ULSTER COUNTY LEGISLATURE

MINUTES

July 17, 2012

PUBLIC HEARING

REGULAR MEETING

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: IN HONOR OF CLERK KAREN L. BINDER AT 7:15 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Chairman Terry L. Bernardo

MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES
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CELL PHONES

Please silence cell phones for the duration of Session.

MICROPHONES

Please be reminded to use your microphones when speaking so that you are recorded for the official record.

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

CALL OF THE PUBLIC HEARING BY LEGISLATIVE CHAIRMAN: Amended Proposed Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York, Known As The “Hydraulic Fracturing Brine Prohibition Act”)

PUBLIC COMMENT:

1. **Joan L. Craig** – Thanked Legislator Ken Wishnick together with other members of the Environmental, Energy & Technology Committee. She had 3 comments to make with regard to the Local Law No.1 of 2012 – First – as to 306-6(b) on page 4 second line, eliminate “a determination” and add “authorizations and remedies set forth herein shall be in addition to any other remedies provided for in the contract or otherwise in law or inequity” at end. In 306(b), suggestion to move “add and/or up to fifteen days’ imprisonment” after “$25,000.00.” (Notes provided to Clerk of the Legislature.)

2. **Gilbert Hales** - Spoke in support of the Hydraulic Fracturing Brine Prohibition Act and the adoption of the Law Concerned with contamination of water supplies and desired prohibiting hydro fracturing in any situation that can damage water supplies.

3. **Edmond Haffmans** – Spoke in favor of the Law. Given the amount of substances that are illegal in this company, his feeling was that hydrofracking should be at the top. Wanted a way to test the brine and contents used on the roads.

4. **Elizabeth Suter** – spoke in support of Law. Concerned about Law only restricting sale for use on County roads. Hoped to prohibit use anywhere within the County.
5. **Evie Seidman** of Kingston – Read poem – “Pledge Allegiance to the Earth.”


7. **Jill Obrig** of Marbletown – Distributed *Point of View – Homeowners and Gas Drilling Leases: Boon or Bust?* and *The Case for a Ban on Gas Fracking* on file with the Clerk of the Legislature.

**PUBLIC HEARING ADJOURNED:** Motion to adjourn by Leg.Ronk, seconded by Leg. Donaldson at 7:34 PM

Legislative Session called to order at 7:34 p.m. Legislator Tracey Bartels and County Executive Michael Hine celebrating birthdays. Congratulations to Legislator Belfiglio on his recent nuptials. Leg. Ronk also congratulated Council Langdon Chapman on his birthday.

**MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING -

**COMMUNICATIONS FROM:**

- Cornell Cooperative Extension: Financial Statements, Year-end December 31, 2011
- Robert DiBella, Director UC Transportation: Federal Drawdown-UCAT Grant #NY-90-X668-00
- Federal Drawdown-UCAT Grant #NY-90-X654-00
- Ulster County Workforce Investment Board: February 17, 2012 Minutes
- April 20, 2012 Minutes
- Lyme Disease Advisory Committee: Agenda - April 26, 2012
- Agenda - May 10, 2012
- Hodgson Russ, LLP: UCIDA Central Hudson Gas & Electric Corporation Project
- First Amendment to Payment in Lieu of Tax Agreement
- Children’s Home of Kingston: Spring 2012 Volume 2
- Ulster County Resource Recovery Agency: UCRRA Reports, June 18, 2012
COMMUNICATIONS (continued):

City of Kingston, City Clerk
NYS Attorney General
Congress Companies
Ulster County Resource Recovery Agency
Ulster County Tourism
Catskill Center
Esri News
UCIDA
UC Fire Advisory Board
Central Hudson
NYS Assembly
Family of Woodstock
Ulster County Community Services Board
Catskill Watershed Corporation
Always There
Attilio Contini
NYS Department of Taxation & Finance
Ulster County Chamber of Commerce
Catholic Charities Community Services
NYS Senate

44th Annual Children’s Day Parade
National Mortgage Servicing Settlement – Brochure
Senior Living/Health Care Construction
Flow Control Motion – certified copy
Trending – July 2012
Ulster County Fair 2012
July 21, 2012 Newsletter
Summer 2002
Amendment of Uniform Tax Exemption Policy
Meeting Notice, June 27, 2012 Minutes
NYSDEC Fact Sheet – CH – Kingston Gas Works
States of FEMA Reimbursement
Summer 2012 Newsletter
May 14, 2012 Minutes;
June 18, 2012 Minutes
Adoption of Resolutions 2123, 2125,
2126, 2127, 2128, 2129, 2130, 2131,
2132 and 2133
An Evening in Paris – Sept. 21, 2012,
6 to 10 p.m.
Copy of Letter to Senator Larkin
Resolution No. 82 of 2012 Letter of Receipt
Buy Local Expo – 9/21/2012
Ulster County Fair – 7/30/12 through 8/5/12
School Supply Drive – 6/1 through 7/31
Leadership Development Drive
DragonSearch – 7/11/12
Capture the Catskills Slogan Contest
Letter Introducing Services to the Legally Blind in Dutchess & Ulster
Letter re: Order on Consent
COMMUNICATIONS (continued):

Ulster County Mental Health Association
Ulster County Attorney

COUNTY EXECUTIVE COMMUNICATIONS:

Notice of Appointment – Ulster County on the Hudson River Valley Greenway Communities Council – Gregory L. Helsmoortel
Notice of Appointment – Thomas Jackson Acting Director of UC Real Property Tax Service Agency
June 2012 Budgetary Transfers

COMMITTEE REPORTS:

Economic Development & 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 and Means

DATE:

June 6, 2012
June 7, 2012
June 4, 2012
June 5, 2012
June 18, 2012
June 5, 2012
June 6, 2012
June 4, 2012
June 19, 2012
June 27, 2012
July 10, 2012

ANNUAL REPORTS:

Cornell Cooperative Extension

DATE:

2011 Annual Report
PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo granted Privilege of the Floor to Harold Rosenkranse, Past Vice-Commander of the American Legion Department of New York, and a Member of the Rosendale/Tillson American Legion Post 1219, who made a presentation on a proposed Ulster County Mini-Park for Veterans. Introduced John Nilsen, Commander of Post 1219 of the American Legion in Rosendale/Tillson. Written statement outlining presentation of Mr. Rosenkranse, including Favor Cards, Mini Park, and cemetery is on file with the Clerk of the Legislature. Invitation was extended to the Legislature to attend Fallen Comrade PFC Douglas L. Cordo at the Lake Katrine American Legion Post 1748.

PUBLIC COMMENT:

Kathy Mihm – Past Clerk of the Ulster County Legislature – Addressed Resolution No. 190 Memorializing Karen L. Binder, Clerk of the Legislature. Ms. Mihm recounted working for three years with Karen Binder and of Clerk Binder’s dedication to her work. Ms. Mihm stated Clerk Binder was a credit to her family and the Legislature.

RESOLUTION NOS: 172 – 188

Leg. Ronk made motion to take Resolution No. 190 out of order, to be read in its entirety.

Resolution No. 190 – Memorializing The Dedicated Service Of Karen . Binder, Clerk of the Ulster County Legislature

The resolution was read in its entirety.

Chairman recognized Leg. for purposes of an amendment to Resolution No. 190. Legislator Provenzano motioned to include “BE IT RESOLVED that the Legislative Library Conference Room on the 6th floor of the County Office Building, 244 Fair St, Kingston, NY, be hereafter known as the “Karen L. Binder Library Conference Room.” Seconded by Legislator Donaldson.

MOTION ADOPTED BY THE FOLLOWING VOTE: AYES: 22 NOES: 0
(Absent: Leg. Richard Parete)
Legs. Aiello, Bartels, Belfiglio, Bernardo, Donaldson, Fabiano, Gregorius, Harris, Lopez, Loughran, Maio, Maloney, J. Parete, Roberts, Rodriguez, Ronk and Wishnick and Gerentine all spoke in memory of Karen Binder with the vote.

**ADOPTED BY THE FOLLOWING VOTE:**  **AYES: 22  NOES: 0**  
(Absent: Leg. Richard Parete)

Motion by Leg. Ronk to take Resolution Nos. 172 – 188 taken as a block with Res. Nos. 173 and 184 to be a Roll Call Vote.

**Resolution Nos. 172-188** were adopted unanimously by the following vote:

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

**Resolution No. 173** – Authorizing The County’s Share Of The Cost Of Right-Of-Way Acquisition In Connection With The Bailey’s Bridge Project, In And For The County Of Ulster, New York, At A Maximum Estimated Cost of $14,610, And Authorizing The Issuance Of $14,610 Bonds Of Said County To Pay The Cost Thereof

**ADOPTED BY THE FOLLOWING VOTE:**

Roll Call Vote -  **AYES: 22  NOES: 0**  (Absent: Leg. Richard Parete)

**Resolution No. 184** – Amended The Annual Salary Of The District Attorney As Required By The New York State Judiciary Law – District Attorney

**ADOPTED BY THE FOLLOWING VOTE:**  **AYES: 21  NOES: 1**  
(Noe: Leg. Roberts) (Absent: Leg. Richard Parete)

**Resolution No. 188** – 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

**ADOPTED BY THE FOLLOWING VOTE:**  **AYES: 21  NOES: 0**  
(1 Abstention – Leg. Wawro)  
(Absent: Leg. Richard Parete)

**MEETING ADJOURNED IN MEMORY OF:**
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Karen L. Binder, Clerk of the Ulster County Legislature

Mary Lempke, Wallkill, NY    Dawn M. Geick, Saugerties, NY
Donald E. Briggs, III, Saugerties, NY    Steven J. Martin, Saugerties, NY
David Corbett, Woodstock, NY    Albert Hanley, Kingston, NY
Elizabeth E. Orr, Kingston, NY    Joan M. Sleight, Port Ewen, NY
Carol A. Ferrante, New Paltz, NY    Edythe Kaplan, Ellenville, NY
Robert Francis Dugan, Jr., Kingston, NY    Barney J. Millens, Kingston, NY
Linda Messenger, Marbletown, NY    George Richard Matthews, Accord, NY
Aurther Sampson, Olive Bridge, NY

MEETING ADJOURNED: 8:25 PM

NEXT MEETING:

A Special Information Meeting of the Ulster County Legislature regarding proposed changes to the Ulster County Charter will be held on Wednesday, July 18, 2012 at 6:00 PM in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

The next Regular Meeting of the Ulster County Legislature will be held on Tuesday, August 14, 2012 at 7:00 PM in the Legislative Chambers.

Resolution Deadline is Wednesday, July 25, 2012 at 12 Noon.