felt the County should step forward and provide funding for this service.

Legislator Parete noted the County already shares sales tax with Towns and the City. He stated the County was, by law, able to share their sales tax with schools.

Legislator Parete stated the \$5 million was an estimate that he came up with. He noted five Counties in New York State currently share their sales tax with their schools.

Chairman Aiello asked if Ulster County could afford to give away more of its sales tax. Legislator Parete asked could Ulster County not afford to do it.

Chairman Aiello noted the Saugerties School District was currently \$3.4 million in arrears in its collection of school taxes. He stated the County is obligated to cover this amount.

Legislator Parete asked that the Legislature advance the idea based on its merits with an open mind and asked Committee members to call him with any questions. He noted this Resolution had not been developed overnight or thought out in a vacuum. He stated he had been developing this over a number of years and had reviewed it with a number of people over the last few months. He felt this was a priority decision for the County.

Legislator Provenzano expressed concern that the Legislators do not put any pressure on the elected State representatives. She felt they put tax caps in place when all these needs

remain in the local communities. She stated she has heard concern from constituents that do not have faith in the school system and do not feel comfortable in giving the school district more money.

Legislator Parete noted there have been no questions as to where money is coming from to pay for expenses on the abstracts. He noted he has attempted unsuccessfully over the years to get the State to fund the program and felt it was time for the County to deal with it's own problems.

Legislator Belfiglio stated he was pleased with inclusion of the School Resource Officer program and felt Ulster County BOCES could do a lot to help the local school districts. He noted Ulster County BOCES was having meetings to discuss this proposal. He noted the schools have School Doctors, Psychologist and Social Workers on staff. Legislators debated what mental health resources the schools had on staff.

Legislator Belfiglio highlighted the parent's role to advocate for these services at their local school district.

Legislator Parete indicated he presented the proposal as an opening to the discussion and was open to another funding source. He highlighted Marlboro Central School District's funding crisis and noted they would not be in a position to hire mental health staff.

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**Old Business (Berme Road) :**

Deputy County Executive Crannell reported his understanding that the owner of the property has effectuated some repairs and noted the Department of Health would be returning to do a dye test to ensure the repair had solved the issue. Legislator Ronk requested the Committee be informed of the results of the dye test.

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**Adjournment**

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Provenzano  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 0

**TIME:**                    6:50 pm

**Dated the 4 th day of March, 2013**

**Krista J. Barringer, Deputy Clerk**

**Minutes Approved on:**

# Law Enforcement & Public Safety Committee

## Regular Meeting Minutes

**DATE & TIME:** February 5, 2013 5:30 PM  
**LOCATION:** Ulster County Community College, Quimby Theatre  
**PRESIDING OFFICER:** Richard Parete, Chairman  
**LEGISLATIVE STAFF:** Lisa K. Mance  
**PRESENT:** Legislators Ronk, Maio (5:50 p.m.), Briggs, Belfiglio and Bernardo  
**ABSENT:** None  
**EXCUSED:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Sheriff Paul VanBlarcum, Legislators Mary Wawro and Craig Lopez, Legislative Deputy Fawn Tantillo, Deputy Executive Robert Sudlow, Legislative Council Langdon Chapman, Times Herald-Record Reporter Chet Gordon, Times Herald-Record Report Michael Novinson, Traffic Safety Board Appointee Leif Spencer, audience of approximately 290 - 310 – following named on Sign-in Sheets on file with Clerk: Kendra Welch, former Legislator Attilio Contini, Auguste VanEtten, Mike Leone, Chuck Burdick, Gaetana Ciarlente, Robert Conyea, Jeff Saffir, Philip Polizotto, John Graham (written statement on file with the Clerk of the Legislature), Donna Greco, James Smiseth, Tim Sweet, Brian Gray, Louis Leon, Elmer Lesur, John Drake, Robert Baron, Lewis and Carolyn Kellerhouse, Joseph Montalbano, Thomas Brennan, Edward Altenau, Camilo Ramalho, Tina Jansen, Nick and Chris Pulichene, Martin Katz, James A. Almstead, Brian O'Connor, Kurt Schultz, Paul Poenicke, Larry Roloson, Mark Freligh, James Truitt, Eric Blackwell, Lloyd Madsen, Chris Sell, Jeremy Hudler, Ryan Hoy, Janice Iannelli, Jennifer and Nathaniel Baross, Brian Kennedy, Ben Struber, Tim McGowan, Richard Demorest, Dan McMahon, Nicholas A. Petrovsky, Alex Locasto, Spencer Santosky, Arthur Decker, Troy Caruso, Paul Rider, Thomas Casey, Robert Conyea, Gaetana Ciarlante, Brian Jamber, Gus Gock, Sara Holmes, Donald Baker, Richard Vizzini, Gordon Quick, David and Christine Cox, William Loughlin, Gene Stoutenburg, Sr., Richard Korona, Bryan and Dena Buddington, John Hart, Bill Schirmer, Mark Charpentier, Bob Sickler, Rick Downey, Dan Harper, Misha Warren, Carol Ann Laurito, Tammy Maerling, Jens Singer, Joseph A. Brester, former Legislator Jack Hayes, Bryan and Gary Milewski, Manuel Barros, Timothy Fowx, Anthony Spano, Walter Herman

- Chairman Parete called the meeting to order at 5:35 PM.

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### MOTIONS:

**MOTION NO. 1**  
**TEXT OF MOTION:** RESOLVED to approve the January 8, 2013 Meeting Minutes  
**MOTION MADE BY:** Legislator Ronk  
**MOTION SECONDED BY:** Legislator Bernardo  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Ronk, Belfiglio, Briggs, Maio, Richard Parete and Bernardo  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 6  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passes

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Chairman Richard Parete took Resolution No. 0154 out of order.

**MOTION NO. 2**  
**TEXT OF MOTION:**

**RESOLUTION No. 0154 – February 19, 2013**  
**RESOLVED to approve Resolution No. 0154-**

**Resolution Summary:**

The right of the people to keep and bear arms is guaranteed by the Second Amendment of the U.S. Constitution, which right is regarded as an inalienable right by the people of Ulster County. The lawful ownership of firearms is and has been, a valued tradition and the rights protected by the Second Amendment to the US Constitution is exercised by many of Ulster County's residents. Economic and environmental benefits from all safe forms of recreation involving firearms, include but are not limited to, hunting and target shooting. Members of the Ulster County Legislature and the NYS Assembly and Senate are elected by the people of the State and are sworn by their oath of office to uphold the Constitution of the United States. The enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained therein. In the opinion of the Legislature that there was no reason for the Governor to use a message of necessity to bring the will to vote immediately and bypass the three-day maturing process for all legislation. The mishandling of the process in crafting the NY SAFE Act resulted in complex policy changes, many which have been left up to interpretation, and are confusing even to the State Legislators who voted on them and the law enforcement officials required to enforce and explain them. There is a significant financial and legal impact to the approximately 20,000 Ulster County permit holders. The legislation severely impacts the possession and use of firearms now employed by Ulster County residents and their use for safe forms of recreation including, but not limited to, hunting and target shooting. The Ulster Sheriff has indicated that there isn't a need to change current gun-control laws because honest people are not the ones committing crimes. Although the legislation addresses shortcomings in the mental health system, the strengthening of Kendra's Law and Mark's Law, the legislation fails to offer any meaningful solution to gun violence and places burdens on law-abiding citizens, turning law-abiding gun owners into criminals.

<b>MOTION MADE BY:</b>	<b>Legislator Ronk</b>
<b>MOTION SECONDED BY:</b>	<b>Legislator Belfiglio</b>
<b>ROLL CALL VOTE:</b>	<b>No</b>
<b>VOTING IN FAVOR:</b>	<b>Legislators Briggs, Maio, Bernardo, Belfiglio, Richard Parete and Ronk</b>
<b>VOTING AGAINST:</b>	<b>None</b>
<b>NO. OF VOTES IN FAVOR:</b>	<b>6</b>
<b>NO. OF VOTES AGAINST:</b>	<b>0</b>
<b>DISPOSITION:</b>	<b>Motion Passed to Adopt Resolution</b>

**Discussion:** Chairman Rich Parete recognized Legislative Chairman Bernardo who provided history of gun/weapons law (on file with the Clerk of the Legislature). Leg. Belfiglio referenced the NY SAFE Act and the manner in which it was passed on file with the Clerk of the Legislature). Leg. Belfiglio applauded Chairman Parete for holding the meeting in the Quimby Theatre to allow public to attend.

Chairman Parete thanked the public and indicated that the next Legislative Session, which allowed for public Comment, was to be held on February 19, 2013; that there was a full schedule for the Law Enforcement Committee that evening but that comments from a limited number of persons from the Federation, or a representative thereof, may be able to speak briefly before the Committee.

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**MOTION NO. 3**  
**TEXT OF MOTION:**

**RESOLUTION No. 0128- February 19, 2013**

**RESOLVED to Approve Draft Resolution No. 0128** - Urging The State To Pass Legislation That Ensures The Surcharge Imposed On Wireless Telephones Is Distributed As Originally Intended

**Resolution Summary:**

NYS imposed a \$1.20 public safety surcharge on all wireless telephones which was to be used toward maintaining and upgrading county 911 dispatch centers. An audit in 2002 by the NYS Comptroller H. Carl McCall revealed that most of the money was spend on items other than developing the 911 centers. In 2012, an estimated \$190 million was collected by NYS, but only 9.3 million, less 5 % of the total, was dispersed to county governments with the remainder being placed in the State's general fund. This year, it is expected that the surcharge will generate over \$210 million. The Emergency Operations service to the residents of Ulster County is a multimillion dollar expense.

**Discussion:** Leg. Ronk provided background information and the need for the Resolution. Leg. Chairman Bernardo indicated that the Resolution was taken up the previous day at NYSAC. Chairman Bernardo noted that the \$1.20 fee required by Federal Law was not being channeled properly.

**MOTION MADE BY:** Legislator Ronk  
**MOTION SECONDED BY:** Legislator Briggs  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Rich Parete, Ronk, Bernardo, Malo, Belfiglio and Briggs  
**VOTING AGAINST:** None  
**DISPOSITION:** Motion passed to adopt Resolution

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**MOTION NO. 4**  
**TEXT OF MOTION:**

**RESOLUTION No. 0130 – February 19, 2013**

**RESOLVED to approve Resolution No. 0130-** Requiring All County Issued Cell Phones Subscribe To NIXLE Or Any Other Emergency And Advisory Service Maintained By The Ulster County Sheriff's Office

**Resolution Summary:**

The Ulster County Sheriff's Department provides an emergency and important advisory service known as NIXLE which sends public safety alerts to cells phones and e-mails at no cost. Cell phones provided by Ulster County to certain employees, especially those involved with public safety shall subscribe to the NIXLE service.

**Discussion:** Chairman Bernardo stated the importance of utilizing the NIXLE service.

**MOTION MADE BY:** Legislator Bernardo  
**MOTION SECONDED BY:** Legislator Ronk  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Rich Parete, Ronk, Bernardo, Malo, Belfiglio and Briggs  
**VOTING AGAINST:** None  
**DISPOSITION:** Motion passes unanimously 6 - 0

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**MOTION NO. 5**  
**TEXT OF MOTION:**

**RESOLUTION No. 0134- February 19, 2013**

**RESOLVED to approve Resolution No. 0134-** Establishing the Ulster County Public Safety Advisory Committee

**Resolution Summary:**

The year 2012 witnessed 7 separate incidences of mass shootings in the U.S. committed by individuals with a variety of social, mental health and/or law enforcement issues. Ulster County has an ongoing role in the protection and enhancement of health, safety and welfare of Ulster County residents.

**Discussion:** Leg. Ronk provided an update of changes that were made to the Resolution in the Health & Personnel Committee and passed through the Social Services Committee the prior evening – as reflected in Draft Resolution 0134.1. It was thought that the Committee was a bit too large and the Executive's office was more comfortable serving in an advisory capacity, rather than as an actual member of the Committee. Leg. Ronk requested to add the Probation Department at the recommendation of Deputy Executive Ludlow but **Chairman Rich Parete** desired to vote on the same resolution that was presented to **Leg. Wawro's** Committee and then propose amendments to the Resolution when presented on the floor of the Legislature.

**Leg. Chairman Bernardo** asked if there was any provision for the Substance Abuse Prevention Council to which **Leg. Ronk** responded that there were two members from the Mental Health, which department covered the issue. At the request of Sheriff Van Blarcum, **Leg. Ronk** read the list of members comprising the Committee. **Chairman Parete** inquired if the list included members of the Probation Department to which **Leg. Ronk** responded that the Probation Department wished to serve in an advisory capacity. Sheriff Van Blarcum stated that an e-mail was sent to Leg. Aiello, stating that the Ulster County Police Chiefs Association presently had a committee and didn't want duplication of services.

<b>MOTION MADE BY:</b>	<b>Legislator Bernardo</b>
<b>MOTION SECONDED BY:</b>	<b>Legislator Ronk</b>
<b>ROLL CALL VOTE:</b>	<b>No</b>
<b>VOTING IN FAVOR:</b>	<b>Legislators Briggs, Maio, Bernardo, Belfiglio, Richard Parete and Ronk</b>
<b>VOTING AGAINST:</b>	<b>None</b>
<b>NO. OF VOTES IN FAVOR:</b>	<b>6</b>
<b>NO. OF VOTES AGAINST:</b>	<b>0</b>
<b>DISPOSITION:</b>	<b>Motion Passed to Adopt Resolution</b>

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**MOTION NO. 6**

**RESOLUTION No. 0147 – February 19, 2013**

**TEXT OF MOTION:**

**RESOLVED to approve Resolution No. 0147** - Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Division of Criminal Justice Services For The Ignition Interlock Device Monitoring Program – Department Of Probation, STOP - DWI

**Resolution Summary:**

The Director of Probation has requested that the Chairman of the UC Legislature be Authorized to execute Contract No. C523700 and any amendments thereto, with the NYS Division of Criminal Justice Services for a period October 1, 2012 through September 30, 2013 in the amount of \$55,215.00. The funds will be used for the Governor's Traffic Safety Committee Ignition Interlock Device Monitoring Program to offset the cost of administering the Program by the UC Probation Dept.

**Discussion:** **Chairman Rich Parete** recognized Leg. Chairman Bernardo for the purposes of discussion and the need for the proposed legislation.

**Questions/Comments:** **Leg Belfiglio** directed questions to Deputy Sudlow, asking if this was the same program shown at the UCLEC past month to which Dep. Sudlow indicated that it was same program presented by Marie Shultis.

<b>MOTION MADE BY:</b>	<b>Legislator Bernardo</b>
<b>MOTION SECONDED BY:</b>	<b>Legislator Belfiglio</b>
<b>ROLL CALL VOTE:</b>	<b>No</b>
<b>VOTING IN FAVOR:</b>	<b>Legislators Rich Parete, Belfiglio, Briggs, Maio, Ronk and Bernardo</b>



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

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MOTION NO. 7  
TEXT OF MOTION: **RESOLUTION No. 0152- February 19, 2013**  
**RESOLVED to approve Resolution No. 0152-** Confirming Appointment Of Member To the Traffic Safety Board

**Resolution Summary:** The Ulster County Executive appointed Leif D. Sepncer, Wallkill New York 12589 for a term February 1, 2013 through January 31, 2016 which is to be confirmed by the Ulster County Legislature. **Leg. Ronk** thanked Leif Spencer for his willingness to serve, joined by Chairman Bernardo who also extended thanks.

MOTION MADE BY: **Legislator Ronk**  
MOTION SECONDED BY: **Legislator Bernardo**  
ROLL CALL VOTE: **No**  
VOTING IN FAVOR: **Legislators Briggs, Maio, Bernardo, Belfiglio, Richard Parete and Ronk**  
VOTING AGAINST: **None**  
NO. OF VOTES IN FAVOR: **6**  
NO. OF VOTES AGAINST: **0**  
DISPOSITION: **Motion Passed to Adopt Resolution**

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MOTION NO. 8  
TEXT OF MOTION: **RESOLUTION No. 0153- February 19, 2013**  
**RESOLVED to approve Resolution No. 0153-** Approving Ulster County's 2013 STOP DWI Program Plan And Authorizing The Chairman Of The Ulster County Legislature To Execute All Inter-Municipal Agreements Required Under The Plan – Ulster County Probation – STOP-DWI

**Resolution Summary:** Ulster County, DWI division has submitted its 2013 Program Plan to the Governor's Traffic Safety Committee in accordance with NY Traffic & Safety Law Section 1197. Approval of the Program Plan by the State will provide continued funding for the SOTP DWI Program. It is necessary for Ulster County to enter into inter-municipal agreements to permit UC Probation, STOP-DWI to engage in activities described in the Program Plan which are of value in Ulster's effort to reduce incidents of drunk and drugged driving.

**Additional Questions and/or Comments:** None

MOTION MADE BY: **Legislator Ronk**  
MOTION SECONDED BY: **Legislator Briggs**  
ROLL CALL VOTE: **No**  
VOTING IN FAVOR: **Legislators Briggs, Maio, Bernardo, Belfiglio, Richard Parete and Ronk**  
VOTING AGAINST: **None**  
NO. OF VOTES IN FAVOR: **6**  
NO. OF VOTES AGAINST: **0**  
DISPOSITION: **Motion Passed to Adopt Resolution**

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- **MONTHLY REPORTS:** The following Sheriff's reports were distributed to the Committee and remain on file in the Office of the Clerk of the Legislature:

- **2013 Board-in and Telephone Revenues**

**Sheriff VanBlarcum** stated all press releases will go directly from his office to the Legislators. The Sheriff invited any Legislator to attend weekly staff meetings on Mondays, noting that minutes are not issued due to the confidential nature of the meetings. **Chairman Bernardo** urged Committee members and entire Legislature to take Sheriff's offer on road patrol ride along and participate in a shift at the jail. **Leg. Ronk** recognized who took opportunity to congratulate Sheriff on recent URGENT bust.

- **NEW BUSINESS:**

**Proposed Local Law 1 of 2013 for Discussion only - (School-based mental health & safety act) – Chairman Parete** stated it would be a matter that would be best discussed in Leg. Wawro's Committee. **Leg. Belfiglio** asked if there were other revenue sources that could be investigated in addition to the sales tax revenues. **Leg. Ronk** conveyed that Leg. Parete was planning to bring Resolution to set public hearing in March and stated that school-based mental health programs were some of the most effective programs to combat mental health issues but that the County wasn't the proper place to fund activities that occur in schools, that the County already pays a substantial amount to the school districts. Discussion ensued between Legs. Belfiglio, Ronk and Rich Parete. **Leg. Ronk** stated he would obtain hard numbers from Commissioner of Finance through a memorandum to the Executive's office.

**Chairman Bernardo** commented on moving items forward onto monthly Agenda and stated at the Organizational meeting, she had urged that the rules be corrected (particularly in the Laws and Rules Committee) so that process wasn't argued, but rather policy. Her recommendations were that if voted down in Committee, it either 1) stay in Committee and stay there and be amended until acceptable and voted out of committee or 2) a person file a petition with the Clerk of the Legislature to have the proposal discharged from the committee. **Chairman Bernardo** addressed matter in which two committees exist and procedure that should take place before going to the floor. **Leg. Ronk** indicated that there was a special Laws & Rules Committee the following week in which the Rules of Order were on the Agenda, to develop ideas to bring to Committee and reconcile. **Chairman Rich Parete** took issue with new appointments not attending meetings to introduce themselves and answer questions and was frustrated by the Committee process. Sheriff VanBlarcum took issue with resolutions being passed through committees without the representation of the department head. **Leg. Briggs** paid tribute to Wayne Depuy, a life member of the Kerhonkson Fire Company, instrumental in establishing the Fire Prevention Safety Program, a great man who served his community faithfully and whose passing was a loss at all levels.

**Chairman Parete** recognized Tim Sweet of Lake Katrine to address the Committee who inquired if it was known if the Safe Act would include an allowance for NYS armed guards to carry more than 7 rounds in their magazine which was the same allowed to police, what would be happening next with regard to the Resolution, and was there anything contained in the New York State Constitution that had been violated by the passage of the SAFE Act. Chairman Parete explained that the Resolution would be passed on to the full Legislature on February 19, and if passed, letters would go on to the State representatives. Mr. Sweet inquired of Sheriff VanBlarcum his position on the issue to which the Sheriff responded that his position was already on record and encouraged anyone with questions to e-mail the Sheriff and council was available to respond. **Chairman Parete** recognized Brian Gray and then Louis Leon to state their opinions with regard to the SAFE Act. Elmer Lesur addressed the Committee and asked what the financial impact of the SAFE Act would be. Terry (John) Graham was recognized by Chairman Parete who placed written comment on file. Auguste VanEtten and John Drake made comment to the Committee.

Former Leg. Attilio Contini, Stephen Pavlak, President of the Saugerties fish & Game Club, Michael Hogan, former Commissioner of the State Dept. of Mental Health and David Channon submitted written statements for Legislative Clerk's file.

**There being no further business before the Committee, a motion was made by Legislator Ronk, seconded by Legislator Maio, and carried to adjourn the meeting at 7:12 PM.**

**Dated the 26<sup>th</sup> Day of February, 2013  
Lisa K. Mance, Legislative Employee  
Minutes Approved March 5, 2013**

# Laws and Rules, Governmental Services Committee

## Committee Meeting Minutes

**DATE & TIME:** February 12, 2013 / 7:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, County Office Building, 244 Fair Street, Kingston, NY  
**PRESIDING OFFICER:** Robert Parete, Deputy Chairman  
**LEGISLATIVE STAFF:** Franklin R. Reggero  
**PRESENT:** Legislators Rob Parete, Fabiano, Maio, and Ronk  
**ABSENT:** Legislators Roberts, Donaldson, Loughran  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Langdon Chapman, Counsel to the Legislature; Bill Kemble, Daily Freeman

- Deputy Chairman Robert Parete called the meeting to order at 7:15 PM.

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**I. Chairman R. Parete** recognized **Legislator Fabiano** for a motion to approve the minutes from the January 15<sup>th</sup>, 2013 Committee meeting, seconded by **Legislator Ronk** and unanimous vote in favor of approving the minutes.

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## **II. RESOLUTIONS:**

**MOTION NO. 1** Draft LATE Resolution No. 0157 – February 19, 2013  
**TEXT OF MOTION:** RESOLVED to approve Draft LATE Resolution 0157 - Supporting A Grant Application For A New York State Department Of State Local Government Efficiency Grant, To Partially Fund The Conflict Defense Shared Services Agreement With Dutchess County

**Resolution Summary:** The County will apply for \$103,113.00 in its grant application and commits to a 10% match of grant funds, or \$10,312.00 for the shared services agreement.

**MOTION MADE BY:** Legislator Ronk  
**MOTION SECONDED BY:** Legislator Fabiano

**DISCUSSION:** Chairman R. Parete called for further discussion, hearing none.

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Parete, Fabiano, Maio, and Ronk  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 2** LATE Draft Resolution No. 0158 –February 19, 2013  
**TEXT OF MOTION:** RESOLVED to approve Late Draft Resolution 0158 - Establishing Capital Project No. 380- Purchase Of Highway Equipment — Department Of Public Works (Highways & Bridges)

**Resolution Summary:** To establish Capital Project No. 380 and fund it in the amount of \$1,414,300.00 for the year 2013 to purchase equipment the Department of Public Works.

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

**DISCUSSION:**               **Chairman Parete** recognized **Legislator Ronk** who stated that he does not understand why this resolution is late based on the timely submission of a previous resolution for purchase of DPW equipment and further asked Legislative staff to inquire into the matter.

**Chairman Parete** stated that it is his understanding the County has up to a year to receive bids on this equipment and hopes that we are taking all necessary steps to save the tax payers money.

**Chairman Parete** calls for further discussion, hearing none.

**ROLL CALL VOTE:**           **No**  
**VOTING IN FAVOR:**       **Legislators Parete, Fabiano, Maio, and Ronk**  
**VOTING AGAINST:**       **None**  
**NO. OF VOTES IN FAVOR:**   **4**  
**NO. OF VOTES AGAINST:**   **0**  
**DISPOSITION:**           **Motion Passed**

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**II.       DISCUSSION**

**Chairman Parete** recognized **Legislator Ronk** who motioned to have Majority and Minority Counsel work together on the concerns of each caucus and provide a starting document for the Committee to work on, motion seconded by **Legislator Parete** and carried with an unanimous vote in favor.

**Chairman Parete** asked if there is any other business before the Committee; hearing none, he recognized **Legislator Maio** for a motion to adjourn, seconded by **Legislator Ronk** at 7:28PM.

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**Dated the 12<sup>th</sup> day of February, 2013**  
**Franklin R. Reggero, Sr. Legislative Employee**  
**Minutes Approved on: the 18<sup>th</sup> day of March 2013 / frr**

# Public Works & Capital Projects Committee

## Regular Meeting Minutes

**DATE & TIME:** February 6, 2013 @ 5:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor County Office Building  
**PRESIDING OFFICER:** Chairman Dean Fabiano  
**LEGISLATIVE STAFF:** Franklin Reggero  
**PRESENT:** Chairman Dean Fabiano, Thomas Briggs and John Parete  
**ABSENT:** Legislators Jim Maloney and Kevin Roberts  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Bob Sudlow, Deputy County Executive; Sue Ronga, DPW

### Chairman Fabiano:

- Called the meeting to order at 5:00 PM

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### MOTION NO. 1

**Text Of Motion:** RESOLVED to approve the Minutes of November 28, 2012, meeting.  
**Motion Made By:** Legislator T.J. Brigs  
**Motion Seconded By:** Legislator J. Parete  
**Roll Call Vote:** No  
**Voting In Favor:** Briggs, Fabiano and John Parete  
**Voting Against:** None  
**No. Of Votes In Favor:** 3  
**No. Of Votes Against:** 0  
**Disposition:** Motion Passes

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### DISCUSSION:

**Chairman Fabiano** recognized Sue Ronga, Deputy Commissioner Public Works for a DPW update:

- 1) Update on Salt Shed construction. 5 of 6 complete, Quarryville to be finished soon. Provided photos.
- 2) Work conducted in January; arm mower cutting on routes 13 and 63, Salt Spreader Training for computerized spreaders in the vehicles, cleared catch basins, ditch repair, cut tress, emergency guide rail repairs, bridge repair (Hurley Mountain Bridge), box culvert repairs, preparing for the winter storm and regular maintenance on equipment.
- 3) DPW employees constructed their own spreaders with scrap metal. Provided photos.
- 4) Chairman Fabiano asked if 45MPH speed limit signs could be posted on Malden turnpike. Ms. Ronga stated she would take a look at it.

**Chairman Fabiano** stated that the straight salt spreading is working well in the Town of Saugerties and is pleased that there will be minimal clean up in the spring. Ms. Ronga stated that she received phone calls in regards to the liquid pre-road treatment being used by the State and if it contained hydraulic fracturing fluids.

**Legislator Parete** asked for the 24 hour DPW hotline to report dangerous road conditions. Legislative staff provided the 340-3131 and Ms. Ronga verified. Mr. Sudlow stated the Ulster County Comptroller is doing a report on County take home vehicle and this is one instance in which it makes sense to authorize an employee a take home vehicle. **Chairman Fabiano** stated that he read an article in the paper regarding constituent complaints concerning town and county employees taking vehicles home.

**Chairman Fabiano** further stated that the majority of the public does not understand the advantages of having some local employees taking their vehicles home and actually saves taxpayer money.

Mr. Sudlow stated that he will submit a late resolution that pertains to the purchase of DPW equipment on a Capital Projects and further hopes it will be submitted by the end of the week. **Chairman Fabiano** stated that late resolutions must go through the Laws, Rules and Governmental Services Committee. Mr. Sudlow stated that he will contact **Legislator Roberts** ahead of time.

**Chairman Fabiano** called for more discussion, hearing none.

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## RESOLUTIONS:

### MOTION NO. 1                    **DRAFT Resolution No. 0140, February 19, 2013**

**Text Of Motion:**                    RESOLVED to approve Draft Resolution No. 0140 – Approving The Shovel Ready Fund Application From The City of Kingston For Improvements To The Drainage System Behind Flatbush Avenue In The City of Kingston; Authorizing The Execution Of The Disbursement Agreement Between The Ulster County Development Corporation And The City of Kingston; Approving The Delivery Of Project Funds And Administrative Fee To The Ulster County Development Corporation; Establishing Capital Project No. 378; And Amending The 2013 General Fund And Capital Fund Budgets. **BOND Resolution No. 0141 Required.**

**Resolution Summary:** Establish Capital Project No. 378 for the County's Share of \$125,000.00 of a Shovel Ready Project for \$507,565.00 in the City of Kingston for the storm water drainage system behind Flatbush Avenue.

**Motion Made By:**                    Legislator Briggs  
**Motion Seconded By:**                Legislator Parete

**Discussion:**                        **Chairman Fabiano** asked for clarification on the exact location because it is not specified on the resolution (no SBL number). **Chairman Fabiano** also stated that it is his understanding there are no funds in the shovel ready fund to finance this project.

**Chairman Fabiano** recognized **Legislator Briggs** who motioned to postpone this resolution pending further information regarding location and funding.

**Chairman Fabiano** called for a vote to postpone resolution, unanimously adopted to postpone resolution.

**Disposition:**                        Resolution postponed until confirmation of a special meeting of the Committee on 12 February at 5:00Pm.

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### MOTION NO. 2                    **Draft Resolution No. 0146, February 19, 2013**

**Text Of Motion:**                    RESOLVED to approve Draft Resolution No. 0146 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New England Interstate Water Pollution Control Commission (NEIWPCC) To Accept Grant Funds, Establishing Capital Project No. 379 – County Office Building Storm-water Improvements, And Amending the 2013 Ulster County Capital Project Fund Budget – Department Of The Environment

**Resolution Summary:** The Chairman of the Ulster County Legislature is hereby authorized to execute the Agreement (project code 2012-054) with the New England Interstate Water Pollution Control Commission in the amount of \$31,260.00.

**Motion Made By:** Legislator Briggs  
**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:** Briggs, Fabiano and Parete  
**Voting Against:** None  
**No. Of Votes In Favor:** 3  
**No. Of Votes Against:** 0  
**Disposition:** Motion Passes

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**MOTION NO. 3            Draft Resolution No. 0149, February 19, 2013**

**Text Of Motion:** RESOLVED to approve Draft Resolution No.0149 -- Establishing Capital Project No. 381 - Purchase Of Buildings & Grounds Equipment --- Department of Public Works (Buildings & Grounds). **BOND Resolution No. 0150 Required.**

**Resolution Summary:** To establish Capital Project No. 381 and fund it in the amount of \$23,500.00 for the year 2013; that the 2013 - 2018 Capital Program is amended.

**Motion Made By:** Legislator Briggs  
**Motion Seconded By:** Legislator J. Parete

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

**Roll Call Vote:** No  
**Voting In Favor:** Briggs, Fabiano and Parete  
**Voting Against:** None  
**No. Of Votes In Favor:** 3  
**No. Of Votes Against:** 0  
**Disposition:** Motion Passes

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**MOTION NO. 4            Draft Resolution No. 0151, February 19, 2013**

**Text Of Motion:** RESOLVED to approve Draft Resolution No. 0151 – Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With The Ulster County Agricultural Society, Inc., Granting It The Use Of The Ulster County Fairgrounds For A Term of Five (5) Years – Department Of Public Works (Buildings & Grounds).

**Resolution Summary:** The Chairman of the Ulster County Legislature is authorized to execute a revocable License Agreement, and any amendments thereto, with the Ulster County Agricultural Society, Inc., granting it the use of the Ulster County Fairgrounds for five years.

**Motion Made By:** Legislator Briggs  
**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:** Briggs, Fabiano and Parete  
**Voting Against:** None  
**No. Of Votes In Favor:** 3  
**No. Of Votes Against:** 0  
**Disposition:** Motion Passes

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**New Business:** no further discussion.

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**Old Business:** no further discussion.

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The next Committee Meeting is February 12, 2013 at 5:00 PM.

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There being no further business before the meeting, on the motion duly made by **Legislator T. J. Briggs**, seconded by **Legislator J. Parete**, and carried, the meeting adjourned at 5:58 pm.

**Dated the 6<sup>th</sup> day of February 2013**  
**Franklin R. Reggero, Committee Clerk**  
**Minutes Approved on: 6<sup>th</sup> day of March 2013 / frr**

# Public Works & Capital Projects Committee

## Special Meeting Minutes

**DATE & TIME:** February 12, 2013 @ 5:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor County Office Building  
**PRESIDING OFFICER:** Chairman Dean Fabiano  
**LEGISLATIVE STAFF:** Franklin Reggero  
**PRESENT:** Chairman Dean Fabiano, Thomas Briggs, Jim Maloney and John Parete  
**ABSENT:** Legislator Kevin Roberts  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Sue Ronga, DPW; Mr. Whitaker, DPW Highway; Bill Kimble, Daily Freeman

### Chairman Fabiano:

- Called the meeting to order at 5:00 PM

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### RESOLUTIONS:

**MOTION NO. 1** DRAFT LATE Resolution No. 0158, February 19, 2013

**Text Of Motion:** RESOLVED to approve Draft Resolution No. 0140 – Establishing Capital Project No. 380- Purchase Of Highway Equipment — Department Of Public Works (Highways & Bridges). **BOND Resolution No. 0159 Required.**

**Resolution Summary:** to establish Capital Project No. 380 and fund it in the amount of \$1,414,300.00 for the year 2013.

**Motion Made By:** Legislator Briggs  
**Motion Seconded By:** Legislator Maloney

**Discussion:** **Chairman Fabiano** asked Ms. Ronga and Mr. Whitaker for clarification on the exact of equipment being requested and questioned the reason behind the late submission of this resolution. Mr. Whitaker stated that only one of the eleven trucks being requested is currently in service. Ms. Ronga referred to the six year vehicle replacement plan provided by the DPW Office.

**Chairman Fabiano** asked Ms. Ronga if the remaining money for 2013 will be sufficient to fund the Department. Ms. Ronga stated that barring any unforeseen emergency the remaining money will be sufficient. **Legislator Briggs** asked Ms. Ronga if the eleven trucks have a multi-function capacity or just one use. Mr. Whitaker responded yes they will have multi-use capability.

**Chairman Fabiano** called for further discussion, hearing none called for a vote.

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

**MOTION NO. 2                      Draft Resolution No. 0140, February 19, 2013**

**Text Of Motion:**                      **RESOLVED to approve Draft Resolution No. 0140 – Approving The Shovel Ready Fund Application From The City of Kingston For Improvements To The Drainage System Behind Flatbush Avenue In The City of Kingston; Authorizing The Execution Of The Disbursement Agreement Between The Ulster County Development Corporation And The City of Kingston; Approving The Delivery Of Project Funds And Administrative Fee To The Ulster County Development Corporation; Establishing Capital Project No. 378; And Amending The 2013 General Fund And Capital Fund Budgets. **BOND Resolution No. 141 Required.****

**Resolution Summary:** To allocate \$125,000.00 in funding from the Shovel Ready Fund is requested for this Project, with the remaining Project cost of \$382,565.00 to be funded with \$132,565.00 from the City, and \$125,000.00 each from the manufacturing companies Stavo Industries, Inc. and Wolf-tec, Inc., both of Kingston, New York.

**Motion Made By:**                      Legislator Briggs  
**Motion Seconded By:**                  Legislator Parete

**Discussion:**                              **Chairman Fabiano** recognized **Legislator Maloney** for the detailed explanation of the project that will solve a long time drainage problem in the area.

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

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

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**New Business:** no further discussion.

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**Old Business:** no further discussion.

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The next Committee Meeting is March 6, 2013 at 5:00 PM.

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There being no further business before the meeting, on the motion duly made by **Legislator T. J. Briggs**, seconded by **Legislator Maloney**, and carried, the meeting adjourned at 5:11 pm.

**Dated the 12<sup>th</sup> day of February 2013**  
**Franklin R. Reggero, Committee Clerk**  
**Minutes Approved on: 6<sup>th</sup> day of March 2013 / frr**

## Social Services Committee

### Regular Meeting Minutes

**DATE & TIME:** February 4, 2013, 6:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, COB, Kingston, NY  
**PRESIDING OFFICER:** Chairman Mary Wawro  
**LEGISLATIVE STAFF:** Victoria Fabella, Clerk  
**PRESENT:** Legislators Hector Rodriguez, Craig Lopez, and Kenneth Ronk  
**ABSENT:** Legislator Richard Parete  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Deputy County Executive Crannell

Chairman Wawro called the meeting to order at 6:56 PM.

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**Motion No. 1**                      **RESOLVED To Approve the Minutes of the Social Services Committee meeting held November 8, 2012 and November 26, 2012**

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

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**Motion No. 2**                      **DRAFT Resolution No. 134 – February 19, 2013**

**Text of Motion:**                      Resolved to approve Draft Resolution No. 134 as amended - Establishing the Ulster County Public Safety Advisory Committee

**Motion Made By:** Legislator Ronk for discussion

**Motion Seconded By:** Legislator Lopez

**Resolution Summary:** This Resolution creates the Ulster County Public Safety Advisory Committee to study ways in which to identify individuals who are risk of

causing violence, identify ways in which these individuals can be helped, identify other ways to prevent violence, and identify ways in which to protect people in public places in Ulster County consisting of the following members: the Chair of the Ulster County Legislature or her designee, two members from the Ulster County Social Services Committee one of whom shall serve as chair, two members from the Ulster County Health and Personnel Committee, two members from the Ulster County Law Enforcement Committee, the Ulster County Sheriff or his designee, the Ulster County District Attorney or his designee, the County Executive or his designee, the Director of Ulster County Department of Health or her designee, the Director of Social Services or his designee, a member from the Ulster County Supervisors Association, a school superintendant, two members who are involved in mental health, and two members who are residents of Ulster County. The Resolution states the Ulster County Public Safety Advisory Committee shall hold its first meeting no later than thirty (30) days after the approval of this resolution and that the members of the Ulster County Public Safety Advisory Committee shall serve without compensation other than for actual and necessary expenses with appropriations made therefore, unless otherwise provided by resolution of the County Legislature, pursuant to Section C-16 of the Ulster County Charter and Section A2-11 of the Administrative Code. The Resolution directs the Ulster County Public Safety Advisory Committee to meet as needed to review current matters of public safety and mental health, ways in which to enhance the welfare of Ulster County residents, identify opportunities to increase safety in public areas such as schools, parks, and malls, identify educational opportunities for law enforcement personnel, and all other things related to public safety and submit a written report of its findings and recommendations to the County Legislature no later than six months after its first meeting for consideration, review, and appropriate action, if necessary.

#### **Discussion:**

**Legislator Ronk noted there was a lengthy discussion at the Health and Personnel Committee meeting on this topic and with the resolution sponsor's permission, he motioned, Seconded by Legislator Wawro, to amend the resolution by doing the following:**

- 1) Modifying the Advisory Committee structure, specified in the second RESOLVED, to consist of 11 members instead of 18 members who are appointed by the Chairman of the Legislature, to read as follows:**
  - a. that the Advisory Committee shall consist of the following members who shall be appointed by the Chairman of the Legislature:**
    - The Chair of the Ulster County Legislature or her designee;**

- ~~Two~~ One members from the Ulster County Social Services Committee\*,  
one of whom shall serve as chair;
  - ~~Two~~ One members from the Ulster County Health and Personnel Committee\*;
  - ~~Two~~ One members from the Ulster County Law Enforcement Committee\*;
- (\*At least one of the three appointments representing the above Standing Committees must be a member of the Minority Party)
- ~~The Ulster County Sheriff or his designee;~~
  - ~~The Ulster County District Attorney or his designee;~~
  - ~~The County Executive or his designee;~~
  - ~~The Director of Ulster County Department of Health or her designee;~~
  - ~~The Director of Social Services or his designee;~~
  - A member from the Ulster County Supervisors Association;
  - A school superintendant;
  - A member of the Ulster County Police Chiefs Association;
  - Two members who are involved in mental health;
  - Two members who are residents of Ulster County; and be it further”,

- 2) Adding a fifth WHEREAS to state “substance abuse continues to be a prevalent issue in Ulster County, and our prison population continues to demonstrate the strong connection between crime and drug dependence and abuse”,
- 3) Adding the following language to the first RESOLVED, “examine how drug abuse and drug related crimes can be reduced”, and
- 4) Adding a third RESOLVED that shall state, “that the Ulster County Public Safety Advisory Committee will seek input from the Ulster County Sheriff, the Ulster County District Attorney, and after consultation with and approval of the County Executive, the Ulster County Public Health Commissioner, the Commissioner of Ulster County Social Services, and the Director of Ulster County Probation; and be it further”

Deputy County Executive Crannell questioned if this committee was the Substance Abuse Committee referred to by the Legislative Chair during the State of the County Address. Legislator Ronk noted this was not the

same but as it was similar, it would be the appropriate place for it but that it was not replacing that committee.

Legislators Rodriguez and Ronk noted the amendments would be made on the floor.

<b>Roll Call Vote:</b>	No
<b>Voting In Favor as amended:</b>	Legislators Lopez, Rodriguez, Ronk and Wawro
<b>Voting Against:</b>	None
<b>No. of Votes in Favor as amended:</b>	4
<b>No. of Votes Against:</b>	0
<b>Disposition:</b>	Carried

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**Motion No. 3    Draft Resolution No. 136 – February 19, 2013**

**Text of Motion:** Resolved to approve Draft Resolution No. 136 - Amending The 2013 Ulster County Budget To Increase The Allocation For Federal Medicaid Upper Limits Program Revenues For the Golden Hill Health Care Facility And Participating In The State Intergovernmental Transfer (IGT) Program - Department Of Finance

**Motion Made By:**                                      Legislator Ronk

**Motion Seconded By:**                              Legislator Rodriguez

**Resolution Summary:** This Resolution approves the Commissioner of Finance requests that the County accept the increased Federal allocation of \$609,674.00 and further, participate in transferring to the State 50% of this allocation which equals \$304,837.00.

**Discussion:**    Legislator Ronk noted this resolution was also discussed at the Health & Personnel Committee meeting.

<b>Roll Call Vote:</b>	No
<b>Voting In Favor:</b>	Legislators Lopez, Rodriguez, Ronk, and Wawro
<b>Voting Against:</b>	None
<b>No. of Votes in Favor:</b>	4
<b>No. of Votes Against:</b>	0
<b>Disposition:</b>	Carried

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**Old Business (January Abstract):**

Legislator Ronk asked Deputy County Executive Crannell, in regards to the Forensic Medical Services contract, why the County's Medical Examiners were not performing autopsies or providing a written report on autopsies. Deputy County Executive

Crannell replied they contract out the actual autopsy as the County does not have a crime lab and stated he would look into it on behalf of Legislator Ronk. Legislator Ronk and Deputy County Executive Crannell noted the County has two Medical Examiners but that they do not do autopsies. Legislator Ronk noted he has received some constituent complaints regarding the Medical Examiners Office and expressed concern that the County has Medical Examiners that are paid a great deal of money and they are not performing the duties. Deputy County Executive Crannell stated he would check into this concern.

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**New Business (Proposed Local Law #1 of 2013 – for discussion purposes only):**

Legislator Ronk felt without the Resolution Sponsor, Legislator Parete, in attendance the discussion would not be productive in his absence. He noted Legislator Parete had to go home as his daughter was sick. He further noted Legislator Parete extended an invitation to Legislators that wish to email or call him with any questions and that Legislator Parete would bring it forward next month for a vote.

Legislator Rodriguez indicated he was not sure if the County could afford it. Legislator Ronk responded in response to that exact question from Legislator Provenzano at the Health and Personnel Committee, Legislator Parete asked, can we not afford it. Legislator Rodriguez noted it was \$2.5 million dollars.

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**Old Business (DSS Tour):**

Legislator Rodriguez asked when the Committee would be touring the DSS facility. Chair Wawro stated this would occur at the next Social Services Committee meeting on March 4<sup>th</sup>. Deputy County Executive Crannell stated the Department would do a short presentation. Chair Wawro stated she spoke with the Commissioner of Social Services and he requested if the Committee members had any particular questions to send them to Chair Wawro so that she can forward them to him. Legislator Rodriguez stated the Legislators have had some standard questions, such as residency requirements. Chair Wawro stated the Commissioner would address what some of the other States are requiring, such as drug testing; which Deputy County Executive Crannell has stated is illegal.

Legislator Ronk noted he learned that the County pays Safety Net for fetuses. He stated children receive Safety Net funding while in the womb. Legislator Rodriguez stated this is because they are considered a child. Chair Wawro clarified they count in the number of people in the household. Legislator Ronk responded if the mother receives Safety Net, the baby is also authorized to receive Safety Net in some cases. He stated this was learned when they were looking into the total number of people on Social Services and it included a column for those people less than zero.



Deputy County Executive Crannell indicated the Committee might also want to take a tour of the Department's new Family and Child Advocacy Center. The members agreed this would be beneficial. Chair Wawro asked if the Committee would want to take this tour on a non-meeting night. Deputy County Executive Crannell noted the facility is the former Red Cross building and the Bruderhof assisted with the renovations. Chair Wawro felt it would be better to have this tour sooner, rather than wait for the April Committee meeting. Deputy County Executive Crannell stated he would make these arrangements. He noted it would be beneficial if it could be done during the day to meet some of the staff at a time when there were no children in attendance.

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**Adjournment**

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Ronk

**No. of Votes in Favor:** 4

**No. of Votes Against:** 0

**TIME:** 7:10 PM

**Dated the 19<sup>th</sup> day of February, 2013**

**Krista Barringer, Deputy Clerk**

**Minutes Approved on: March 4, 2013**

# Ways & Means Committee

## Regular Meeting Minutes

**DATE & TIME:** February 5, 2013 4:00 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, Maio and Provenzano.  
**ABSENT:** Legislators Harris, Maloney and Rodriguez  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislator Bartels; Erica Guerin, Legislative Counsel; Joe Eriole, Deputy Comptroller. Ron Clum, Comptroller Office; Ken Crannell, County Executives Office; Burt Gulnick and CJ Rioux Finance; Lisa Cutten Budget Office; Bea Havranek, Sue Plonski, County Attorney Office; Bill Kemble, Daily Freeman.

- **Chairman Gerentine called the meeting to order at 4:04 PM.**
- 

### I. **DISCUSSION: Investment and Fund Balance Policies**

**Chairman Gerentine** calls for discussion regarding Draft Investment Policies provided by Legislative staff, County Executive staff and the Office of the Ulster County Comptroller.

**Chairman Gerentine** asked Ms. Havranek to more clearly define Section I. Scope of the draft policy. **Chairman Gerentine** recognized Commissioner of Finance, Mr. Gulnick who stated that he has, by law, other duties that must be encompassed in the scope of this policy. Legislative Counsel Guerin concurs and agrees that the language must be clearer.

**Chairman Gerentine** addressed paragraph III Delegation of Authority and stated that §C-53 Commissioner of Finance, sub section (B) of the Ulster County Charter states that the Commissioner of Finance shall "Have charge of the administration of all the financial affairs of the County" and not as stated in the current draft having the County Executive responsible for the administration of the policy. Ms. Havranek stated that she has not had sufficient time to review the policy to comment. **Chairman Gerentine** recognized Mr. Eriole who stated that he concurs with his recommendation to clearly define who administers the policy as outlined in the charter. Ms. Havranek does not agree.

**Chairman Gerentine** recognized **Legislator Provenzano** stated that the County Executive is responsible for the appointment of the Commissioner of Finance and therefore indirectly responsible for the administration of the policy. **Chairman Gerentine** stated that although the appointment rests with the County Executive the Legislature must also confirm the appointment making a Legislative responsibility as well.

**Chairman Gerentine** recognized Legislative Counsel Guerin who stated that the charter is clear and the residents of Ulster County have decided that the Commissioner of Finance shall handle all financial matters. The County Attorney, Ms. Havranek stated that the charter gives the County Executive authority over the Commissioner of Finance in that the County Executive is responsible for the proper administration of all County affairs.

**Chairman Gerentine** asked that the County Attorney and Legislative counsel meet to discuss a more clear definition and delegation of responsibility.

**Chairman Gerentine** recognized **Legislator Provenzano** who yielded to **Legislator Gregorius** in regards to the Diversification and the protection of public funds. Legislator Gregorius asked Mr. Gulnick to clarify exactly how public funds are protected.

**Chairman Gerentine** asked Mr. Gulnick to specify an exact time in which all monies collected by County Officials be deposited. Mr. Gulnick stated that 48 hours for cash and checks will be 7 days.

**Chairman Gerentine** stated that Section XI should be amended to include approval of the Legislative body not the solely the County Executive. County Attorney disagrees with the General Municipal Law applicable stating that the charter supersedes GML; however, Ms. Havranek acknowledges that the Charter is not clear on this paragraph. **Chairman Gerentine** instructed Legislative Counsel and the County Attorney to meet and discuss this section.

**Chairman Gerentine** recognized Legislative Counsel Guerin who stated that in regards to Section XIV. Operations, Audit and Reporting a confirmation in writing should be included along with a time line addressing certificates of deposits. **Chairman Gerentine** asked Mr. Gulnick if he thinks a specific number of bids should be outlined in this paragraph. Mr. Gulnick stated that historically the number of bids received has been based on the amount of the certificate but will add that language.

**Chairman Gerentine** recognized Mr. Eriole who stated that under Section XIV. 180 days prior to the end of the fiscal year seems like a long time to have the Commissioner of Finance prepare the annual investment report. **Chairman Gerentine** concurs and motions to have it changed to 150 days, without objection.

**Chairman Gerentine** opened discussion on the proposed draft Fund Balance Policy.

**Chairman Gerentine** recognized Mr. Eriole who stated while 5% - 10% is the industry standard for fund balance and operating expenses; however, the Legislature may consider having a higher percentage. **Chairman Gerentine** asked Mr. Gulnick what has been the average fund balance since he has been with the County. Mr. Gulnick responded that it has remained between 5%-10%.

**Chairman Gerentine** directed Legislative Counsel to confer with the County Attorney in regards to changes discussed and have another draft for the next Committee meeting.

**Chairman Gerentine** called for further discussion regarding the policies discussed, hearing none.

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## II. RESOLUTIONS:

### MOTION NO. 1

### Draft Resolution No. 0129

#### TEXT OF MOTION:

**RESOLVED**, Resolution Approving The Terms And Conditions Of A Certain Pilot Agreement To Be Entered Into Between Ulster County Industrial Development Agency And MHMG-KM Kingston LLC In Connection With The MHMG-KM Kingston LLC Project.

#### MOTION MADE BY:

**Legislator Maio** motioned to postpone debate and vote pending more information from the Economic Development Committee. Seconded by **Legislator Gregorius**. Unanimous.

#### DISPOSITION:

**Held for further information**

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### MOTION NO. 2

### Draft Resolution No. 0131

#### TEXT OF MOTION:

**RESOLVED**, Designation Of Bank Depositories.

#### MOTION MADE BY:

**Legislator Provenzano**

#### MOTION SECONDED BY:

**Legislator Gregorius**

#### DISCUSSION:

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

#### ROLL CALL VOTE:

**No**

#### VOTING IN FAVOR:

**Legislators Gerentine, Gregorius, Maio and Provenzano**

#### VOTING AGAINST:

**None**

#### NO. OF VOTES IN FAVOR:

**4**

#### NO. OF VOTES AGAINST:

**0**

#### DISPOSITION:

**Motion Passed**

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**MOTION NO. 3**

**Draft Resolution No. 0133**

**TEXT OF MOTION:**

**RESOLVED**, Approving The Execution Of Various Contracts And Change Orders In The Amount Of \$50,000.00 Or In Excess Of \$50,000.00 Entered Into By The County.

**MOTION MADE BY:**

**Legislator Maio**

**MOTION SECONDED BY:**

**Legislator Gregorius**

**DISCUSSION:**

**Chairman Gerentine** recognized Sue Plonski for clarification on L49-1 and changing amounts on the abstract. **Chairman Gerentine** asked Ms. Plonski to provide the annual amount on the contract.

Motion by **Legislator Maio** to change amounts on contracts, seconded by **Legislator Gregorius**. Unanimously adopted.

**Chairman Gerentine** recognized **Legislator Provenzano** who asked Mr. Crannell how many autopsies are performed by the County in regards to abstract number L49-2. Mr. Crannell stated that one hundred twelve were performed last year.

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

**ROLL CALL VOTE:**

**No**

**VOTING IN FAVOR:**

**Legislators Gerentine, Gregorius, Maio and Provenzano**

**VOTING AGAINST:**

**None**

**NO. OF VOTES IN FAVOR:**

**4**

**NO. OF VOTES AGAINST:**

**0**

**DISPOSITION:**

**Motion Passed**

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**MOTION NO. 4**

**Draft Resolution No. 0135**

**TEXT OF MOTION:**

**RESOLVED**, Authorizing The Exemption Of Municipally-Owned Parcels Of Land From County Real Property Taxes – Real Property Tax Service Agency.

**MOTION MADE BY:**

**Legislator Maio**

**MOTION SECONDED BY:**

**Legislator Provenzano**

**DISCUSSION:**

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

**ROLL CALL VOTE:**

**No**

**VOTING IN FAVOR:**

**Legislators Gerentine, Gregorius, Maio and Provenzano**

**VOTING AGAINST:**

**None**

**NO. OF VOTES IN FAVOR:**

**4**

**NO. OF VOTES AGAINST:**

**0**

**DISPOSITION:**

**Motion Passed**

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**MOTION NO. 5**

**Draft Resolution No. 0136**

**TEXT OF MOTION:**

**RESOLVED**, Amending The 2013 Ulster County Budget To Increase The Allocation For Federal Medicaid Upper Limits Program Revenues For the Golden Hill Health Care Facility And Participating In The State Intergovernmental Transfer (IGT) Program - Department Of Finance.

**MOTION MADE BY:**

**Legislator Provenzano**

**MOTION SECONDED BY:**

**Legislator Gregorius**

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

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano

**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 6** Draft Resolution No. 0137

**TEXT OF MOTION:** **RESOLVED**, Adopting The Ulster County Comprehensive Written Investment Policy Pursuant To Section 39 Of New York State General Municipal Law And The Office Of The New York State Comptroller's Local Management Guide – Investing And Protecting Public Funds.

**DISCUSSION:** Chairman Gerentine calls to hold the resolution until the Policies can be amended, barring any objection, hearing none.

**DISPOSITION:** Postponed

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**MOTION NO. 7** Draft Resolution No. 0138

**TEXT OF MOTION:** **RESOLVED**, Adopting The Ulster County Fund Balance Policy - Governmental Accounting Standards Board Pronouncement No. 54 - Financial Stabilization.

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

**DISCUSSION:** Chairman Gerentine calls to hold the resolution until the Policies can be amended, barring any objection, hearing none.

**DISPOSITION:** Postponed

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**MOTION NO. 8** Draft Resolution No. 0139

**TEXT OF MOTION:** **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute A Grant Application With Required Assurances For The NY Connects Long Term Care Point Of Entry Program With The New York State Office For The Aging – Office For The Aging.

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

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

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano

**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 9**

**Draft Resolution No. 0140**

**TEXT OF MOTION:**

**RESOLVED**, Approving The Shovel Ready Fund Application From The City of Kingston For Improvements To The Drainage System Behind Flatbush Avenue In The City of Kingston; Authorizing The Execution Of The Disbursement Agreement Between The Ulster County Development Corporation And The City of Kingston; Approving The Delivery Of Project Funds And Administrative Fee To The Ulster County Development Corporation; Establishing Capital Project No. 378; And Amending The 2013 General Fund And Capital Fund Budgets. **BOND Resolution Required No. 0141.**

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

**Legislator Provenzano  
Legislator Gregorius**

**DISCUSSION:**

**Chairman Gerentine** recognized Ms. Havranek who stated that this resolution should be addressed based on the need to go to Bond Counsel.

**Chairman Gerentine** agreed to call a vote provided Bond Counsel is in agreement with the proposed legislation.

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

**ROLL CALL VOTE:  
VOTING IN FAVOR:**

**No  
Legislators Gerentine, Gregorius, Maio and Provenzano**

**VOTING AGAINST:  
NO. OF VOTES IN FAVOR:  
NO. OF VOTES AGAINST:  
DISPOSITION:**

**None  
4  
0  
Motion Passed**

**MOTION NO. 10**

**Draft Resolution No. 0143**

**TEXT OF MOTION:**

**RESOLVED**, 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 Ulster And Dutchess County Public Transit Service (LINK) – Department Of Public Transportation (Ulster County Area Transit).

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

**Legislator Maio  
Legislator Gregorius**

**DISCUSSION:**

**Chairman Gerentine** recognized **Legislator Maio** who stated that her town may be facing a cut in UCAT transportation and would like to know where the funds for the LINK are coming from. Mr. Crannell stated that there are no planned cuts or consolidation to current routes.

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

**ROLL CALL VOTE:  
VOTING IN FAVOR:  
VOTING AGAINST:  
NO. OF VOTES IN FAVOR:  
NO. OF VOTES AGAINST:  
DISPOSITION:**

**No  
Legislators Gerentine, Gregorius, Maio and Provenzano  
None  
4  
0  
Motion Passed**

**MOTION NO. 11**

**Draft Resolution No. 0145**

**TEXT OF MOTION:**

**RESOLVED**, Pledging Matching Funds For The "I Love New York" Tourism Promotion – Department Of Tourism.

**MOTION MADE BY:** Legislator Provenzano  
**MOTION SECONDED BY:** Legislator Maio  
**DISCUSSION:** Chairman Gerentine calls for further discussion, hearing none.  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 12** Draft Resolution No. 0146  
**TEXT OF MOTION:** **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New England Interstate Water Pollution Control Commission (NEIWPCC) To Accept Grant Funds, Establishing Capital Project No. 379 – County Office Building Storm-water Improvements, And Amending the 2013 Ulster County Capital Project Fund Budget – Department Of The Environment  
**MOTION MADE BY:** Legislator Maio  
**MOTION SECONDED BY:** Legislator Gregorius  
**DISCUSSION:** Chairman Gerentine calls for further discussion, hearing none.  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 13** Draft Resolution No. 0147  
**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 The Ignition Interlock Device Monitoring Program – Department Of Probation, STOP - DWI  
**MOTION MADE BY:** Legislator Maio  
**MOTION SECONDED BY:** Legislator Gregorius  
**DISCUSSION:** Chairman Gerentine calls for further discussion, hearing none.  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 14**                      **Draft Resolution No. 0148**

**TEXT OF MOTION:**                **RESOLVED**, 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).

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

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

**ROLL CALL VOTE:**                **No**  
**VOTING IN FAVOR:**                **Legislators Gerentine, Gregorius, Maio and Provenzano**

**VOTING AGAINST:**                **None**  
**NO. OF VOTES IN FAVOR:**        **4**  
**NO. OF VOTES AGAINST:**        **0**  
**DISPOSITION:**                    **Motion Passed**

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**MOTION NO. 15**                      **Draft Resolution No. 0149**

**TEXT OF MOTION:**                **RESOLVED**, Establishing Capital Project No. 381 - Purchase Of Buildings & Grounds Equipment — Department of Public Works (Buildings & Grounds). **BOND Resolution No. 0150 Required.**

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

**DISCUSSION:**                      **Chairman Gerentine** recognized Legislator Gregorius who motioned to hold a vote on this resolution contingent upon approval from the Public Works and Capital Projects Committee on 6 Feb 2013. Motion Seconded by Legislator Maio, unanimously adopted.

**Chairman Gerentine** calls for further discussion, hearing none. On the Resolution.

**ROLL CALL VOTE:**                **No**  
**VOTING IN FAVOR:**                **Legislators Gerentine, Gregorius, Maio and Provenzano**

**VOTING AGAINST:**                **None**  
**NO. OF VOTES IN FAVOR:**        **4**  
**NO. OF VOTES AGAINST:**        **0**  
**DISPOSITION:**                    **Motion Passed**

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**MOTION NO. 16**                      **Draft Resolution No. 0151**

**TEXT OF MOTION:**                **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With The Ulster County Agricultural Society, Inc., Granting It The Use Of The Ulster County Fairgrounds For A Term of Five (5) Years – Department Of Public Works (Buildings & Grounds)

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

**DISCUSSION:**                      **Chairman Gerentine** recognized **Legislator Provenzano** who asked Ms. Plonski if anything has changed with this agreement. Ms. Plonski stated yes there are changes in the agreement.



**Chairman Gerentine** recognized **Legislator Bartels** who stated that she has had several constituents complain in reference to smoking on the fair grounds. Ms. Havranek stated that the local law prohibiting smoking on county property supersedes whatever the lease may say or not say.

**Chairman Gerentine** recognized **Legislator Gregorius** who motioned to hold a vote on this resolution contingent upon approval from the Public Works and Capital Projects Committee on 6 Feb 2013. Motion Seconded by **Legislator Maio**, unanimously adopted.

**Chairman Gerentine** calls for further discussion, hearing none. On the Resolution.

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 17**

**Draft Resolution No. 0153**

**TEXT OF MOTION:** **RESOLVED**, Approving Ulster County's 2013 STOP DWI Program Plan And Authorizing The Chairman Of The Ulster County Legislature To Execute All Inter-Municipal Agreements Required Under The Plan – Ulster County Probation – STOP DWI.

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

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

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano

**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 18**

**Draft Resolution No. 0155**

**TEXT OF MOTION:** **RESOLVED**, Authorizing The Ulster County Executive To Execute A Contract With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal, For Federal Funding For The Implementation Of Community Development Block Grants (CDBG), Amending The 2013 Ulster County Budget – Department Of Planning.

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

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

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Gerentine, Gregorius, Maio and Provenzano

**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4

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

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**II. MISCELLANEOUS DISCUSSION:**

**Chairman Gerentine** opens discussion on the Proposed Local Law Number 1 of 2013, sponsored by **Legislator Robert Parete**. **Legislator Provenzano** stated that the Health and Personnel Committee also addressed this as well and has received a number of phone calls regarding the County providing sales tax to a school district that has its own taxing authority and district. **Legislator Provenzano** believes that the school districts should provide the services that are needed through their own taxing authority not supplement with County Sales Tax revenue.

**Legislator Gregorius** stated that the proposed local is worth discussing; however, also believes that the school districts themselves should identify their own needs and ability to fund programs. **Legislator Gregorius** also stated that he would like to see the County Executive involved in this process as well.

**Chairman Gerentine** stated that it is a complex issue that deserves the full attention of all taxing districts and realize the limitations that the State has imposed with unfunded mandates and the 2% tax cap on all taxing districts.

Mr. Crannell stated that the County Executive has sent a letter to all Legislators in regards to the diminishing Federal and State aid for mental health programs.

**Legislator Provenzano** stated that she would like to see the State address this issue more aggressively and has in the past urged the State Legislature to exam the impact of cuts and mandates on municipalities.

**Legislator Bartels** stated that she is grateful for **Legislator R. Parete** starting the dialogue on this issue; however due to the complexity of issue and make up of local districts the particulars need to be discussed with all entities involved to address district and school specific needs.

**Chairman Gerentine and Legislator Gregorius** stated that throwing money at an issue is not going to solve the problem.

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

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- **There being no further business before the Committee, a motion was made by Legislator Gregorius seconded by Legislator Provenzano and carried to adjourn the meeting at 6:02 PM.**
- 

**Dated the 5th day of February, 2013**  
**Franklin R. Reggero, Legislative Staff**  
**Minutes Approved On: 19<sup>th</sup> day of February 2013 / frr**

# Ways & Means Committee

## Regular Meeting Minutes

**DATE & TIME:** February 19, 2013 4:30 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, Provenzano and Rodriguez.  
**ABSENT:** Legislator Maio  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Bartels and Wishnick; Langdon Chapman and Erica Guerin, Legislative Counsel; Elliott Auerbach, Joe Eriole, Ron Clum, Comptrollers Office; Beatrice Havranek, Sue Plonski and Roland Bloomer, County Attorney Office; Burt Gulnick, Commissioner of Finance; James Hanson and Lisa Cutten, Budget Office.

- Chairman Gerentine called the meeting to order at 4:30 PM.
- 

### I. MOTIONS:

**MOTION NO. 1** Resolution No. 28

**TEXT OF MOTION:** RESOLVED, Resolution Approving The Terms And Conditions Of A Certain Pilot Agreement To Be Entered Into Between Ulster County Industrial Development Agency And MHMG-KM Kingston LLC In Connection With The MHMG-KM Kingston LLC Project.

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

**DISCUSSION:** Chairman Gerentine recognized Legislator Maloney who explained the PILOT in detail to the satisfaction of the Committee.

Chairman Gerentine calls for further discussion, hearing none.

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

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**MOTION NO. 2** Resolution No. 35

**TEXT OF MOTION:** RESOLVED, Adopting The Ulster County Comprehensive Written Investment Policy Pursuant To Section 39 Of New York State General Municipal Law And The Office Of The New York State Comptroller's Local Management Guide – Investing And Protecting Public Funds.

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

**DISCUSSION:** Chairman Gerentine motioned for an amendment to the Investment Policy by adding "A copy of the Depository Designations shall be filed with the Commissioner of Finance who will transmit a copy to the Clerk of the Legislature."

**Chairman Gerentine** recognized **Legislator Bartels** who stated that she would like to see local smaller financial institutions be utilized if it is possible. Mr. Gulnick stated that public fund depositories are regulated by State and Federal Law based on collateral and General Municipal Law. Mr. Gulnick further stated that he attempts to invest in institutions that provide the best rates.

**Chairman Gerentine** calls for a second on the amendment, seconded by **Legislator Harris**, unanimously adopted, 6-0.

**Chairman Gerentine** calls for further discussion, hearing none, on the Resolution.

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

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**MOTION NO. 3**

**Resolution No. 36**

**TEXT OF MOTION:** **RESOLVED**, Adopting The Ulster County Fund Balance Policy - Governmental Accounting Standards Board Pronouncement No. 54 - Financial Stabilization.

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

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

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

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**MOTION NO. 4**

**BOND Resolution No. 39**

**TEXT OF MOTION:** **RESOLVED**, Authorizing The County's Share Of The Cost Of A Surface Drainage Improvement Project In The City Of Kingston, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$125,000, And Authorizing The Issuance Of \$125,000 Bonds Of Said County To Pay The Cost Thereof.

**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, Gregorius, Harris, Maloney, Provenzano and Rodriguez  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 6  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 5**

**BOND Resolution No. 48**

**TEXT OF MOTION:**

**RESOLVED**, Authorizing The Purchase Of A Pick-Up Truck For The Department Of Public Works, For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$23,500, And Authorizing The Issuance Of \$23,500 Bonds Of Said County To Pay The Cost Thereof.

**MOTION MADE BY:**

**Legislator Rodriguez**

**MOTION SECONDED BY:**

**Legislator Gregorius**

**DISCUSSION:**

**Chairman Gerentine** recognized. **Legislator Provenzano** asked why this bond resolution was not included on Resolution No. 56 approving Capital Project 380. **Legislator Rodriguez** stated because this is a vehicle for DPW Buildings and Grounds and the other is DPW Highway and Bridges.

**Chairman Gerentine** recognized **Legislator Gregorius** who asked the Sheriff to explain the corrective action plan for officers that are found negligent. The Sheriff explained that he has a comprehensive corrective action plan.

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

**ROLL CALL VOTE:**

**No**

**VOTING IN FAVOR:**

**Legislators Gerentine, Gregorius, Harris, Maloney, 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. 49**

**TEXT OF MOTION:**

**RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With The Ulster County Agricultural Society, Inc., Granting It The Use Of The Ulster County Fairgrounds For A Term of Five (5) Years – Department Of Public Works (Buildings & Grounds).

**MOTION MADE BY:**

**Legislator Harris**

**MOTION SECONDED BY:**

**Legislator Rodriguez**

**DISCUSSION:**

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

**ROLL CALL VOTE:**

**No**

**VOTING IN FAVOR:**

**Legislators Gerentine, Gregorius, Maio, Maloney, Provenzano and Rodriguez**

**VOTING AGAINST:**

**None**

**NO. OF VOTES IN FAVOR:**

**6**

**NO. OF VOTES AGAINST:**

**0**

**DISPOSITION:**

**Motion Passed**

**MOTION NO. 7**

**LATE Resolution No. 56**

**TEXT OF MOTION:**

**RESOLVED**, Establishing Capital Project No. 380- Purchase Of Highway Equipment – Department Of Public Works (Highways & Bridges).

**MOTION MADE BY:**

**Legislator Rodriguez**

**MOTION SECONDED BY:**

**Legislator Provenzano**

**DISCUSSION:**

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

**ROLL CALL VOTE:**

**No**

VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maloney, Provenzano and Rodriguez  
VOTING AGAINST: None  
NO. OF VOTES IN FAVOR: 6  
NO. OF VOTES AGAINST: 0  
DISPOSITION: Motion Passed

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**MOTION NO. 8 BOND Resolution No. 57**

**TEXT OF MOTION:** **RESOLVED**, Authorizing The Purchase Of Equipment For Construction And Maintenance Purposes, For The Department Of Public Works Of The County Of Ulster, New York, At A Maximum Estimated Cost Of \$1,414,300, And Authorizing The Issuance Of \$1,414,300 Serial Bonds Of Said County To Pay The Cost Thereof.

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

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

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

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**II. MISCELLANEOUS DISCUSSION:**

Chairman Gerentine recognized Ulster County Comptroller Elliott Auerbach who stated that he is not in support of the Legislative Abstract contract number L49-1, for the lease of County copy machines. Mr. Auerbach further stated that after careful investigation into the cost he believes that the county and taxpayers can find a fairer price. Mr. Hanson agreed to delay the contract and work with the Comptroller's Office to find the best price for services.

Chairman Gerentine motioned to pull Abstract number L49-1, seconded by Legislator Gregorius and unanimously adopted by the Committee.

Chairman Gerentine calls for further discussion, hearing none.

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- There being no further business before the Committee, a motion was made by Legislator Provenzano seconded by Legislator Maio and carried to adjourn the meeting at 5:01 PM.
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Dated the 19<sup>th</sup> day of February, 2013  
Franklin R. Reggero, Legislative Staff  
Minutes Approved On: 12<sup>th</sup> day of March 2013 / fr