



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

**May 2013**

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

# Economic Development & Tourism Committee

## Regular Meeting Minutes

**DATE & TIME:** May 1, 2013/6:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, County Office Building  
**PRESIDING OFFICER:** James Maloney, Chairman  
**LEGISLATIVE STAFF:** Lisa K. Mance  
**PRESENT:** Legislators Maloney, Loughran, Roberts, Maio and Wishnick  
**ABSENT:** None  
**EXCUSED:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Chris White, Deputy Director Planning, Dennis Doyle, Director Planning, Vic Melville, LWV, Ken Crannell, Deputy Executive, Annie Demosthenes, Kathy Nolan

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

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### MOTIONS:

**MOTION NO. 1**  
**TEXT OF MOTION:** RESOLVED to approve the April 3, 2013 Meeting Minutes  
**MOTION MADE BY:** Legislator Roberts  
**MOTION SECONDED BY:** Legislator Maio  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Maloney, Maio, Roberts, Loughran and Wishnick  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 5  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passes

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**Chairman Maloney** introduced Annie Demosthenes who provided information to the Committee with regard to the plans for the patio project at 11 Main Street, Sante Fe Restaurant and the perceived benefits of the project. Photographs and Terrance Plan on file with the Clerk of the Legislature.

**MOTION NO. 2**  
**TEXT OF MOTION:** RESOLUTION No. 0236 – May 14, 2013  
RESOLVED to approve Resolution No. 0236- Authorizing The Chairman to Execute A License Agreement With James and Andrea Demosthenes For Usage Of County Owned Property For A Patio Project

**Resolution Summary:** Ulster County is the owner of a lot on the northerly side of Main Street in the City of Kingston adjacent to premises owned by Golestan, LLC (11 Main Street). Sante Fe Uptown Restaurant, owned by James and Andrea Demosthenes, currently operates on the ground floor of 11 Main Street in Kingston, NY per a lease agreement. The Demosthenes (Applicants), seek to license the County-owned property located alongside the building, three parking spaces situated in the front of the parking lot adjacent to the guardrail and in front of Main Street, for the purpose of operating an outdoor patio café. A boundary line agreement regarding the County's property and the Golestan, LLC property was entered into on December 20, 1977. Pursuant to Resolution 196 of June 8, 2000, the County entered into a supplemental boundary line agreement with the former owners to address a structure encroachment upon the premises. As per section 2.26 of the County's Type II List, this action doesn't pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA. Ulster County Legislature is dedicated to helping businesses and determined that the parking spaces aren't currently necessary for County use.

**MOTION MADE BY:** Legislator Loughran  
**MOTION SECONDED BY:** Legislator Wishnick  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legs. Maloney, Wishnick, Maio, Loughran and Roberts  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 5  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed Unanimously

**Discussion:** None

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**MOTION NO. 3**                      **Resolution No. 0237 – May 14, 2013**

**TEXT OF MOTION:**            **RESOLVED to approve Resolution No. 0237** - Rescinding Resolution No. 30 of 2013 And Appointing And Re-appointing Members To The Ulster County Railroad Advisory Committee – Ulster County Legislature

**Resolution Summary:** Pursuant to Resolution No. 70 of 1985, the Railroad Advisory Committee was established. Pursuant to the Ulster County Charter Section C-16 and the Administrative Code Section A2-11 the appointments to the Advisory Board serve at the pleasure of the County, without compensation and the Chairman of the Legislature is an ex-officio member. The Railroad Advisory Committee was re-established pursuant to Resolution 127 of May 18, 2010 and was to consist of 8 members, two of which were to be current operating railroad representatives. The Legislature unanimously adopted Resolution 30 on February 19, 2013 which maintained the committee structure as defined by Resolution 127. On April 11, 2013, the Board of Ethics issued an opinion that stated that appointing individuals to the Advisory Committee with pecuniary interests in the CMRR created a conflict of interest and an appearance of a conflict of interest. The legislature found it necessary to alter the structure and membership of the Advisory Committee.

**MOTION MADE BY:**            **Leg. Maio**  
**MOTION SECONDED BY:** **Leg. Loughran**

**Discussion:** **Leg. Maio** asked that Cathy Nolan be allowed to address the Committee. Ms. Nolan noted that there appeared to be a typo in the first "whereas" clause of the Resolution in that it was missing "corridor" after "railroad" and in the third "Resolved," Ms. Nolan asked if the testament could be given that the new members had no financial ties to the CMRR.

**Chairman Maloney** made a motion for an Amendment to the Resolution, adding "corridor" in the first "whereas" clause, seconded by Leg. Maio.

**Chairman Maloney** made motion for an Amendment (pursuant to the Board of Ethics Opinion with regard to the membership) following the third "Resolved," "Community" be comprised of 2 members: Michael Berardi and Charles Busick, striking Jim Bruck and Norman Jette, seconded by Leg. Roberts. Leg. Loughran inquired if the suggested members had been asked if they were shareholders (had a financial interest) and stated that without that information, the Committee shouldn't move forward. Chairman Maloney read portion of the Opinion of the Board.

**No action taken pending information being provided to the Committee with regard to the financial interests of the members being appointed to the Railroad Advisory Committee.**

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**Chairman Maloney** recognized Planning Board Deputy Chris White for the purpose of a brief over-view relative to the Catskill Mountain Rail Trail. Deputy White stated that the genesis of the project was announced in October in the budget presentation and there were a number of aspects at work – as an economic development tool, as a public health instrument, a way to connect the City of Kingston neighborhoods to open spaces and the ultimate vision was to connect the Ashokan Reservoir to the Walkway over the Hudson through a series of rail trails. Deputy White stated that there were 4 major rail trail networks in the County: Kingston Point Trail (part of the U&D), the Wallkill Valley Rail trail, O&W and the Hudson Valley Rail Trail. He stated that the Catskill Mountain Railroad wanted to extend its lease, the area in

which to accomplish that would be the line from Phoenicia to the Boiceville trestle. Deputy White presented photographs of portions of the rail trail that were being reviewed for use and stated that even if the costs of restoring the rail line from Kingston to Belleayre were feasible, a 3 – 4 hour ride to the area wasn't a marketable service, adding that there was a reason the railroad went out of business and that it was a very expensive maintenance infrastructure. Deputy White stated that there was FEMA money available to help rebuild but much of the railroad repair was bid to include volunteer labor which wouldn't be available for restoration of a rail trail. Chairman Maloney asked who had written the project work orders to which Deputy White answered that it was the IDA, together with the CMRR but the money was not at risk, there was still 30 months to utilize the funding. Chairman Maloney raised the point that FEMA money dedicated to a specific repair couldn't be used elsewhere.

**Chairman Maloney** commented on the project at Belleayre and that the project was moving forward.

Leg. Roberts asked that if VLTs in Ulster County was revisited by the Committee, he would like to invite a business from his Town, Garden Café, to which Chairman Maloney asked if that did occur, that a Resolution from the Town of Plattekill existed.

- **There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Loughran, and carried to adjourn the Meeting at 6:50 PM.**

**Dated the 14<sup>th</sup> day of May, 2013**

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

**Minutes Approved on: June 5, 2013**

# Economic Development & Tourism Committee

## Special Meeting Minutes

DATE & TIME: May 7, 2013/5:45 PM  
LOCATION: Karen L. Binder Library, 6<sup>th</sup> Floor, County Office Building  
PRESIDING OFFICER: James Maloney, Chairman  
LEGISLATIVE STAFF: Lisa K. Mance  
PRESENT: Legislators Maloney, Loughran, Roberts, and Wishnick  
ABSENT: Leg. Maio  
EXCUSED: None  
QUORUM PRESENT: Yes  
OTHER ATTENDEES: None

- Chairman Maloney called the meeting to order at 6:10 PM.
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### MOTIONS:

MOTION NO. 1                      **RESOLUTION No. 0237 – May 14, 2013**  
TEXT OF MOTION:                **RESOLVED to approve Resolution No. 0237-** Rescinding Resolution No. 30 of 2013 And  
Appointing And Re-appointing Members To The Ulster County Railroad Advisory Committee  
– Ulster County Legislature

**Resolution Summary:** Pursuant to Resolution No. 70 of 1985, the Railroad Advisory Committee was established. Pursuant to the Ulster County Charter Section C-16 and the Administrative Code Section A2-11 the appointments to the Advisory Board serve at the pleasure of the County, without compensation and the Chairman of the Legislature is an ex-officio member. The Railroad Advisory Committee was re-established pursuant to Resolution 127 of May 18, 2010 and was to consist of 8 members, two of which were to be current operating railroad representatives. The Legislature unanimously adopted Resolution 30 on February 19, 2013 which maintained the committee structure as defined by Resolution 127. On April 11, 2013, the Board of Ethics issued an opinion that stated that appointing individuals to the Advisory Committee with pecuniary interests in the CMRR created a conflict of interest and an appearance of a conflict of interest. The legislature found it necessary to alter the structure and membership of the Advisory Committee.

Chairman Maloney informed the Committee that there had been unanswered questions with regard to Resolution No. 237 which questions had been answered and made a motion (which was desired by the Committee, the Majority and Minority Leader and the Chairman of the Railroad Advisory Committee) to reduce the number of members of the Railroad Advisory Committee from 5 to 3 and said Railroad Advisory Committee would consist of Wayne Harris, Michael Berardi and Charles Busick, striking the names of Jim Bruck and Norman Jette.

Discussion:                        None

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

### Discussion:

- There being no further business before the Committee, a motion was made by Legislator Roberts, seconded by Legislator Maloney, and carried to adjourn the Meeting at 6:11:39 PM.

Dated the 16<sup>th</sup> day of May, 2013

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

**Minutes Approved on: June 5, 2013**

## Environmental, Energy, & Technology Committee

### Regular Meeting Minutes

**DATE & TIME:** May 2, 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 A. Bartels, Craig Lopez, John Parete, and Mary Wawro (left 6:52 PM)

**EXCUSED:** Legislators Kenneth J. Ronk and Kenneth Wishnick

**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** RRA Board Member Al Teetsel, RRA Board Member Charles Landi, RRA Executive Director Tim Rose, League of Women Voters Observer Corp Member Vic Melville, and Rural Technology Strategies Representative Tony Ramos

- Chair Belfiglio called the meeting to order at 5:50 PM and requested attendees to sign in.

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#### **MOTION NO. 1                      Approval of Minutes from April 4, 2013**

**Motion Made By:** Legislator Lopez

**Motion Seconded By:** Legislator Parete

**Discussion:** None

**Roll Call Vote:** No

**Voting In Favor:** Legislators Belfiglio, Lopez, Parete, and Wawro

**Voting Against:** None

**Voting in Abstention:** Legislator Bartels

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

**No. of Votes Against:** 0

**No. of Votes in Abstention:** 1

**Disposition:** Carried

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### **Guest Presenter (Tony Ramos – Rural Technologies Strategies):**

Mr. Ramos noted Rural Technologies Strategies (RTS) started in Washington, DC with the purpose of expanding infrastructure and capacity building. He noted they were not providers but sought to expand the digital literacy in rural communities. He indicated this included comprehensive training to the next generation to use technology better. He explained this improved use would include cloud computing and noted cloud computing required increased broadband speed. He noted the Federal Stimulus money earmarked \$7.9 to expand rural broadband capabilities. He stated they applied on behalf of the Institute for Family Health. He noted they connected after the Institute did not get a grant they applied for and they signed on as RTS's first client after many cold calls to the CEO. He stated the Federal government only spent \$4 billion of the money earmarked. He noted a number of Ellenville oriented professionals that they have been working with over the past two to four years to expand broadband in the community, including Steve Kelley, Dr. Neil Calman, Mayor Kaplan, Supervisors Distel and Carlson and Terry Houck. He stated they are collaborating with Ellenville and Cragmoor Libraries and are looking for money to build a broadband system.

Mr. Ramos reported Governor Cuomo allocated \$25 million for broadband expansion through the ten Regional Economic Development zones. He noted they applied but were not awarded a grant. He stated their company provides the detail to explain what the millions of dollars would provide for expanding the system.

Mr. Ramos noted the communication regarding a return on investment (ROI) and stated they found economic forecasters who recommended the use of aggregation as an economic projection. He noted many carrier companies resist expanding as they are required to build carrier neutral lines. He stated the NYS Broadband Mapping Office, a Federally funded resource, also uses aggregation as their economic projection. He reported the formula based information, utilizing the estimated 15,000 businesses in Ulster and Dutchess in 2010 and no homes, provided numbers that looked good.

Mr. Ramos noted the Federal code for expansion capacity was for 100 MBS per minute but cloud computing really required 1000 MBS per minute.

Mr. Ramos stated the local infrastructure providers included LightTower (Village building), Level 3 (Town of Rochester), and Tmobile (Village Building Roof).

Chair Belfiglio noted LightTower was the Consortium Provider which included Ulster County BOCES and the County of Ulster. Mr. Ramos explained they provide the infrastructure and the carriers come in from there. He noted most carriers have a 50 MBS capacity per customer and the goal was to increase speed rates. He noted HV Wireless was also in the area but not looking to expand.

Legislator Bartels asked Mr. Ramos to describe what the infrastructure was. Mr. Ramos replied the infrastructure for this area was towers due to the mountains but did include



some fiber cables. He stated they were looking to place the first tower at the Ellenville Government building and then follow up with four towers including Sam's Point, Modena, and New Paltz. He noted Tmobile was a provider in New Paltz.

Legislator Bartels asked about the height of the towers. Mr. Ramos replied they would be just above the line of sight. He stated the engineers have projected the height and areas to be covered but would need to walk the area to determine line of sight.

Legislator Bartels asked if Mr. Ramos was seeking funding from the County. Mr. Ramos replied they were seeking some but not the whole amount. He stated of the full project, the Ellenville tower was expected to be self-funded, the Medical tower (Institute for Family Health) was expected to be self-funded and five other towers with one to include the Trudy Farber Building.

Chair Belfiglio asked a question on behalf of Deputy Clerk Barringer, would the service assist those outside of Ellenville that have not been reached by cable or other internet sources. Mr. Ramos replied they would be reaching over the mountain from Ellenville to New Paltz. He noted the local providers included Time Warner, Verizon, and AT&T. He noted they would work collaboratively with business and government.

Chair Belfiglio requested Mr. Ramos provide the Committee with a written proposal to include cost and other specific details of the project.

Mr. Ramos discussed with Legislators the impact on schools and their ability to access Federal, State, and Local funding. He stated their companies focus was on community anchor agencies that help low income populations.

Legislator Bartels confirmed the letters on the map indicated the points of the proposed tower locations. Mr. Ramos confirmed this. Legislator Bartels concurred that she would like to see a plan in writing. She felt as Gardiner was in the service area on the map, it should be acknowledged. She noted there is a strict cell tower law in the Town of Gardiner. She highlighted the community resistance to place a cell tower near the ridge. She noted they could show additional coverage with the Town of Gardiners Government Buildings and Library, without having to place towers.

RRA Board Member Landi asked in what other counties in New York State was RTS working. Mr. Ramos replied in addition to the Mid Hudson project, which included Ulster and Dutchess, they would working with Seneca, Yates, and Ontario Counties on a Finger Lakes project and Broome, Chenango, Delaware , and Otsego on a Southern Tier Four County Libraries project.

Chair Belfiglio requested Mr. Ramos forward the requested written proposal to Deputy Clerk Barringer.

**Text of Motion:** Resolved to approve Draft Resolution No. 0227 - Confirming Appointment Of A Member To The Environmental Management Council

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

**Motion Seconded By:** Legislator Bartels

**Resolution Summary:** This Resolution confirms the appointment of Joseph Liuni as a member to the Environmental Management Council for a term of June 1, 2013 thru May 31, 2016.

**Discussion:**

Chair Belfiglio noted the distribution of Mr. Liuni's resume.

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

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**Motion No. 3** **LATE Draft Resolution No. 0241 – May 14, 2013**

**Text of Motion:** Resolved to approve Draft Resolution No. 0241 - Supporting A Product Stewardship Program For Paint

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

**Motion Seconded By:** Legislator Bartels

**Resolution Summary:** This Resolution urges the New York State Legislature to enact industry sponsored paint recycling legislation which would require the paint industry to be responsible for collecting and managing leftover paint in New York State. It directs the Clerk to the Ulster County Legislature to forward copies of this resolution to the Ulster County Resources Recovery Agency, Governor Andrew M. Cuomo, New York State Senators James Seward, John J. Bonacic, William J. Larkin, Jr. and Cecilia Tkaczyk, Assembly Speaker Sheldon Silver, and New York State Assemblymembers Kevin A. Cahill, Claudia Tenney, Frank K. Skartados, and Peter Lopez.

**Discussion:**

Chair Belfiglio discussed the reason Resolutions 241-243 were submitted late. Legislator Bartels suggested the Resolution be amended to indicate the support of existing New York State Legislation.

**Chair Belfiglio motioned to strike the words “enact industry sponsored paint recycling legislation” in the first whereas and replace it with “support New York State Legislative bills A6930/S4690” and to have the resolution submitted to the appropriate Assembly and Senate Committee Chairs. Legislator Bartels seconded the motion and all attending voted in favor of the amendment.**

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Belfiglio, Bartels, Lopez, Parete, and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried as amended

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**Motion No. 4            Draft Resolution No. 0242 – May 2, 2013**

**Text of Motion:**        Resolved to approve Draft Resolution No. 0242 - Urging State Representatives To Enact Producer Responsibility Legislation For Mercury Thermostats Sold In New York State

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

**Motion Seconded By:**        Legislator Bartels

**Resolution Summary:**    This Resolution, joins the New York State Association of Reduction, Reuse and Recycling and the Ulster County Resource Recovery Agency urging the New York State legislative representatives to promptly compromise both house bills and enact extended producer responsibility legislation for the collection and disposition of discarded mercury thermostat devices. The Resolution directs the Clerk to the Ulster County Legislature to forward copies of this resolution to the Ulster County Resources Recovery Agency, Governor Andrew M. Cuomo, New York State Senators James Seward, John J. Bonacic, William J. Larkin, Jr. and Cecilia Tkaczyk, Assembly Speaker Sheldon Silver, and New York State Assemblymembers Kevin A. Cahill, Claudia Tenney, Frank K. Skartados, and Peter Lopez.

**Discussion:**

RRA Executive Director Rose noted a large number of thermostats were ending up in the municipal solid waste.

**Chair Belfiglio motioned to amend the first resolve to add “A1048/S664” after the words “compromise both house bills”. Legislator Bartels seconded the motion and all in attendance voted in favor of the amendment.**

**Roll Call Vote:**                No

**Voting In Favor:** Legislators Belfiglio, Bartels, Lopez, Parete, and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Carried as Amended

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**Motion No. 5            Draft Resolution No. 0243 – May 2, 2013**

**Text of Motion:**     Resolved to approve Draft Resolution No. 0243 - Supporting  
Extended Producer Responsibility

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

**Motion Seconded By:**        Legislator Bartels

**Resolution Summary:** This Resolution urges the New York State Legislature to enact EPR legislation which will give producers the incentive to design products that are less toxic and easier to reuse and recycle by requiring such producers to help bear the costs for the proper recycling and responsible disposal for their hazardous and hard to recycle products. This Resolution directs the Clerk to the Ulster County Legislature to forward copies of this resolution to The Ulster County Resources Recovery Agency, Governor Andrew M. Cuomo, New York State Senators James Seward, John J. Bonacic, William J. Larkin, Jr. and Cecilia Tkaczyk, Assembly Speaker Sheldon Silver, and New York State Assemblymembers Kevin A. Cahill, Claudia Tenney, Frank K. Skartados, and Peter Lopez.

**Discussion:**

Chair Belfiglio noted this resolution puts the onus on the manufacturer. Legislator Wawro noted the consumer can not choose what the manufacturers use for packaging. Legislator Bartels felt this resolution was great as putting the onus on the manufacturer was the most effective way to create change. She noted the intention to establish a zero waste community was noble but if they buy something at a store than the intent is null and void.

Legislator Parete asked if a manufacturer designed a product that is hazardous, would the manufacturer would be responsible. He noted this would be for products that the person purchased knowing it was hazardous material. Legislator Bartels felt if the manufacturer is unable to product a less hazardous product then they should be responsible for assisting in it's disposal. Legislators discussed various hazardous products and their method of disposal including changing tire disposal from a fee based system to a deposit to encourage proper disposal.

**Roll Call Vote:**                No  
**Voting In Favor:**            Legislators Belfiglio, Bartels, Lopez, Parete, and Wawro

<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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**Old Business: Flow Control SEQRA Determination**

Legislator Parete stated he accepted the letter from County Attorney Havranek and was looking at it. He indicated he would reply in writing if he felt it was necessary.

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**Old Business: Climate Smart Committee (Nomination Suggestions)**

Chair Belfiglio indicated he did not have the time in the last month to muster some nominations. He felt letters should be sent to the Town Board Environmental Management Committees to seek potential nominees. He indicated he spoke with Steve Noble, Chair of the Ulster County Environmental Management Council. He noted they had one member, Mr. Jim Littlefoot of New Paltz, that previously expressed interested but Chair Belfiglio had not had a returned communication from Mr. Littlefoot as of the Environmental, Energy, and Technology Committee meeting. Chair Belfiglio stated he did not know in what capacity Mr. Littlefoot would serve on the Committee as he did not know if he represented an environmental company. He reported Mr. Noble would be following up after their recent Environmental Management Council meeting with the outcome of their discussion on this topic.

Legislator Bartels asked what the make-up of the Committee consisted of. Chair Belfiglio noted the resolution was handed out at the last meeting. He remembered it include one member from the Environmental, Energy, and Technology Committee and one from the Public Works and Captial Projects Committee. He noted Legislator Fabiano was willing to serve when asked in 2010. Chair Belfiglio noted the Resolution creating the Committee was passed in 2009 and given to him in 2010 as the new Chair of the Environmental, Energy, and Technology Committee. Chair Belfiglio requested Deputy Clerk Barringer forward the enabling Resolution to the Committee.

Legislator Bartels asked if the committee appointment data could be reviewed for those committees that would be specific to the Environmental, Energy, and Technology Committee. Deputy Clerk Barringer indicated she had this information and would forward it to the Committee.

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**New Business (Oneida-Herkimer Tour):**

Chair Belfiglio thanked RRA Executive Director Rose and the RRA Board for arranging the bus trip to Oneida-Herkimer RRA. He noted the efforts of RRA Board Member Landi in obtaining a UCAT bus. He expressed pleasure with meeting RRA Executive

Director Rose's counterpart Bill Rabbia. He stated the trip was eye opening and noted the landfill was not dirty, as had been expected.

RRA Board Member Landi noted it was a money making industry with their tipping fee at \$70 per ton and Ulster County's at \$100 per ton with a possible increase in the near future.

Chair Belfiglio noted the methane gas recovery process and Legislators discussed their ability to sell the electricity back on the grid through a process called negative metering, according to RRA Board Member Landi. Legislator Bartels noted their community collective electricity plant and the future plan to power approximately 9,000 homes.

Legislator Bartels noted there were no birds and the landfill was relatively clean. She stated she felt strongly about an environmental system that ensures Ulster County is responsible for its own waste through added incentives. She noted the parallels in their creation to the establishment of Ulster County's own RRA, with their RRA established to take the heat to site a landfill. She queried how they reached the goal and Ulster County did not. RRA Board Member Landi and she concurred it was because their Board stayed the course despite intense community pushback including garbage dumped on Board Members' private lawns. She noted the Oneida-Herkimer Agency is a thriving member of the community. She felt the Agency made financial as well as environmental sense. She stated she was impressed with the single stream MERF and hoped the local RRA Board would consider exploring single stream MERF options. She noted RRA Executive Director Rose's estimate of \$1-1.2 million to upgrade the local equipment. She indicated the Board would need to run the number and investigate the business model of a single stream MERF.

RRA Board Member Landi read four questions and the answers provided in an email communication with the Oneida-Herkimer Authority Executive Director.

Chair Belfiglio discussed the weigh stations at the transfer stations and at the landfill. Legislator Bartels noted they contracted with long haul trucks to transport the waste from the transfer stations to the landfill and indicated the control the Agency maintained which allowed flexible decisions based on community events, weather, capacity, and available routes.

RRA Board Member Teetsel wished they could bottle the project and allow the general public to see it. He felt many in the community had their grandfather's version of a landfill in their minds. He said they needed to address the "not in my backyard" mentality. He highlighted the host benefits.

Chair Belfiglio discussed the video link that was included in the follow-up press release to which many in the community had already viewed.

Legislator Bartels noted in the benefit to the host communities it was indicated that 70% of the budget for the town that trucks drove through was paid by the Agency. She indicated it was more for the landfill host community of Avon. She also noted the ability

for the community to access trails for snow mobile and trails. She noted the property that the landfill occupies is roughly 1,200 acres, where the actual landfill is currently in 3 of 9 pods of 10 acres each. She noted the actual landfill is tiny fraction of the property which allows for a very large buffer. She concurred with RRA Board Member Teetsel in the exploration of a regional approach. She discussed the composting opportunities and sale of composted materials.

RRA Board Member Landi discussed the comparison staffing of the Oneida-Herkimer Authority and the RRA. He noted that while they have 90 employees and we have 30; their average salary range is from \$30,000 to \$38,000 for the people who run the operation and here in Ulster County the range is from \$30,000 to \$46,000; their employees contribute 30% of the cost of their health plan in the first year and second year 25% and in the third and all subsequent years, it is 20% whereas in Ulster County the employees are paying nothing toward their health insurance.

Chair Belfiglio noted his question of how much they bonded. RRA Board Member Landi encouraged him to contact Mr. Rabbia.

RRA Board Member Landi noted Sullivan County is considering a return to a landfill and stated they would be starting the discussions with them regarding a regional landfill. RRA Executive Director Rose stated they were in communication with Sullivan County regarding the possibility of taking waste to Sullivan County. Legislator Bartels suggested reaching out to Dutchess County as well in this regional discussion.

Legislator Parete requested through the Committee Chair that RRA Executive Director Rose to provide a pro-rated estimate of the tipping fee if the Agency received 120,000, 125,000 or 130,000 tons of municipal solid waste. RRA Executive Director Rose stated the Agency would be redoing their budget as the current budget does not include flow control. He indicated he had reduced the Agency's capital plan and anticipated they would break even for the year.

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### **Adjournment**

**Motion Made By:** Legislator Provenzano

**Motion Seconded By:** Legislator Bartels

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

**No. of Votes Against:** 0

**TIME:** 7:38 PM.

**Dated the 6<sup>th</sup> day of May, 2013**

**Krista Barringer, Deputy Clerk**

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

## Health and Personnel Committee

### Regular Meeting Minutes

**DATE & TIME:** April 29, 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:** Krista Barringer, Deputy Clerk  
**PRESENT:** Legislators Jeanette Provenzano, Carl Belfiglio, and Robert S. Parete (arrived 5:36 PM)  
**EXCUSED:** Legislator Kenneth J. Ronk, Jr.  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislator James Maloney, Legislative Counsel Erica Guerin, Deputy County Executive Ken Crannell, and Lee Cane of the League of Women Voters of the Mid Hudson Valley's Observer Corp

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

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#### **MOTION NO. 1            RESOLVED To Approve the Minutes of April 8, 2013**

**Motion Made By:** Legislator Belfiglio  
**Motion Seconded By:** Legislator Provenzano  
**Discussion:** None  
**Roll Call Vote:** No  
**Voting In Favor:** Legislators Aiello, Belfiglio, and Provenzano  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Carried

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#### **Old Business (Monthly Personnel Report) :**

Legislator Belfiglio queried if the new Assistant County Attorney hired for Golden Hill Health Care Center was for the real estate transactions. Deputy County Executive Crannell noted on the April 11, 2013 public health planning unit approved the sale of the facility. He noted a transition team of six administrators would be established to assist with the close out. He noted these employees would not be laid off. Legislator Provenzano confirmed these employees would remain as County employees after the sale of the facility. Deputy



County Executive Crannell stated the Office of the Medicaid Inspector General would require a full audit after the sale and this transition team would remain as County employees for the balance of 2013 and into 2014.

Chairman Aiello asked about the nursing staff at the facility. Deputy County Executive Crannell stated the new buyer would hire all nurses. He stated the one new hire was a legal staff to assist with the transition.

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**Motion No. 2**                      **To take three resolutions as a packet**

**Text of Motion:**                Resolve to take Resolutions 228, 229, and 230 as a packet

**Motion Made By:**              Legislator Provenzano

**Motion Seconded By:**        Legislator Belfiglio

**Discussion:**                    Legislator Provenzano noted all three resolutions were appointments to the Community Services Board.

**Roll Call Vote:**                 No

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

**Voting Against:**                None

**No. of Votes in Favor:**        3

**No. of Votes Against:**        0

**Disposition:**                 Carried

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**Motion No. 3**                      **Draft Resolution Nos. 0228-0230 – May 14, 2013**

**Text of Motion:**                Resolve to Approve Draft Resolution No. 0228, 229, and 230 - Confirming Appointment Of A Member To The Community Services Board

**Motion Made By:**              Legislator Belfiglio

**Motion Seconded By:**        Legislator Provenzano

**Resolution No. 228 Summary:** This Resolution confirms Penelope Bishop as a member of the Mental Health Subcommittee of the Ulster County Community Services Board for the term of June 1, 2013 to December 31, 2015.

**Resolution No. 229 Summary:** This Resolution confirms John Brillon, Jr. as a member of the Mental Health Subcommittee of the Ulster County Community Services Board for the term of June 1, 2013 to December 31, 2016.

**Resolution No. 230 Summary:** This Resolution confirms Tim Distel. as a member of the Mental Health Subcommittee of the Ulster County Community Services Board for the term of June 1, 2013 to December 31, 2016.

## **Discussion:**

Legislator Belfiglio noted two of the appointments included individuals who work for People, Inc and as in some appointments, the field in which the individual works is noted. Deputy County Executive Crannell stated the Community Services Board has a deficit of people serving on the Board and has been actively recruiting. He noted the Commissioner of Mental Health send a letter to the President of the Chamber of Commerce seeking graduates of their Leadership program to possibly serve. He stated these recommendations were passed to the County Executive by the Community Services Board and that the County Executive was respecting the recommendations of the Community Services Board and forwarded them on.

<b>Roll Call Vote:</b>	No
<b>Voting In Favor:</b>	Legislators Aiello, Belfiglio, Parete and Provenzano
<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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## **New Business:**

Legislator Belfiglio clarified the Certificate of Need was approved for the new owners of the Golden Hill Health Care Center. Deputy County Executive Crannell confirmed the Public Health and Health Planning Council voted to approve the Certificate of Need. He indicated the Health Department will now send the buyer a letter stating the Board has approved their application pending a handful of contingencies such as their ability to show proof of financing as well as a plan to keep the Medicaid recipients.

Legislator Belfiglio asked when the sale would be complete. Deputy County Executive Crannell indicated the closing is expected in the summer. He stated there were lots of details that were being discussed and finalized such as easements. He noted the County was meeting with employee unions and bargaining back and forth on various issues. He stated there were a large amount of employees that would be transitioning and they have been informed that they will be a paid out for accrued time. He stated they will begin the process to negotiate the impact of the lay off.

Legislator Belfiglio noted there appeared to be two focus areas – the real estate closing and the labor issue. Deputy County Executive Crannell confirmed there would be a layoff notice to employees. He stated this would be for all except the handful of administrators who would remain as the transition team. He stated the buyers would be hiring the employees that are laid off and they were attempting to make this seamless with the doors closed on one day as County owned and the next day opened as buyer owned. He felt the employees would be noticed of this change approximately 60 days prior.

Legislator Belfiglio indicated he received concerns from union officials and employees who were mandated to work extra shifts and as a result were burnt out. He highlighted the situation of RNs that held the keys to the narcotic cabinet being unable to leave until they handed the key to another authorized narcotic nurse. He felt the nurses cannot continue to operate long term with this staffing level. Legislator Provenzano reported while the employees were told they were being paid out for their benefit time, many are taking their vacation and sick time which is resulting in there not being enough people available from the temporary agency. Deputy County Executive Crannell stated they are plugging the holes in staffing when they can in coordination with the union but that not all the holes can be plugged utilizing temporary staff. He noted there is a core of professional staff that are committed and respond whenever asked and another segment that call in and abuse the flexibility they have as a County employee. He indicated it was a difficult time but that they are working through it. He stated they are filling the shifts but it is getting tight. He noted the State approval of the Certificate of Need was helpful as the private operator can use incentives or perks to fill in the holes where mandates are required whereas the publicly owned facility can only use Section 75s or giving people notice of discipline to address staffing holes. Legislator Provenzano asked if the State approval helps. Deputy County Executive Crannell indicated they will be able to address the gap in staffing through impact bargaining process and specify any benefit that people would derive from that negotiation would be only to those with 95% attendance record between now and the closing date. He noted the staffing is being filled by temporary agency employees who often work for other local facilities that take on the extra shifts to make additional money. He stated they have exhausted that pool of people. He stated they have some flexibility in the hiring process but not a lot.

Legislator Belfiglio stated he would gather the additional questions he had and email them to Deputy County Executive Crannell. Deputy County Executive Crannell encouraged this and noted there are a million moving parts to this transition that they have their arms around. He felt having the closing as soon as possible would address many of the issues.

Legislator Belfiglio asked if the Local Development Corporation met in 2013. Deputy County Executive Crannell stated they met a month ago but that there was no meeting since to approve the minutes from that meeting. Deputy County Executive Crannell stated at that meeting the members of the Local Development Corporation reviewed all the PARIS findings and all the State required filings.

Legislator Parete asked if the new buyer would keep the same Medicaid ratio. Deputy County Executive Crannell stated their application built in the same ratio and one of their contingencies to be satisfied prior to the issuance of the license is to provide a plan for how they will maintain any percent of the Medicaid average for the regional need. He stated the State will review this plan periodically to ensure they are meeting that commitment.

Deputy County Executive Crannell noted the County facility was in competition with many facilities in the region and there is a glut of nursing home beds in the region. He stated of

the 280 beds, the facility has only 245 occupied. He reported in a census of the neighboring facilities in the region, they are all down.

Legislator Provenzano noted there are more assisted living facilities in the area. She noted there is a proposal to establish an Assisted Living Facility with 200 beds at the soon to be vacated Kingston Hospital.

Deputy County Executive Crannell noted the new buyers would be under taking a substantial renovation at the Golden Hill Health Care Center with a design to attract new customers to the nursing home with increased physical and occupational therapy and a lot more complex medical needs and skills required. Legislator Parete noted this would bring in higher reimbursements.

Deputy County Executive Crannell stated the Committee will begin to see ads in the help wanted sections as they will be seeking new employees for Golden Hill Nursing Facility and Rehabilitation Center. He stated they would be hiring a Human Relations Director and a Medical Records Director.

Legislator Parete noted the need for the new buyer to diversify and have rehabilitation components. Deputy County Executive Crannell stated the new buyer would be bringing in new Medicaid Assisted Living Beds that would be a home run for the County and the City of Kingston. He stated these new beds were part of the State's Medicaid Re-Design two years ago and that the County was not able to do Medicaid Assisted Living beds based on the Federal statute but private operators can. He noted the lifting of a moratorium on the Certified Home Health Care Agencies which allowed an unlimited number of CHHCAs and also distributed a Request for Proposals to allow for a substantial number of assisted living beds around the State. He noted these beds were part of what was being requested by these buys and felt some of the upcoming changes were exciting.

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### **Adjournment**

**Motion Made By:** Legislator Provenzano

**Motion Seconded By:** Legislator Parete

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

**No. of Votes Against:** 0

**TIME:** 5:54 pm

**Dated the 30<sup>th</sup> day of April, 2013**

**Krista J. Barringer, Deputy Clerk**

**Minutes Approved on: June 3, 2013**

# Law Enforcement & Public Safety Committee

## Regular Meeting Minutes

**DATE & TIME:** April 30, 2013 5:30 PM  
**LOCATION:** Ulster County Law Enforcement Center, The Rotunda  
**PRESIDING OFFICER:** Chairman Richard Parete  
**LEGISLATIVE STAFF:** Lisa K. Mance  
**PRESENT:** Legislative Chair Terry Bernardo (5:33 p.m.), Legislators Maio, Briggs, and Belfiglio  
**ABSENT:** None  
**EXCUSED:** Legislator Ronk  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislator Hector Rodriguez, Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, Sheriff Sgt. Abe Markowitz, Sgt. Perry Soule and Jack Hayes, Member of the UC Chiefs of Police

Chairman Rich Parete called the meeting to order at 5:33 PM

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### MOTIONS:

**MOTION NO. 1**  
**TEXT OF MOTION:** RESOLVED to approve the April 2, 2013 Meeting Minutes  
**MOTION MADE BY:** Legislator Belfiglio  
**MOTION SECONDED BY:** Legislator Briggs  
**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Rich Parete, Belfiglio, Briggs and Maio  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 4  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passes

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**MOTION NO. 2**  
**TEXT OF MOTION:** RESOLUTION No. 0194 – May 14, 2013  
RESOLVED to Approve Draft Resolution No. 0194 – Establishing The Ulster County Law Enforcement Sustainability And Efficiency Commission  
**MOTION MADE BY:** Legislator Briggs  
**MOTION SECONDED BY:** Legislator Maio

**DISCUSSION:** Sheriff VanBlarcum noted that it had been requested that someone attend the Police Chief's monthly meeting to explain the proposed Resolution and that none of the sponsors had attended. The Sheriff stated they meet the first Wednesday of each month at 10:00 a.m. It was noted that the Resolution was postponed until the next meeting, which April 30<sup>th</sup> actually constituted the May meeting. Chairman Bernardo and Leg. Maio discussed the Law Enforcement Committee bringing forth the proposed Resolution. Leg. Belfiglio stated that the previous month's discussion, in his opinion, revolved more around a Countywide police force rather than establishing a commission. Leg. Briggs stated that DCJS was paid to conduct these types of studies and that it should be brought in as an independent entity to take part in the study. Chairman Bernardo asked for Sheriff's opinion on involving DCJS to which the Sheriff responded that DCJS was willing to conduct review on department basis but not on a countywide basis. Sheriff VanBlarcum suggested asking DCJS for guidance and he was willing to reach out to ask for that assistance. Past Legislator Jack Hayes provided his opinion to which Mr. Hayes recounted past discussions on the topic of law enforcement with regard to the individual townships. Rosendale Police Chief Soule remarked that no one has approached the Town of Rosendale to review law enforcement practices in that town and reiterated that the Town Police welcomed visits to witness practices with

law enforcement within the Town. Leg. Rodriguez suggested that the draft Resolution be postponed one more month to allow for attendance to the Police Chief's monthly meeting. Leg. Briggs suggested that no action be taken on draft Resolution and that the Sheriff reach out to DCJS and based upon what was suggested at that point, the Committee will look into the efficiency issue to which Leg. Maio concurred.

**Committee Chairman Rich Parete stated that no action was to be taken on the Resolution pending information being obtained as discussed.**

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**MOTION NO. 3**

**TEXT OF MOTION:**

**RESOLUTION No. 0225 – May 14, 2013**

**RESOLVED to approve Resolution No. 0225-** In Support Of New York State Legislation A4516-A/S2305A, Which Would Require Violators of "Buster's Law" To Register His or Her Name And Address With The Division Of Criminal Justice Services

**Resolution Summary:**

New York was the first state to enact animal protection laws in 1828 and the Creation of a database to analyze the incident of animal cruelty will provide a valuable resource in law enforcement officials who seek to establish a link between animal cruelty and related crimes. The Animal Cruelty and Animal Fighting Database bill will require the establishment and maintenance of a database for the collection and analysis of information related to crimes against animals. The date would include, but not be limited to, names of people convicted under Article 26 of the agricultural and markets law as well as the specific acts of animal cruelty that were the basis of the conviction. The database would include information on persons who have pled guilty to other charges in satisfaction of animal cruelty/fighting charges and would be available to all law enforcement officers, district attorneys, humane societies for the prevention of animal cruelty, dog or cat protective associations, and animal control officers. A state-wide database will prevent individuals convicted of animal cruelty/fighting charges from adopting, purchasing or otherwise obtaining animals from a shelter, pet seller, or other person or entity involved in the exchange of animals for adoption, sale or other means.

**MOTION MADE BY:**

**Legislator Belfiglio**

**MOTION SECONDED BY:**

**Legislator Briggs**

**ROLL CALL VOTE:**

**No**

**VOTING IN FAVOR:**

**Legislators Rich Parete, Bernardo, Briggs, Maio, and Belfiglio**

**VOTING AGAINST:**

**None**

**NO. OF VOTES IN FAVOR:**

**5**

**NO. OF VOTES AGAINST:**

**0**

**DISPOSITION:**

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**MOTION NO. 4**

**TEXT OF MOTION:**

**RESOLUTION No. 0226 – May 14, 2013**

**RESOLVED to Approve Draft Resolution No. 01226-** In Support Of New York State Legislation A775a/S1776, Also Known As The Consolidated Animal Crimes Bill

**Resolution Summary:**

The New York's animal cruelty laws have been hidden within the State's Agricultural and Markets statutes for years. Animal crimes can occur in the field and often require emergency Response. The Consolidated Animal Crimes Bill improves enforcement by placing animal crimes under the penal code, which is familiar, accessible and taught to law enforcement personnel. The change promotes sound enforcement and consistent interpretation of animal crimes by members of law enforcement and the court system. Matters such as search warrants, fingerprinting, collection of DNA, recordkeeping, court surcharges, and other procedural aspects of law enforcement become applicable. Police officers will now be able to find the law, read and understand the law, and apply it to all while standing at a crime scene. Prosecutors and defense attorneys will spend less time in needless motion practice over the definition of terms or general applicability of passages and judges will be better equipped to dispense justice to accused individuals. The public will be better apprised of the standards that apply to the treatment of animals.

MOTION MADE BY:	Legislator Briggs
MOTION SECONDED BY:	Legislator Belfiglio
ROLL CALL VOTE:	No
VOTING IN FAVOR:	Legislators Rich Parete, Bernardo, Maio, Belfiglio and Briggs
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	5
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion passed to adopt Resolution

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- **MONTHLY REPORTS:** The Sheriff's reports would be available May 1, 2103 and would be filed with the Clerk of the Legislature.

- **2013 Monthly Board-in Revenue and Counts and Telephone Revenues**

- **NEW BUSINESS:**

Sgt. Abe Markowitz asked if he could address regarding the 911 Nuisance Law at the next month's meeting. The Sergeant asked if he could have Phil Cataladi from the Dept. of Social Services Legal added to the Agenda for the June Committee meeting for the purpose of a presentation in furtherance of amending a existing County Resolution relative to the disposal of County property.

**There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Briggs, and carried to adjourn the meeting at 6:05 P.M.**

**Dated the 13<sup>th</sup> Day of May, 2013  
Lisa K. Mance, Legislative Employee  
Minutes Approved: June 4, 2013**

# Laws and Rules, Governmental Services Committee

## Special Meeting Minutes

**DATE & TIME:** May 8, 2013 / 6:30 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, County Office Building, 244 Fair Street, Kingston, NY  
**PRESIDING OFFICER:** Kevin Roberts, Chairman  
**LEGISLATIVE STAFF:** Franklin R. Reggero  
**PRESENT:** Legislators Roberts, Donaldson, Loughran, Maio, and Ronk  
**ABSENT:** Legislators Dean Fabiano and Robert Parete  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Bartels and Rodriguez; Langdon Chapman, Counsel to the Legislature; Victor Melville, League of Women Voters.

- Chairman Roberts called the meeting to order at 6:35 PM.

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### I. DISCUSSION:

**Chairman Roberts** opened the meeting by stating that Legislative Counsel has provided an amended version of the Rules, with tracked changes, based on the April 22, 2013 Special meeting of the Committee. (See attached documentation).

**Chairman Roberts** recognized **Legislator Bartels** who stated in regards to page 2, (a), she believes that unanimous consent among sponsors as to the Committee of original jurisdiction, not as proposed "one or more". **Legislator Donaldson** asked to change language to say a majority of sponsors. **Legislator Bartels** disagrees. **Legislator Donaldson** stated he will support Legislator Bartels change.

**Chairman Roberts** recognized **Legislator Bartels** who initiated discussion regarding committee of secondary jurisdiction and who has the authority to recommend, sponsor or Chairman of the Committee. **Legislator Ronk** stated that the Rules should remain constant throughout; all sponsors should be required to recommend to Committee of secondary jurisdiction.

**Chairman Roberts** opens discussion regarding Late filed Resolutions. Committee is in agreement with proposed changes in language, unanimous. (see attached)

**Chairman Roberts** opened discussion and debate on changes to Resolutions with multiple sponsors. **Chairman Roberts** motioned that if a change to a Resolution is not supported by all sponsors then the Resolution will go to the floor as is leaving the opportunity to be amended on the floor with the consent of the entire Legislature. Unanimous committee consent.

**Chairman Roberts** opened discussion and debate on Petition to Discharge from Committee. **Chairman Roberts** recognized **Legislator Loughran** who motioned to change the solid number required to discharge from committee to a percentage of the minority or majority. **Legislator Rodriguez** stated that a percentage of the minority should be used for both caucus'. **Legislator Ronk** supports a standard number for both parties and not based on a majority or minority. **Legislator Donaldson** agrees with **Legislator Ronk**.

- **Legislator Donaldson** stated that he does not support a process that prevents a Sponsor from getting their Resolution before the full body and motions to keep the Rules as amended in regards to 120 days and the petition to discharge process. **Legislator Bartels** stated that she supports the same. **Legislator Ronk** stated he does not support purely politically resolutions and would support a rule to prevent these types to be automatically discharged from committee after 120 during an election year. **Chairman Roberts** stated that 120 days is enough time for a political resolution to become irrelevant by the time it comes out of committee.

**Chairman Roberts** opened discussion and debate on Petition to Discharge process. Rule 3 Section 2E.

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- **Legislator Loughran** stated that he does not support a set number of Legislators required to sign the petition to discharge but rather a percentage of the entire Legislature; however does support the process.

- **Legislator Bartels** does not support the Petition to Discharge but rather a maximum time frame in which a Resolution has to remain in Committee regardless if it is approved or not it should come before the full Legislature.

- **Legislators Donaldson** both support the 90 day option for a Resolution to come before the Legislature and the Petition to Discharge process to bring out of Committee faster.

- **Chairman Roberts** motioned for a period of not less than 120 days or 8 required signatures on a Petition to Discharge to get out of Committee, except within 90 days of a County election. Seconded by **Legislator Roberts**. A majority of the Committee voted to approve the motion.

**Chairman Roberts** recognized **Legislator Ronk** who motioned that Resolutions submitted will be permanently numbered at time of submission and amendments are tracked with alphabetic designations after the number. Adopted with unanimous committee consent.

**Chairman Roberts** opens discussion regarding submission and consideration of Local Laws. **Chairman Roberts** recognizes **Legislator Bartels** who suggests the term "minor changes" should be better defined and less subjective. Legislative Counsel states that "substantive" has a legal definition; whereas minor does not. **Legislator Bartels** further adds that any changes made to a Local Law must have the approval of all sponsors and is sent back through the entire Committee process. **Legislator Donaldson** stated that he supports current language and the proposed change essentially makes the process more complicated. **Legislators Ronk** and **Bartels** agree with **Legislator Donaldson** and move to strike new language Section F, paragraph 8, on page 6.

**Chairman Roberts** opens discussion on Section I, Divisibility of Resolutions. **Legislator Bartels** stated she would like to see a sponsor consent process for division of Resolutions. **Legislator Donaldson** stated that his concern with dividing Resolutions is in regards to Appointment Resolutions and further believes that if one Legislator wants a separate Resolution then the Clerk should do so. **Legislator Ronk** stated that he supports a motion that appointment resolutions should be all separate; however, may be on the same sheet of paper. **Legislators Donaldson, Malo** and **Bartels** agree. Legislative Counsel Chapman provided examples of appointment resolutions being on the same page.

**Chairman Roberts** opens discussion on Rule 6, page 8. **Legislator Bartels** questioned the last sentence and why it is not in Rule 5. **Legislators Ronk** and **Donaldson** agree that it should be moved to Rule 5.

**Chairman Roberts** opens discussion on the appointment of the Vice Chairman of the Legislature. Legislative Counsel advises for further thought and consideration by each Committee.

**Chairman Roberts** opens discussion on Rule 10, in regards the amount of time a Legislator may talk during a long role. **Legislator Bartels** stated that the time should be increased from 2 minutes to 5 minutes. Unanimous committee consent to increase to 5 minutes.

**Chairman Roberts** opens discussion on Rule 10, section V, Committee of the Whole. Legislative Counsel advises to keep this provision as it allows the body to act in a bipartisan manner to address a non-controversial issue.

**Chairman Roberts** called for further questions or discussion, hearing none.

**Chairman Roberts** motioned for the next special committee meeting to be on May 21<sup>st</sup>, 2013 at 6:00PM. Unanimous committee consent.

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**Chairman Roberts** asked if there is any other business before the Committee; hearing none, recognized **Legislator Ronk** for a motion to adjourn, seconded by **Legislator Donaldson** at 8:48PM.

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Dated the 8<sup>th</sup> day of May, 2013  
Franklin R. Reggero, Sr. Legislative Employee  
Minutes Approved on: 17 June 2013 / frr

# Laws and Rules, Governmental Services Committee

## Committee Meeting Minutes

**DATE & TIME:** May 13, 2013 / 6:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, County Office Building, 244 Fair Street, Kingston, NY  
**PRESIDING OFFICER:** Kevin Roberts, Chairman  
**LEGISLATIVE STAFF:** Franklin R. Reggero  
**PRESENT:** Legislators Roberts, Fabiano, Robert Parete, Loughran, Maio, and Ronk  
**ABSENT:** Legislators Donaldson  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislator Hector Rodriguez, Erica Guerin, Counsel to the Legislature; Ken Crannell, Deputy County Executive; Tom Turco and Victor Work, Board of Elections Commissioners; Victor Melville, League of Women Voters;

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

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### I. RESOLUTIONS:

**MOTION NO. 1** Resolution No. 65 – May 14, 2013

**TEXT OF MOTION:** **RESOLVED to approve Resolution 65** - Setting A Public Hearing On Proposed Local Law No. 1 Of 2013 (A Local Law Of The County Of Ulster, New York, Known As The "The Ulster County School-Based Mental Health and Safety Act of 2013"), To Be Held On Tuesday, June 11, 2013 At 7:00 PM.

**Resolution Summary:** Setting a Public Hearing on Tuesday, May 14, 2013 at 7:00 PM.

**MOTION MADE BY:** Legislator R. Parete  
**MOTION SECONDED BY:** Legislator Maio

**DISCUSSION:** **Chairman Roberts** recognized **Deputy Chairman R. Parete** who asked if the schools are authorized to be reimbursed Medicaid or Medicare expenses. Ms. Kumar stated no they are not. Mr. Crannell stated that the provider would bill the client directly and the schools would provide in-kind services.

**Legislator Ronk** asked **Legislator R. Parete** if he agreed to remove the funding sources in the resolution. **Legislator Parete** stated that he would agree to remove the funding if the Law will be supported by the Legislature.

**Chairman Roberts** recognized Legislative Counsel Ms. Guerin who stated that in accordance with the Rules of Order, the Resolution may be referred back to the originating committee with recommendations.

**Chairman Roberts** motions that the Laws Rules and Governmental Services Committee is the originating committee and with unanimous consent, 6 in favor and 0 opposed.

**Chairman Roberts** recognized **Legislator Donaldson** who stated that the resolution can be amended on the floor of the Legislature and subsequently voted on the night of Legislative Session.

**Chairman Roberts** recognized **Legislator R. Parete** who stated he would prefer to have the Local Law debated in committee with as much input as possible prior to going to before the entire Legislature.

**Chairman Roberts** called for further discussion, hearing none.

ROLL CALL VOTE: No  
VOTING IN FAVOR: Legislators Roberts, Fabiano, R. Parete, Loughran, Maio, and Ronk  
VOTING AGAINST: None  
NO. OF VOTES IN FAVOR: 6  
NO. OF VOTES AGAINST: 0  
DISPOSITION: Motion Tabled

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**MOTION NO. 2** Resolution No. 410 – May 14, 2013

**TEXT OF MOTION:** **RESOLVED to approve Resolution 410** - Rescinding Resolution No. 410 Of December 6, 2006 And Authorizing Ulster County To Pay For The Cost of Election Expenses Thereby Relieving The Various Municipalities Of Responsibility For Payment.

**Resolution Summary:** Commencing January 1, 2014, the cost of election expenses shall be borne by Ulster County and not billed to its municipalities.

**MOTION MADE BY:** Legislator Ronk  
**MOTION SECONDED BY:** Legislator R. Parete

**DISCUSSION:** **Chairman Roberts** recognized **Legislator J. Parete** who stated that he has been part the process to implement the Help America Vote Act (HAVA) since it was initiated by New York State. **Legislator J. Parete** further stated that according to the State Law as written the HAVA cost is a County expense that may be passed down to the municipalities but not required and in his view an unfunded mandate passed from the County to the municipalities.

**Chairman Roberts** recognized **Legislator Ronk** who stated that he believes the HAVA in itself passed down additional costs. **Legislator Ronk** further stated that he would prefer the County consider the take over Safety Net costs before considering any additional mandates.

**Chairman Roberts** recognized **Legislator Fabiano** who stated that he is in support of the County assuming the HAVA mandate to provide relief for the town; however is concerned with the funding mechanism.

**Chairman Roberts** asked Mr. Turco, if a machine breaks who is responsible for getting fixed and maintained? Mr. Turco stated that the Towns and the City are responsible to pay for the maintenance of the HAVA machines.

**Chairman Roberts** recognized Mr. Work stated that the entire Election costs are not charged back to the Towns only the portion that is mandated by the HAVA.

**Chairman Roberts** called for further discussion, hearing none.

ROLL CALL VOTE: No  
VOTING IN FAVOR: Legislators R. Parete and Fabiano  
VOTING AGAINST: Legislator Roberts, Ronk and Loughran  
NO. OF VOTES IN FAVOR: 2  
NO. OF VOTES AGAINST: 4  
DISPOSITION: Motion Failed

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**MOTION NO. 3**

**Draft Resolution No. 0223 –May 14, 2013**

**TEXT OF MOTION:**

**RESOLVED to approve Draft Resolution 0223 - Adopting Proposed Local Law No. 2 of 2013, A Local Law Amending Local Law No. 10 of 2008 ( A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) to Delete the References to "Abstract of Contracts" to Require the Approval of a Contract \$50,000 or More By a Corresponding Resolution for Each Contract.**

**Resolution Summary:**

A law that will require all contracts be voted on as separate resolutions as opposed to one resolution for an abstract list provided by the Contract Management office..

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

**Legislator Ronk  
Legislator Loughran**

**DISCUSSION:**

**Chairman Roberts** 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 Roberts, R. Parete, Fabiano, Loughran, Maio, and Ronk  
None  
6  
0  
Motion Passed**

**MOTION NO. 4**

**Draft Resolution No. 0224 – May 14, 2013**

**TEXT OF MOTION:**

**RESOLVED to approve Draft Resolution 0224 - Supporting The Passage Of United States Senate And United States House Of Representatives Resolution Entitled "Democracy Is For People Amendment" Which Seeks To Prohibit Private Business Entities From Contributing To Public Election Campaigns.**

**Resolution Summary:**

Resolution No. 410 of December 6, 2006, which authorized the County of Ulster to charge back the towns and the City of Kingston for the cost of elections be rescinded.

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

**Legislator Loughran  
Legislator R. Parete**

**DISCUSSION:**

**Chairman Roberts** recognized **Legislator Rodriguez** who explained the purpose of the proposed local law to memorialize this National Legislation.

**Chairman Roberts** called for further discussion, hearing none.

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

**No  
None  
None  
2  
4  
Motion Failed**

**MOTION NO. 5**

**Draft LATE Resolution No. 0238 – May 14, 2013**

**TEXT OF MOTION:**

**RESOLVED to approve Draft Resolution 0238 - Opposing The Passage Of State Legislation To Allow Early Voting, Or To Allow Counties To Opt-In To Early Voting Opportunities, And For The State To Fully Fund Any And All Increased Costs Associated With Early Voting.**

**Resolution Summary:** The that the Ulster County Legislature does hereby oppose the passage of legislation as currently proposed requiring counties to implement early voting.

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

**DISCUSSION:** **Chairman Roberts** recognized **Legislator Rodriguez** who asked the Election Commissioners what would be the additional cost associated. Mr. Work stated that he is unsure at this time however there will be additional costs.

**Chairman Roberts** recognized **Legislator Ronk** could the County charge back the Towns for the additional costs associated with early voting. Mr. Turco and Mr. Work stated yes. **Legislator Ronk** stated if the goal is to allow more people to vote then perhaps reforming the absentee process not increase election costs. Mr. Work supports reforming the absentee process as well. Mr. Work agrees that the proposed system needs refining in the accounting portion.

**Chairman Roberts** recognized **Legislator Rodriguez** who stated that 32 states currently allow early voting.

**Chairman Roberts** recognized Mr. Turco stated that although 32 states may have early voting the impact on the number of votes and voter turn out are marginal in regards to the increase cost associated and challenging the integrity of the process.

Chairman Roberts recognized Legislator J. Parete who stated that he does not support early voting.

**Chairman Roberts** called for further discussion, hearing none.

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Roberts, R. Parete, Fabiano, Loughran, Maio, and Ronk  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 6  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 6** **Draft LATE Resolutions No. 0241 through 0243 – May 14, 2013**

**TEXT OF MOTION:** **RESOLVED to approve Draft LATE Resolution 0241** - Supporting A Product Stewardship Program For Paint.

**Resolution Summary:** The Ulster County Legislature hereby urges the New York State Legislature to enact industry sponsored paint recycling legislation **support NYS Legislative Bills A6930 and S4690**, which would require the paint industry to be responsible for collecting and managing leftover paint in New York State.

**RESOLVED to approve Draft LATE Resolution 0242** - Urging State Representatives To Enact Producer Responsibility Legislation For Mercury Thermostats Sold In New York State.

**Resolution Summary:** The Ulster County Legislature does hereby urge New York State legislative representatives to promptly compromise both house bills, **A1048 and S664**, and enact extended producer responsibility legislation for the collection and disposition of discarded mercury thermostat devices.

**RESOLVED to approve Draft LATE Resolution 0243** - Supporting Extended Producer Responsibility

**Resolution Summary:**

The Ulster County Legislature urges the New York State Legislature to enact EPR legislation which will give producers the incentive to design products that are less toxic and easier to reuse and recycle by requiring such producers to help bear the costs for the proper recycling and responsible disposal for their hazardous and hard to recycle products.

**MOTION MADE BY:** Legislator Ronk  
**MOTION SECONDED BY:** Legislator R. Parete

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

**ROLL CALL VOTE:** No  
**VOTING IN FAVOR:** Legislators Roberts, R. Parete, Fabiano, Loughran, Maio, and Ronk  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 6  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**II. DISCUSSION**

Chairman Roberts recognized Mr. Leon Smith, Chairman of the UCRAA Board of Directors. Mr. Smith stated that he would support a contract amendment regarding limiting the bonding authority of the UCRRA. Chairman Roberts asked Mr. Smith what the next would be if an agreement could be reached regarding the bonding amount.

Chairman Roberts stated that he would like Legislative Counsel to work with the County Attorneys' office in addressing the bonding amount issue.

Chairman Roberts recognized Legislators J. Parete and Ronk who are in support of reaching agreement with the UCRRA.

Chairman Roberts recognized Legislator R. Parete who would support a policy regarding bonding authority for all public benefit corporations that are funded by Ulster County tax payers.

Chairman Roberts recognized Mr. Smith who stated that the Board has amended their budget and it will be published next week for distribution. Mr. Smith is optimistic that flow control will eliminate the net service fee.

Chairman Roberts asked if there is any other business before the Committee; hearing none, recognized Legislator Maio for a motion to adjourn, seconded by Legislator Loughran at 7:26 PM.

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Dated the 13<sup>th</sup> day of May, 2013  
Franklin R. Reggero, Sr. Legislative Employee  
Minutes Approved on: July 22, 2013

# Laws and Rules, Governmental Services Committee

## Special Meeting Minutes

**DATE & TIME:** May 21, 2013 / 6:00 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, County Office Building, 244 Fair Street, Kingston, NY  
**PRESIDING OFFICER:** Kevin Roberts, Chairman  
**LEGISLATIVE STAFF:** Franklin R. Reggero  
**PRESENT:** Legislators Roberts, Donaldson, Loughran, Maio, and Ronk  
**ABSENT:** Legislators Dean Fabiano and Robert Parete  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Bartels and Rodriguez; Langdon Chapman, Counsel to the Legislature; Victor Melville, League of Women Voters; Patricia Doxsey, Daily Freeman

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

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### I. DISCUSSION:

**Chairman Roberts** opened the meeting by stating that Legislative Counsel has provided an amended version of the Rules, with tracked changes, based on the May 8, 2013 Special meeting of the Committee. (See attached documentation).

**Chairman Roberts** recognized **Legislators Maio and Bartels** who pointed out minor typographical errors in the document.

**Chairman Roberts** recognized **Legislator Loughran** who started debate regarding the RULE 3, E Petition to Discharge. **Legislator Loughran** supports language that would require a percentage of the Legislature as opposed to a set number required to sign a petition to discharge a resolution from Committee. **Legislator Loughran** also does not support the 120 day rule in which a resolution automatically goes before the full Legislative body regardless of the Committee process.

**Chairman Roberts** recognized **Legislator Ronk** who stated that he believes the 120 day rule is a good compromise regarding the Petition to Discharge process. **Legislator Donaldson** supports the 120 day rule; however believes the current wording is confusing and should be reworded to reflect two separate processes.

**Chairman Roberts** recognized **Legislator Bartels** who stated that the language should be clear to address a member's party enrollment or caucus membership with relation to the percentage of signatures required to petition to discharge a resolution from committee. Legislative Counsel Chapman stated that he agrees language should be clear. **Legislator Ronk** refers to RULE 9, Organization of the Legislature which only allows for two parties and the members will at that time decide which party they choose to caucus with. Committee agrees that seventy-five percent of the minority caucus should be the requirement for the Petition to Discharge.

**Chairman Roberts** opened discussion on the proposed automatic 120 day discharge of a resolution from Committee regardless of action. **Legislator Loughran** stated that he does not support the automatic discharge from Committee and believes that it would circumvent the Committee process. **Legislator Donaldson** stated that he supports the 120 day rule stating that every resolution should have a vote before the Legislative body as a whole regardless of the Committee process. **Legislator Bartels** agrees with **Legislator Donaldson** that a process should be allowed for a resolution to come to the floor of the full Legislature. **Chairman Roberts** calls the question on the motion to require seventy-five percent of the minority caucus regardless of the members affiliation to Petition to Discharge, adopted unanimously. **Chairman Roberts** calls the question on the motion to allow a resolution to go before the Legislature, adopted 4 in favor and **Legislator Loughran** against.

**Chairman Roberts** recognized **Legislator Bartels** who opened discussion on RULE 3, C (a), Late Filed Resolutions. Committee agreed to current language.

**Chairman Roberts** recognized **Legislator Bartels** who opened discussion on RULE 3, H, Division of Resolutions. **Legislator Bartels** would like to see a mechanism to divide resolutions on the floor under Committee or the Committee of the Whole process. Legislative Counsel explained the process for dividing resolutions. **Legislator Ronk** stated that if a sponsor waits until session to divide a resolution it may be too late and further believes that during the established Committee process is the best time to decide to divide a resolution.

**Chairman Roberts** recognized **Legislator Bartels** opens discussion on Committee of the Whole process. **Legislator Rodriguez** stated that past practice has been to suspend the rules during session to pass a time sensitive or urgent matter that essentially is the same thing as Committee of the Whole. Legislative Counsel stated that the major difference is the Committee of the Whole may be constituted under majority and minority consent as opposed to two-thirds consent of the Legislature to suspend the Rules. Committee agrees to keep current Rules language.

**Chairman Roberts** opened discussion and debate on Rule 9, D Organization of the Legislature, in regards to after thirty days of the Legislature not selecting a Chairman the appointment goes to the County Executive. **Legislator Ronk** opens discussion to designate the Majority Leader to fill the vacancy for the remainder of the term. Discussion continues on the Charter creation of the Vice Chairman of the Legislature until the such a time when the Legislature can select a Chairman to fill the vacancy. **Legislator Ronk** proposes a chain of succession that would be constituted until a Chairman can be selected by the Legislature. **Legislator Donaldson** agrees that the Majority Leader should assume the Chairman position for the remainder of the term or until the Legislature selects a Chairman. Legislative Counsel stated that State Law dictates that a Chairman must be selected by February 1 and recommends that a mechanism be agreed upon keeping that in mind. **Legislator Bartels** supports the mechanism that would require an election in the event of a vacancy of the Chair.

Legislative Counsel stated that he will correct the current draft for review from the Committees approval at the next meeting.

**Chairman Roberts** called for further questions or discussion, hearing none.

**Chairman Roberts** motioned for the next special committee meeting to be on June 17, 2013 at 6:00PM. Unanimous committee consent.

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**Chairman Roberts** asked if there is any other business before the Committee; hearing none, recognized **Legislator Ronk** for a motion to adjourn, seconded by **Legislator Donaldson** at 7:38PM.

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Dated the 21<sup>st</sup> day of May, 2013  
Franklin R. Reggero, Sr. Legislative Employee  
Minutes Approved on: July 22, 2013



## ULSTER COUNTY LEGISLATURE

### Legislative Programs, Education & Community Services Committee Regular Meeting Minutes

**DATE & TIME** : May 8, 2013 / 5:00pm  
**LOCATION** : Ulster County Community College, St. John Business Seminar Room, George Clinton Hall, Room 118, Stone Ridge, New York  
**CHAIRMAN** : Wayne Harris, Chairman - Present  
**RECORDER** : Janet Salanitri, Adm. Assistant, SUNY, Ulster Co. Community College  
**LEGISLATORS**  
**PRESENT** : Legs. Craig Lopez, Donald Gregorius, David Donaldson and Mary Wawro  
**ABSENT** : None  
**OTHERS**  
**PRESENT** : Mark Komdat, Dean of Administration, SUNY Ulster Co. Community College; Kenneth Crannell, Deputy Ulster County Executive; Lee Reidy, Executive Director, Mary Marsters, Program Director, Melinda Herzog, FCS Team Leader, and Jude DeFalco, all of Cornell Cooperative Extension; Stacy Kraft, Public Health Educator, Ulster County Health Department; Teresa Brundage, Assistant to Leg. Lopez; Victor Melville, Observer for League of Women Voters; Eva Madalengoitia, Dutchess County Arts Council; and Steven Masee, Director, U.C. Veterans' Service Agency  
**QUORUM** : Yes

**A QUORUM BEING PRESENT CHAIRMAN HARRIS CALLED THE MEETING TO ORDER AT 5:07 pm**

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Chairman Harris, noting that Legislators Lopez, Gregorius and himself were the only committee members present for the April 10, 2013 meeting and that Leg. Lopez was not yet at this meeting and would be a bit late, said he would hold the vote for the approval of the April 10, 2013 minutes until the end of this meeting.

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#### **SUNY, ULSTER COUNTY COMMUNITY COLLEGE:**

**Report by** : Mark Komdat, Dean of Administration

**Report** : Dean Komdat reported that SUNY Ulster's Math Team consisting of more than 40 students, placed fourth on the NYS Mathematics Association of Two-Year Colleges statewide test. Also, in furtherance of our being a military friendly campus, the college recently dedicated its new "Battle Buddy Lounge" located in Vanderlyn Hall at which Congressman Chris Gibson was present. The Dean further advised SUNY Ulster baseball player Randy Delanoy of Lake Katrine has signed a National Letter of Intent to play ball with Division I St. Bonaventura with a two-year scholarship. He also reminded everyone that Graduation was on Wednesday, May 15<sup>th</sup>.

The Dean said enrollment for last year was a little higher than projected and as a result state aid was a little higher. There will be a resolution before this committee next month to amend the college's 2011-12 budget to provide for that additional state aid. On the upcoming budget for 2013-14 Dean Komdat said he had hoped there would be no tuition increase; however, this was not possible and the college will be looking for a \$50 per semester increase in full time and a \$10 increase per credit hour for part time. There will also be a slight increase in the technology fee in order to keep current, since fully half of our computers are at least seven years old. The college will also be using a small part of its fund balance and will not be asking the county for

any increase in its contribution. The Dean said he would get the proposed budget to committee members 2 weeks prior to the hearing and asked if they wanted a special meeting to go over the budget. Chairman Harris, on behalf of the committee, felt this was not necessary. A resolution will come before this committee in June to approve the college's 2013-14 budget.

On other matters, Dean Komdat said the President's residence is under contract and we are awaiting the return of the signed contracts and down-payment from the buyer. All furniture has been moved to storage. He also advised that the public hearing was being held this evening on the proposed sale of the Sophie Finn School to the County. In reply to a question from Leg. Gregorius, the Dean said the price is \$300,000 but there are additional fees for architects and for the feasibility study.

Dean Komdat said the term of the college's Board of Trustee's Chairman, John Dwyer, is due to expire in June, and this is an appointment by the County Executive. The college would very much like to have Mr. Dwyer reappointed, and President Katt has written to Mr. Hein requesting such reappointment. Hopefully we may have a resolution for the June meeting.

The Committee discussed the June meeting which is now scheduled for Wednesday, June 5<sup>th</sup>. With the public hearing scheduled for the following week, Chairman Harris said there may be some date change, depending upon other factors and if so, everyone would be advised in a timely manner.

**Resolutions** : None

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#### **CORNELL COOPERATIVE EXTENSION OF ULSTER COUNTY**

**Report by** : Lee Reidy, Executive Director

**Report** : Ms. Reidy said the June 1<sup>st</sup> Centennial Celebration of Cooperative Extension would be held in Kingston Plaza from 11:00am to 3:00pm with Opening Ceremony at 12:00noon. There will be activities for children, live bands, pigeon release, hula hooping, food, etc. She said the merchants in the plaza are really supporting this and also said there would be a tent set up in the morning where the Plant Swap & Sale will be held. She also discussed the upcoming Golf Tournament on May 16<sup>th</sup> at Apple Greens as well as the bus trip to the Brooklyn Botanical Gardens. The Master gardeners will be hosting perennial Workshop at SUNY Ulster's Xeriscape Garden on Saturday, May 18<sup>th</sup>. The cost is \$15.00 but each person will bring home several nice perennial plants. For the fall, the annual Harvest Festival is scheduled for September 21<sup>st</sup> and 22<sup>nd</sup> at the Ulster County Fairgrounds. She will have more details as time gets closer. Ms. Reidy said it has been a perfect spring for fruit trees and it should be a great growing season.

At this time Ms. Reidy introduced Melinda Herzog, FCS Team Leader with Cooperative Extension who discussed the benefits of physical exercise for at least 10 minutes, three times a week. She introduced Stacey Kraft, Public Health Education Coordinator, Health Education Unit of the Ulster County Health Department. Ms. Kraft and Ms. Herzog distributed a booklet on Stretch Band Exercise Guide for Adults and led the Committee and others present on a 10-15 minute session of stretch band exercises. Chairman Harris asked Ms. Kraft if this program was available through Office for the Aging and she said it was.

**Resolutions** : None

## ULSTER COUNTY OFFICE OF VETERANS' SERVICES

**Report by** : Steven Masee, Director

**Report** : Mr. Masee reported that the Federal VA has been increasing its footprint in Ulster County by way of HUD vouchers for veterans only, which program had never been available in this area before last year. Also, he said, they are doing more with less in transportation of veterans to the VA in Albany. The vehicles are going every day and by different routes with 50% more ridership but with using 22% less fuel. Savings comes from using smaller vehicles for smaller groups. Mr. Masee said they took in an Intern from SUNY Ulster Social Science program who worked with him on researching the number of veterans in the New Paltz and Highland areas who might need the bus service to the Albany VA. These are veterans who formerly went to Castle Point.

On the subject of WW II veterans, they are not sure how many there are still in the county. There is a program called "The Honor Flight" which brings these vets down to Washington all expenses paid to see the WW II Memorial. The problem is locating them. Also last year Veterans' Services established a cold weather closet which distributed about half of its inventory of winter coats to veterans last year.

Mr. Masee discussed the veteran's residence on Wurts Street which the county now owns and listed some of the work that needs to be done. He said there have been many veterans who have volunteered to help and/or be involved in this facility so there will be an Advisory Committee. Mr. Crannell said the County Executive has said he will appoint Chairman Harris and Leg. Donaldson to this Committee.

In other matters, Mr. Masee said he is looking for funding for a new wheelchair van. Also discussed were improvements to the veteran's section of the New Paltz Rural Cemetery, much of which are being done by a volunteer committee. He also said the Veterans' Memorial currently at the Flatbush Avenue property is being relocated to the National Guard Armory on Manor Avenue. He hopes to have the work done for a Veterans' Day dedication.

Leg. Gregorius asked about availability of the plots at the New Paltz Cemetery and Mr. Masee said space wise it is fine but the contract for the number of plots per year had to be redone. In response to a question from Chairman Harris, Mr. Masee said all the graves still used the flat black grave markers. Chairman Harris, for the benefit of Legs. Wawro and Lopez explained the history of the veterans' cemetery. Mr. Masee said there are about 8-15 burials per year and in New York State the average cost of a grave opening is \$600-\$650. Mr. Crannell said they are looking at the whole process of veterans burials, indigent burials in particular. There are other factors to consider.

**Resolutions:** None

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## DUTCHESS COUNTY ARTS COUNCIL

**Report by** : Eve Madalengoitia

**Report** : Ms. Madalengoitia said there were 24 applications. These were reviewed by the independent volunteer review panel, recommendations made and again reviewed by the Dutchess Co. Arts Council Allocation Committee which made further recommendations. Final review and approval was made by the full DCAC Board of Directors and the award recipients have just been notified and their contracts sent out. Leg. Gregorius suggested having the recipients come to a full meeting of the Legislature or to a press conference. A discussion of timing and

logistics was had. Mr. Crannell said the Ulster County Executive's Arts Award is presented in August. Chairman Harris said we will try and go with the July session of the Legislature.

Ms. Madalengoitia said that their main focus so far had been on capacity building and marketing; however, there are other smaller programs that have been applying for more concrete assistance. She said The Dutchess County Arts Council will be doing an extensive cultural plan encompassing both counties and this will help tell us where we should be looking to concentrate our efforts in the future.

**Resolutions:** None

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### **OLD BUSINESS:**

Chairman Harris asked Mr. Melville, Observer for the League of Women Voters if he would like to speak and Mr. Melville said he was still working on food insecurity in Ulster County, including the Federal Farm Bill and the SNAP (food stamp) Program.

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### **MOTION #1**

All Legislators now being in attendance who had been present at the April meeting of this Committee, and a quorum being present, Chairman Harris asked for a motion to approve the minutes of the April 10, 2013 meeting.

<b>Text of Motion :</b>	To approve the Minutes of the meeting of this Committee of April 10, 2013
<b>Motion Made :</b>	Leg. Lopez
<b>Seconded :</b>	Leg. Gregorius
<b>Voice Vote :</b>	Yes
<b>In Favor :</b>	Chairman Harris, Leg. Gregorius, Leg. Lopez
<b>Opposed :</b>	None
<b>Abstained :</b>	Leg. Donaldson and Leg. Wawro
<b>No. in Favor :</b>	3
<b>No. Opposed :</b>	0
<b>No. Abstained :</b>	2
<b>Disposition :</b>	The motion to approve the Minutes of this Committee of April 10, 2013 was approved as presented.

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### **ADJOURNMENT MOTION #2:**

There being no further business before this committee, on motion duly made by Leg. Lopez and seconded by Leg. Wawro, and carried, Chairman Harris declared the meeting duly adjourned at 6:25pm.

Dated the 15<sup>th</sup> day of May, 2013  
Janet Salanitri, Recorder  
Minutes Approved on June 5, 2013

# Public Works & Capital Projects Committee

## Regular Meeting Minutes

**DATE & TIME:** May 1, 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, John Parete and Kevin Roberts  
**ABSENT:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:**

**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 April 3<sup>rd</sup> meeting.  
**Motion Made By:** Legislator J. Parete  
**Motion Seconded By:** Legislator Maloney  
**Roll Call Vote:** No  
**Voting In Favor:** Fabiano, Briggs, Maloney, John Parete and Roberts  
**Voting Against:** None  
**No. Of Votes In Favor:** 5  
**No. Of Votes Against:** 0  
**Disposition:** Motion Passes

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### RESOLUTIONS:

#### MOTION NO. 1      **DRAFT Resolution No. 0234, May 14, 2013**

**Text Of Motion:** RESOLVED to approve Draft Resolution No. 0234 – Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Renewal Agreement With Bernard A. Smith d/b/a/ Van Dale Properties For A Fabrication Facility To Be Used By The Ulster County Department Of Public Works – Department Of Public Works (Buildings and Grounds).

**Resolution Summary:** The Chairman of the Ulster County Legislature is hereby authorized to enter into a lease renewal agreement, and any amendments thereto, with Bernard A. Smith d/b/a/ Van Dale Properties, for space located at 316 Van Dale Road, West Hurley, New York, for a term of three (5) years commencing July 1, 2013 and ending June 30, 2018, at an annual cost of \$90,876.00, as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney.

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

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

**Roll Call Vote:** No  
**Voting In Favor:** Fabiano, Briggs, Maloney, John Parete and Roberts  
**Voting Against:** None  
**No. Of Votes In Favor:** 5  
**No. Of Votes Against:** 0  
**Disposition:** Motion Passes

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**DISCUSSION:**

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

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

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There being no further business before the meeting, on the motion duly made by **Legislator Maloney**, seconded by **Legislator Roberts**, and carried, the meeting adjourned at 5:05 pm.

**Dated the 1<sup>st</sup> day of May 2013**  
**Franklin R. Reggero, Committee Clerk**  
**Minutes Approved on: June 5, 2013**

## Social Services Committee

### Regular Meeting Minutes

**DATE & TIME:** April 29, 2013, 6:30 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, COB, Kingston, NY  
**PRESIDING OFFICER:** Chairman Mary Wawro  
**LEGISLATIVE STAFF:** Deputy Clerk Krista Barringer  
**PRESENT:** Legislators Hector S. Rodriguez and Craig Lopez  
**EXCUSED:** Legislator Kenneth J. Ronk, Jr.  
**ABSENT:** Legislator Richard A. Parete  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislative Counsel Erica Guerin and Deputy County Executive Crannell

Chairman Wawro called the meeting to order at 6:41 PM.

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#### **Motion No. 1                      RESOLVED To Approve the Minutes of the Social Services Committee meeting held March 4, 2013**

**Motion Made By:** Legislator Rodriguez  
**Motion Seconded By:** Legislator Lopez  
**Discussion:** None  
**Roll Call Vote:** No  
**Voting In Favor:** Legislators Lopez, Rodriguez, and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Carried

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#### **Motion No. 2                      DRAFT Resolution No. 231 – May 14, 2013**

**Text of Motion:** Resolved to approve Draft Resolution No. 231 -  
Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The New York State Department Of Health For Early Intervention Services – Department Of Social Services

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Lopez

**Resolution Summary:** This Resolution authorizes the Chairman of the Ulster County Legislature to execute an inter-municipal agreement, and any amendments thereto, with the New York State Department of Health, for the Early Intervention Services Program, for the period beginning April 1, 2013 through March 31, 2018, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney.

**Discussion:** Deputy County Executive Crannell offered an overview of the two resolutions specific to the Early Intervention program. He noted this first resolution was standard in nature. He indicated the new resolution was Resolution 232 which established an escrow agreement for the Early Intervention program. He noted previously the Early Intervention program was a 50/50 shared cost program with the State which required the County to pay the providers directly and then chase the third party insurance companies for reimbursement. He reported the State, in a cost saving measure, established a third party administrator who will take over the responsibility to pay the provider directly and chase the third party insurance companies for reimbursement. He noted the third party administrator would ensure the County deposits the gross amount to pay the providers in an escrow account; the third party administrator will pay the provider directly and then seek any possible reimbursement from the third party insurance companies; and then the third party administrator will net out any reimbursements with a report to the County. He indicated the County would then claim up to 49% of the reimbursement.

Legislator Rodriguez asked if the State could dispute the claim for reimbursement. Deputy County Executive Crannell stated the County has had difficulties in getting the third party insurance companies to reimburse for services provided as the companies are denying claims on the basis of not medically necessary or the child not being appropriately identified as needing services. He indicated with a central third party administrator, it was felt these issues can be addressed through negotiation. He noted the similarities with the Medicaid system with the exception of the fact that the County is only charged the net local share and in the Early Intervention program, the County is being charged the gross amount with a claim to the State Health Department at a later date.

Legislative Counsel Guerin noted in her research that the State would be looking at the average costs for the year and would invoice the County every two weeks based on the estimated amount that would be needed to replenish the escrow account. Deputy County Executive Crannell noted this account would be reconciled at the end of the year based on the reimbursements received from the third party insurance companies.



Legislator Rodriguez queried the total amount to be deposited in the escrow account. Deputy County Executive Crannell replied there was no set amount but it was felt the approximate amount would be still in the parameters of what has been budgeted.

Legislator Lopez clarified the program is still the same but that the claim processing was different. He asked about the amount expended in the past. Deputy County Executive Crannell replied the amount was budgeted for approximately \$1.8 million. He noted it was difficult to budget for this program in the past as it was not a consistent population. He noted the program is currently serving a lower number of children since last year.

Legislator Lopez asked if there was a criteria to determine the success of the providers services. Deputy County Executive Crannell stated this was a Federal program and the regulations were with the Feds. He stated this was a program to identify the developmental disabilities in children as early as possible. Chair Wawro noted the County had an Early Intervention Program that oversees the providers.

Deputy County Executive Crannell noted the County's decision to run the Early Intervention Program in conjunction with the Pre-School Education program.

<b>Roll Call Vote:</b>	No
<b>Voting In Favor as amended:</b>	Legislators Lopez, Rodriguez, and Wawro
<b>Voting Against:</b>	None
<b>No. of Votes in Favor:</b>	3
<b>No. of Votes Against:</b>	0
<b>Disposition:</b>	Carried

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**Motion No. 3**

**Draft Resolution No. 232 – May 14, 2013**

**Text of Motion:** Resolved to approve Draft Resolution No. 232 - Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The New York State Department Of Health As It Pertains To The Fiscal Management And Payment Of Early Intervention Claims – Department Of Social Services

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Lopez

**Resolution Summary:** This Resolution authorizes the Chairman of the Ulster County Legislature to execute an inter-municipal agreement, and any amendments thereto, with the New York State Department of Health for the fiscal management and payments of early intervention claims beginning April 1, 2013, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney.

**Discussion:** Legislator Rodriguez noted this Resolution went along with Resolution 231.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Lopez, Rodriguez, Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 4**                              **Draft Resolution No. 233 – May 14, 2013**

**Text of Motion:** Resolved to approve Draft Resolution No. 233 - Amending The 2013 Ulster County Budget In Order To Appropriate Unused Funds – Department Of Social Services

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Lopez

**Resolution Summary:** This Resolution amends the 2013 Ulster County Budget to CREATE the Appropriated Reserve – DSS Donations budget line (A3-2600-9992 ) and INCREASE AMOUNT to said line by \$1,335.00 and the (A4-2600-4028) Other General Supplies budget line by \$1,335.00.

**Discussion:** Legislator Rodriguez noted the total amount was a donation. Deputy County Executive Crannell indicated this Resolution was to ensure the perfecting of the accounting of the dollars. He stated the dollars are donated and distributed in a restricted fashion and that this ensures that they do not get lost at the end of the year in the fund balance.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Lopez, Rodriguez, and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Review of Abstract for May 14<sup>th</sup> Session:**

1. L52-2: Department of Social Services – Multi-County Community Development Corporation

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Lopez

**Discussion:** Deputy County Executive Crannell noted this was a long standing contract with the County.

**Roll Call Vote:** No

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

**Voting Against:** None

**No. of Votes in Favor:** 3

**No. of Votes Against:** 0

**Disposition:** Carried

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**New Business:** None

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**Old Business:**

Chair Wawro noted the Committee is seeking to set a date for an informational tour of Ulster County Child and Family Advocacy Center. Deputy County Executive Crannell indicated the Department would prefer to have the tour later in the afternoon; 3:30ish. Legislators agreed with the two possible dates of Friday, May 10<sup>th</sup> or Friday, May 17<sup>th</sup>. Deputy County Executive Crannell indicated he would confirm the date with the Department and inform Chair Wawro.

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**Adjournment**

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Lopez

**No. of Votes in Favor:** 3

**No. of Votes Against:** 0

**TIME:** 7:00 PM

**Dated the 30<sup>th</sup> day of April, 2013**

**Krista Barringer, Deputy Clerk**

**Minutes Approved on: June 3, 2013**

# Ways & Means Committee

## Regular Meeting Minutes

**DATE & TIME:** May 7, 2013 5:00 PM  
**LOCATION:** Karen L. Binder Library, Sixth Floor, County Office Building  
**PRESIDING OFFICER:** Richard Gerentine, Chairman  
**LEGISLATIVE STAFF:** Franklin R. Reggero  
**PRESENT:** Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.  
**ABSENT:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Bartels; Erica Guerin, Legislative Counsel; Ken Crannell, Deputy County Executive; James Hanson and Lisa Cutten Budget Office; Burt Gulnick, Commissioner of Finance; Sue Plonski and Roland Bloomer, County Attorney Office;

- Chairman Gerentine called the meeting to order at 5:10 PM.
- 

### I. RESOLUTIONS:

**MOTION NO. 1** Draft Resolution No. 0223

**TEXT OF MOTION:** RESOLVED, Adopting Proposed Local Law No. 2 of 2013, A Local Law Amending Local Law No. 10 of 2008.

**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, Maio, Provenzano and Rodriguez.  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 7  
**NO. OF VOTES AGAINST:** 0  
**DISPOSITION:** Motion Passed

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**MOTION NO. 2** Draft Resolution No. 0232

**TEXT OF MOTION:** RESOLVED, Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With The New York State Department Of Health.

**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, Harris, Maloney, Maio, Provenzano and Rodriguez.  
**VOTING AGAINST:** None  
**NO. OF VOTES IN FAVOR:** 7  
**NO. OF VOTES AGAINST:** 0

**DISPOSITION: Motion Passed**

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**MOTION NO. 3**

**Draft Resolution No. 0233**

**TEXT OF MOTION:**

**RESOLVED**, Amending The 2013 Ulster County Budget In Order To Appropriate Unused Funds -- Department Of Social Services.

**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:**

**None**

**VOTING AGAINST:**

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

**NO. OF VOTES IN FAVOR:**

**0**

**NO. OF VOTES AGAINST:**

**7**

**DISPOSITION:**

**Motion Passed**

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**MOTION NO. 4**

**Draft Resolution No. 0234**

**TEXT OF MOTION:**

**RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Renewal Agreement With Bernard A. Smith d/b/a/ Van Dale Properties.

**MOTION MADE BY:**

**Legislator Maloney**

**MOTION SECONDED BY:**

**Legislator Harris**

**DISCUSSION:**

**Chairman Gerentine** calls for further discussion and recognized Mr. Hanson who stated that he would request this resolution be held a week due to insurance concerns.

**Chairman Gerentine** recognized Ms. Plonski who stated that Mr. Smith is unable to provide Ulster County as the additional insured with his current insurance company and that she currently working with the landlord to resolve this issue.

**Chairman Gerentine** recognized **Legislator Provenzano** who stated at what point does the County conduct a cost / benefit analysis on building its own bridge fabrication facility instead of continuing to lease from Mr. Smith. Mr. Hanson stated that the County has conducted a cost / benefit in the past and has always found that this agreement has benefited the County.

**Chairman Gerentine** recognized **Legislator Gregorius** stated that he resides next to this facility and has received several complaints regarding this facility and recommended that a cost / benefit analysis be conducted again to relocate the facility. **Legislator Gregorius** stated that he is not in favor of extending the lease. Mr. Hanson stated that the landlord is \$2.00 per square foot below market rate for leasing to the County and feels that the lease is a benefit to the County to have the facility in its current location. **Legislator Gregorius** stated that he would like to see a comprehensive cost / benefit including travel and equipment costs in addition to the price of building a new facility at the County's expense taken into consideration.

**Chairman Gerentine** motioned to table the resolution until additional information can be provided regarding the insurance and the cost / benefit analysis can be addressed, possibly amending the resolution. Motion seconded by **Legislator Provenzano**.

**ROLL CALL VOTE:**

**No**

**DISPOSITION:**

**Resolution tabled until May 14<sup>th</sup>**

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**MOTION NO. 5** **Draft Resolution No. 0235**  
**TEXT OF MOTION:** **RESOLVED**, Authorizing The Conveyance Of County-Owned Property To The Original Owner – Department Of Finance.  
**MOTION MADE BY:** **Legislator Rodriguez**  
**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, Maio, Provenzano and Rodriguez.**  
**VOTING AGAINST:** **None**  
**NO. OF VOTES IN FAVOR:** **7**  
**NO. OF VOTES AGAINST:** **0**  
**DISPOSITION:** **Motion Passed**

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**MOTION NO. 6** **Draft Resolution No. 0236**  
**TEXT OF MOTION:** **RESOLVED**, Authorizing The Chairman To Execute A License Agreement with James and Andrea Demosthenes For Usage Of County Owned Property For A Patio Project.  
**MOTION MADE BY:** **Legislator Maloney**  
**MOTION SECONDED BY:** **Legislator Gregorius**  
**DISCUSSION:** **Chairman Gerentine** stated that he wanted to verify the insurance coverage by the owner would hold the County harmless in claims against the owner. **Legislator Gregorius** also stated that he shares the same concern.  
**Chairman Gerentine** recognized Counsel Ragucci stated that this was discussed at the last meeting with the County Attorney and further stated in his opinion the current language does hold the County harmless in all claims.  
**Chairman Gerentine** motioned to have resolution tabled until 14 May 2013 so that the insurance terms would be clearer. Seconded by **Legislator Provenzano**.  
**Chairman Gerentine** calls for further discussion, hearing none.  
**DISPOSITION:** Resolution tabled until 14 May 2013

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**MOTION NO. 7** **Draft Resolution No. 0239**  
**TEXT OF MOTION:** **RESOLVED**, Declaring May 15, 2013 "Mayday for Mandate Relief" And Urging The State To Adopt Laws That Do Not Impose Further Fiscal Stress On Local Governments And Taxpayers And Build Upon Recent Efforts To Reform Costly Unfunded Mandates.  
**MOTION MADE BY:** **Legislator Harris**  
**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, Maio, Provenzano and Rodriguez.**  
**VOTING AGAINST:** **None**  
**NO. OF VOTES IN FAVOR:** **7**

NO. OF VOTES AGAINST: 0  
DISPOSITION: Motion Passed

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MOTION NO. 8 Draft Resolution No. 0240

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

DISCUSSION: **Chairman Gerentine** recognized Mr. Hanson to explain an addition to the abstract, L52-3 a contract with Mr. Deegan for real-estate property services regarding 300 Flatbush.

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

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

VOTING AGAINST: **None**  
NO. OF VOTES IN FAVOR: **7**  
NO. OF VOTES AGAINST: **0**  
DISPOSITION: **Motion Passed**

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MOTION NO. 9 Resolution No. 65

TEXT OF MOTION: **RESOLVED**, setting A Public Hearing On Proposed Local Law No. 1 Of 2013 (A Local Law Of The County Of Ulster, New York, Known As The "The Ulster County School-Based Mental Health and Safety Act of 2013"), To Be Held On Tuesday, June 11, 2013 At 6:45 PM.

DISCUSSION: **Chairman Gerentine** motioned to table until 14 May 2013 after the Laws, Rules and Governmental Services has had the opportunity to review the resolution. Seconded by **Legislator Rodriguez.**

**Chairman Gerentine** recognized **Legislator Provenzano** who offered an amendment to Section 4 Administration regarding the annual needs assessment and changing the timeline to 5 years. Seconded by **Legislator Harris.**

**Chairman Gerentine** recognized Mr. Crannell who stated that he has had conversations with the Mental Health Department who also have concerns regarding the annual needs assessment and further recommends that the timeline be adjusted.

**Chairman Gerentine** recognized **Legislator Harris** who stated that he is also concerned about the additional burden to the School districts for the needs assessment annually.

**Chairman Gerentine** asked Counsel Guerin if this Local Law has been reviewed by Counsel; to which Counsel stated yes. **Chairman Gerentine** clarified the legal context in requiring School Districts to conform to County Policy.

**Chairman Gerentine** motioned to make a recommendation to the Laws, Rules and Governmental Services Committee to have the timeline for the needs assessment adjusted. Seconded by **Legislator Rodriguez.**

DISPOSITION: Resolution tabled and referred to Health and Personnel Committee and the Laws and Rules for further discussion.

---

**MOTION NO. 10**

**Resolution No. 115**

**TEXT OF MOTION:**

**RESOLVED**, Rescinding Resolution No. 410 Of December 6, 2006 And Authorizing Ulster County To Pay For The Cost of Election Expenses Thereby Relieving The Various Municipalities Of Responsibility For Payment.

**DISCUSSION:**

**Chairman Gerentine** motioned to table resolution until after the Laws, Rules and Governmental Services Committee meeting. Seconded by **Legislator Rodriguez**.

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

**DISPOSITION:**

Resolution tabled and referred to the Laws, Rules and Governmental Services Committee.

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**II. MISCELLANEOUS DISCUSSION:**

**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 Rodriguez** seconded by **Legislator Gregorius** and carried to adjourn the meeting at 6:01 PM.
- 

Dated the 7th day of May, 2013  
Franklin R. Reggero, Legislative Staff  
Minutes Approved On: June 11<sup>th</sup> 2013 / frr



# Ways & Means Committee

## Regular Meeting Minutes

**DATE & TIME:** May 14, 2013 5:00 PM  
**LOCATION:** Karen L. Binder Library, Sixth Floor, County Office Building  
**PRESIDING OFFICER:** Richard Gerentine, Chairman  
**LEGISLATIVE STAFF:** Franklin R. Reggero  
**PRESENT:** Legislators Gerentine, Maloney, Maio, Provenzano and Rodriguez.  
**ABSENT:** Legislators Gregorius and Harris  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Bartels, Belfiglio, Wishnick; Elliott Auerbach, Comptroller; Langdon Chapman and Chris Ragucci Legislative Counsel; Ken Crannell, Deputy County Executive; James Hanson Budget Office; Burt Gulnick, Commissioner of Finance; Beatrice Havranek, Sue Plonski and Roland Bloomer, County Attorney Office; Sue Ronga, David Bolles and Joe Whitaker, DPW;

- Chairman Gerentine called the meeting to order at 5:10 PM.
- 

### I. RESOLUTIONS:

#### MOTION NO. 1

#### Resolution No. 65

#### TEXT OF MOTION:

**RESOLVED**, setting A Public Hearing On Proposed Local Law No. 1 Of 2013 (A Local Law Of The County Of Ulster, New York, Known As The "The Ulster County School-Based Mental Health and Safety Act of 2013"), To Be Held On Tuesday, June 11, 2013 At 6:45 PM.

#### MOTION MADE BY:

**Legislator Maio**

#### MOTION SECONDED BY:

**Legislator Gerentine**

#### DISCUSSION:

**Chairman Gerentine** recognized **Legislator Provenzano** stated that she has attempted to contact the sponsor regarding feedback from the school districts effected but received no response.

**Chairman Gerentine** introduced a letter from Department of Social Services.

**Chairman Gerentine** recognized **Legislator Rodriguez** who stated that an amendment may be fourth coming to change the assessment timeline.

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

#### ROLL CALL VOTE:

**No**

#### VOTING IN FAVOR:

**Legislator Maio**

#### VOTING AGAINST:

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

#### NO. OF VOTES IN FAVOR:

**1**

#### NO. OF VOTES AGAINST:

**4**

#### DISPOSITION:

Motion Defeated to the floor with non-consent from Ways and Means Committee

---

#### MOTION NO. 2

#### Resolution No. 115

#### TEXT OF MOTION:

**RESOLVED**, Rescinding Resolution No. 410 Of December 6, 2006 And Authorizing Ulster County To Pay For The Cost of Election Expenses Thereby Relieving The Various Municipalities Of Responsibility For Payment.

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

**DISCUSSION:** **Chairman Gerentine** stated his concern with no current appropriations to cover these costs and is uncertain that the County can cover the amount due by municipalities.

**Chairman Gerentine** recognized **Legislator Provenzano** who shared the concern.

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

**ROLL CALL VOTE:** **No**  
**VOTING IN FAVOR:** **Legislator Maloney**  
**VOTING AGAINST:** **Legislators Gerentine, Maio, Provenzano and Rodriguez**  
**NO. OF VOTES IN FAVOR:** **1**  
**NO. OF VOTES AGAINST:** **4**

**DISPOSITION:** Motion Defeated to the floor with non-consent from Ways and Means Committee

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**MOTION NO. 3** **Resolution No. 128**

**TEXT OF MOTION:** **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Renewal Agreement With Bernard A. Smith d/b/a/ Van Dale Properties.

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

**DISCUSSION:** **Chairman Gerentine** recognized **Legislator Provenzano** who stated that she would support an amendment to the resolution that required the County to conduct a detailed cost / benefit analysis for a time in future.

**Chairman Gerentine** recognized Mr. Hanson who stated that he was unable to renegotiate the already below market amount for renting the property and facilities.

**Chairman Gerentine** recognized Mr. Bolles from DPW who explained the benefit to the County of having this facility in its current location.

**Chairman Gerentine** stated that this facility has saved the County millions of dollars because of its location and capabilities. **Legislator Provenzano** stated that during the time of this lease, 5 years, the County should look at a detailed feasibility study for the County owning its own facility.

**Chairman Gerentine** recognized **Legislator Maloney** who asked if Mr. Smith would place the County first on the list if he is considering sale of the property. **Chairman Gerentine** asked Ms. Havranek what the status is with the insurance naming the County as additionally insured. Ms. Plonski added that the contract was amended today to include the \$3,811 increase in money to Mr. Smith to cover liability insurance. Mr. Hanson stated that from the first year forward the County will only be liable for any annual increase to the base amount of \$3,811 with a cap amount of \$6,000. **Chairman Gerentine** motioned to have the County Attorney add language into the contract and lease. Passed with unanimous consent of the Committee.

**ROLL CALL VOTE:** **No**  
**VOTING IN FAVOR:** **Legislators Gerentine, Maloney, Maio, Provenzano and Rodriguez**  
**VOTING AGAINST:** **None**  
**NO. OF VOTES IN FAVOR:** **5**  
**NO. OF VOTES AGAINST:** **0**

**DISPOSITION:** **Motion Passes with a recommendation to have the contract and lease amended.**

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**MOTION NO. 4**

**Resolution No. 130**

**TEXT OF MOTION:**

**RESOLVED**, Authorizing The Chairman To Execute A License Agreement with James and Andrea Demosthenes For Usage Of County Owned Property For A Patio Project.

**MOTION MADE BY:**

**Legislator Maloney**

**MOTION SECONDED BY:**

**Legislator Rodriguez**

**DISCUSSION:**

**Chairman Gerentine** recognized Ms. Havranek who stated that contract needs city government approval, health department approval and the serving of alcohol outside. Ms. Havranek further stated that all of these conditions are addressed in the contract.

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

**ROLL CALL VOTE:**

**No**

**VOTING IN FAVOR:**

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

**NO. OF VOTES IN FAVOR:**

**5**

**NO. OF VOTES AGAINST:**

**0**

**DISPOSITION:**

**Motion Passed**

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**II. MISCELLANEOUS DISCUSSION:**

**Chairman Gerentine** introduced a letter from the personnel department regarding the 30 day termination notice of County employees at Golden Hill. Mr. Crannell stated that he believes the final sale transaction will occur from mid to late summer.

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

- 
- **There being no further business before the Committee, a motion was made by Legislator Rodriguez seconded by Legislator Maio and carried to adjourn the meeting at 5:52 PM.**
- 

Dated the 14th day of May, 2013  
Franklin R. Reggero, Legislative Staff  
Minutes Approved On: June 11<sup>th</sup> 2013 / frr