

**Public Works, Capital Projects & Transportation Committee
Regular Meeting Minutes**

DATE & TIME: November 1, 2023 – 6:00 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building, Kingston
PRESIDING OFFICER: Chair Laura Petit
LEGISLATIVE STAFF: Michael Tierney, Senior Legislative Employee
PRESENT: Legislators Erner, Litts, Nolan
ABSENT: Legislator Fabiano
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Manna Jo Greene, Legislator Joe Maloney, Deputy County Executive Amanda LaValle, DPW Director Brendan Masterson, Fleet Manager Kim Millian, DPW Deputy Director Robert Parete, Undersheriff Eric Benjamin

Chair Petit called the meeting to order at 6:37PM and asked Legislator Litts to lead the Committee in the Pledge of Allegiance.

Motion No. 1	Moved to Adopt Minutes of the October 11, 2023 Meeting
Motion Made By:	Legislator Nolan
Motion Seconded By:	Legislator Litts
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0
Disposition:	Minutes APPROVED

Resolutions for the November 14, 2023 Session of the Legislature:

Resolution No. 337 - Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The City Of Kingston, Where The County Is A Subrecipient Of The City’s ARPA-SLFRF Funds, For The Renovation Of Elizabeth Manor, Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: Allocating \$500,000 of ARPA money through the City of Kingston for the renovation of 21 Elizabeth Street for the purposes of creating emergency housing.

Disposition: **NO ACTION TAKEN**

Resolution No. 670 - Authorizing The Issuance Of An Operating Permit To Catskill Mountain Railroad Company Inc. For Use Of The Eastern Segment Of The Ulster And Delaware Railroad Corridor For Tourism Railroad Operations With Revenues To Exceed \$50,000.00 – Department Of Public Works

Resolution Summary: Authorizing The Issuance Of An Operating Permit To Catskill Mountain Railroad Company Inc. For Use Of The Eastern Segment Of The Ulster And Delaware Railroad Corridor

Motion No. 3:
Motion Made By: Legislator Litts
Motion Seconded By: Legislator Erner
Discussion: Legislator Nolan stated that Resolution No. 669 should be considered along with this Resolution as it would require a new RFP. Legislator Litts disagreed. Legislator Nolan stated a new SEQR would have to be conducted and that a one year permit may be acceptable as this is determined rather than a five year permit as presently written and highlighted concerns on the emissions of the current locomotive. Legislator Erner stated that the company should be investing in both a lower emission locomotive and provide for safety improvements at the Washington Avenue crossing. Planner Doyle said the RFP stated a preference for low emission locomotive, but CMRR said a cleaner engine would be prohibitively expensive. Legislator Nolan asked if the railroad stops running on low air quality days and requested that monitors be installed.

Motion No. 4
Motion By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Amended**

Motion No. 5
Motion By: Legislator Litts
Motion Seconded By: Legislator Erner
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Petit
Voting Against: Legislator Nolan
Votes in Favor: 3
Votes Against: 1
Disposition: **Resolution ADOPTED AS AMENDED**

Resolution No. 671 - Authorizing The Issuance Of An Operating Permit To Rail Explorers Corporation For Use Of The Western Segment Of The Ulster And Delaware Railroad Corridor For Tourism Railbike Operations With Revenues To Exceed \$50,000.00 – Department Of Public Works

Resolution Summary: Authorizing The Issuance Of An Operating Permit To Rail Explorers Corporation For Use Of The Western Segment Of The Ulster And Delaware Railroad Corridor For Tourism Railbike Operations

Motion No. 6	Moved Resolution for DISCUSSION
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Litts
Discussion:	Legislator Nolan stated the vendor has made considerable effort to minimize noise and disruption. Legislator Maloney disagreed. Discussion ensued over the volume of noise created and the time at which the vehicles run.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0
Disposition:	Resolution ADOPTED

Resolution No. 601 - Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The Town Of Hurley, As An ARPA-SLFRF Subrecipient, To Improve The West Hurley Town Park – Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: IMA with the Town of Hurley as part of the ARPA Parks Program.

Resolution No. 602 - Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The Town Of Marlborough, As An ARPA-SLFRF Subrecipient, To Fund Improvements To Young’s Park And Cluett Schantz Park – Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: IMA with the Town of Marlborough as part of the ARPA Parks Program.

Resolution No. 603 - Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The Town of Rosendale, As An ARPA-SLFRF Subrecipient, To Fund Improvements To The Rosendale Community Center Park – Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: IMA with the Town of Rosendale as part of the ARPA Parks Program.

Resolution No. 604 - Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The Town Of Saugerties, As An ARPA-SLFRF Subrecipient, To Fund The Construction Of Pickleball Courts And Access Improvements At 3 Court Drive – Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: IMA with the Town of Saugerties as part of the ARPA Parks Program.

Motion No. 7	Moved to BLOCK Resolution Nos. 601, 602, 603, 604
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Litts
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None

Votes in Favor: 4
Votes Against: 0
Disposition: **Resolutions BLOCKED**

Motion No. 8 **Moved to ADOPT Blocked Resolutions**
Motion By: Legislator Litts
Motion Seconded By: Legislator Nolan
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Nos. 601, 602, 603, 604 ADOPTED**

Resolution No. 658 - Authorizing The Chair Of The Ulster County Legislature To Execute A Lease Agreement With Astor Services For Children & Families For Office Space At The Golden Hill Office Building, Kingston –To Provide Family Mental Health Services To The Community – Department Of Public Works (Buildings & Grounds)

Resolution Summary: Leasing 2,080 square feet of office space at Golden Hill for \$24,936 per annum.

Motion No. 9 **Moved Resolution for DISCUSSION**
Motion By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 659 - Amending Capital Project No. 585 Bridge Substructure Repairs – Amending The 2023 Capital Fund Budget For Construction Of The Rosendale Bridge And Leggs Mills Bridge – Department Of Public Works (Highways & Bridges)

Resolution Summary: Amending Capital Project No. 585 to increase the funding available for construction services for Leggs Mills Bridge in the amount of \$3,475,000.00 and Rosendale Bridge in the amount of \$875,000.00 for a total of \$4,350,000.00.

Resolution No. 661 - Approving The Execution Of A Contract For \$3,070,307.03 Entered Into By The County – Harrison & Burrowes Bridge Constructors, Inc. – Department Of Public Works (Highways & Bridges)

Resolution Summary: Contract for the construction services of the Leggs Mills Bridge in the Town of Ulster.

Resolution No. 662 - Approving The Execution Of A Contract For \$776,776.77 Entered Into By The County – Harrison & Burrowes Bridge Constructors, Inc. – Department Of Public Works (Highways & Bridges)

Resolution Summary: Contract for the construction services of the Keator Avenue Bridge in the Town of Rosendale.

Motion No. 10	Moved to BLOCK Resolution Nos. 659, 661, 662
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Litts
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0
Disposition:	Resolutions BLOCKED

Motion No. 11	Moved to ADOPT Blocked Resolutions
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Litts
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0
Disposition:	Resolution Nos. 659, 661, 662 ADOPTED

Resolution No. 663 - Amending Capital Project No. 628, Galeville Bridge Replacement, Town Of Shawangunk For Construction Services, And Amending The 2023 Capital Fund Budget – Department Of Public Works (Highways & Bridges)

Resolution Summary: Amending Capital Project No. 628 for construction services and construction inspection services for the Project in the amount of \$5,800,315.00 for a total project cost of \$5,910,315.00

Resolution No. 665 - Approving The Execution Of A Contract For \$4,689,315.00 Entered Into By The County – Bette & Cring, LLC– Department Of Public Works (Highways & Bridges)

Resolution Summary: Contract for construction services for the replacement of the Galenville in the Town of Shawangunk.

Motion No. 12	Moved to BLOCK Resolution Nos. 663, 665
Motion By:	Legislator Litts
Motion Seconded By:	Legislator Nolan
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0

Disposition: **Resolutions BLOCKED**

Motion No. 13 **Moved to ADOPT Blocked Resolutions**
Motion By: Legislator Litts
Motion Seconded By: Legislator Nolan
Discussion: Legislator Erner inquired why the cost for these projects increased. Deputy Director Parete stated it was for design and inspection services.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution Nos. 663, 665 ADOPTED**

Resolution No. 666 - Approving The Execution Of A Contract Amendment For \$40,000.00, Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00, Entered Into By The County – Southeast Mechanical Corporation – Department Of Public Works

Resolution Summary: Contract for construction services for the replacement of the Galenville Bridge in the Town of Shawangunk.

Motion No. 14 **Moved Resolution for DISCUSSION**
Motion By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 667 - Setting Additional Requirements In Relation To Capital Project No. 678, The Purchase And Acquisition Of Real Property Located At 1711-1715 Ulster Avenue For Warehouse, Storage, And Office Space, To Address Existing Single Family Occupied Dwelling

Resolution Summary: Setting the intention to subdivide 1711-1715 Ulster Avenue once purchased by the County.

Motion No. 15 **Moved Resolution for DISCUSSION**
Motion By: Legislator Litts
Motion Seconded By: Legislator Erner
Discussion: Chair Petit and Legislator Maloney justified the introduction of the Resolution. Legislator Nolan stated zy could not support this and did not feel it was appropriate to contact a tenant of property looking to be purchased. Legislator Erner said as written there was no guarantee that if the property was sold the tenants could stay in the apartment due to the County’s failure to pass Good

Cause Eviction. Legislator Maloney said that if the County is claiming to prioritize housing, the County should not be decreasing the housing inventory converting this property into an office. Legislator Litts stated this Resolution merely states intention and no subdivision would move forward until the County owned the property. Legislator Erner stated he would be in favor of the Resolution if the last Resolved was removed and motioned to amend accordingly.

Motion No. 16

Motion By:

Motion Seconded By:

Discussion:

Voting in Favor:

Voting Against:

Votes in Favor:

Votes Against:

Disposition:

Moved to AMEND Resolution No. 667

Legislator Erner

Legislator Litts

Legislator Maloney stated he supports the removal.

Legislators Erner, Litts, Nolan, Petit

None

4

0

Resolution AMENDED

Motion No. 17

Motion By:

Motion Seconded By:

Discussion:

Voting in Favor:

Voting Against:

Votes in Favor:

Votes Against:

Disposition:

Moved to ADOPT RESOLUTION AS AMENDED

Legislator Erner

Legislator Litts

None

Legislators Erner, Litts, Petit

Legislator Nolan

3

1

Resolution ADOPTED AS AMENDED

Resolution No. 668 - Amending The 2023 Ulster County Budget – Clarification And Correction Of Settlement Between The County Of Ulster And The Ulster County Civil Service Employee Association, For The Period Of January 1, 2021 Through December 31, 2023

Resolution Summary: This Resolution seeks to raise the compensation of the Buildings and Grounds Employees by 5.70 per hour to match the raise given to other Department of Public Works Employees effective December 31, 2021.

Motion No. 18

Motion By:

Motion Seconded By:

Discussion:

Moved Resolution for DISCUSSION

Legislator Litts

Legislator Erner

Legislator Maloney justified the introduction of this Resolution.

Legislator Litts inquired how many employees received the

raise. Legislator Maloney stated 160 employees. Central Auto

Director Millian stated that the Fleet Management employees did

not receive this raise. Deputy Executive LaValle stated that the

Executive was not in favor of this and referred to the ongoing

Compensation Study a number of times and stated that the

Legislature has no role in CSEA contract negotiations. Legislator Litts asked if these are civil service titles, if this Resolution superseded New York State Civil Service Law. Deputy Executive LaValle answered in the affirmative for both. Legislator Litts asked if this raise would take any employees outside of grade range. There was no answer from Legislators or the Executive on that question. Legislator Maloney stated the Legislature did this same process for UCAT Employees in 2021. Legislator Nolan stated zy would like to see this postponed until more information can be provided and made the motion accordingly.

Motion No. 19

Motion By:

Motion Seconded By:

Discussion:

Voting in Favor:

Voting Against:

Votes in Favor:

Votes Against:

Disposition:

Moved to POSTPONE Resolution No. 668

Legislator Nolan

Legislator Erner

None.

Legislator Nolan

Legislators Erner, Litts, Petit

1

3

Motion DEFEATED

Discussion Continued:

Legislator Maloney referred to the agreement stating, “across the board,” to which Deputy Executive LaValle stated that only applied to CDL drivers. Legislator Nolan reiterated zyr earlier statement that the Legislature should not be involved in CSEA negotiations. Chair Petit called the question on the Resolution.

Voting in Favor:

Legislators Erner, Litts, Petit

Voting Against:

Legislator Nolan

Votes in Favor:

3

Votes Against:

1

Disposition:

Resolution ADOPTED

Resolution No. 669 - Amending Resolution No. 488 Of 2015, Establishing A Policy For “Rail with Trail” Along The County-Owned Ulster And Delaware Railroad Corridor

Resolution Summary: This

Motion No. 20

Motion Made By:

Motion Seconded By:

Discussion:

Moved Resolution for DISCUSSION

Legislator Litts

Legislator Erner

Discussion ensued between Legislators, Kevin Smith of the Trails Advisory Committee and the Director of the Catskill Mountain Railroad regarding the feasibility of sharing the right of way for both the use of a connecting trail to the Ashokan Rail Trail and the railroad. Legislators indicated they would like to see the re-establishment of the TRAC Committee to further discuss this issue.

Disposition: **NO ACTION TAKEN**

Resolution No. 676 - Establishing The Ulster County Fleet Management Review Committee

Resolution Summary: Establishing The Ulster County Fleet Management Review Committee to update the Fleet Management Policy.

Motion No. 21

Moved Resolution for DISCUSSION

Motion By:

Legislator Erner

Motion Seconded By:

Legislator Litts

Discussion:

Legislator Maloney justified the introduction of this Resolution and cited recent news articles about the number of vehicles being taken home by County Employees. Legislator Maloney stated that concern mostly lies with DPW's use of take home vehicles rather than the Sheriff or District Attorney take home vehicles. Deputy Executive LaValle stated the Executive's opposition to the formation of this Committee. Legislator Litts stated that the Legislature is the policy making body and it is the Legislature's obligation to review and make updates to existing policies on take home vehicles. Legislator Nolan cited the geographic size and ruggedness of her district and the County as a whole for the necessity of take home vehicles as a means of faster response time.

Voting in Favor:

Legislators Erner, Litts, Petit

Voting Against:

Legislator Nolan

Votes in Favor:

3

Votes Against:

1

Disposition:

Resolution ADOPTED

Resolution No. 309 - Placing A Spending Cap Of \$XX,XXX,XXX.00 On All Costs Related To The Proposed Government Operations Center At Paradies Lane In New Paltz

Resolution Summary: Placing A Spending Cap Of \$XX,XXX,XXX.00 On All Costs Related To The Proposed Government Operations Center At Paradies Lane In New Paltz

Disposition: **NO ACTION TAKEN**

Resolution No. 364 - Establishing A Restricted Capital Reserve Fund For The Government Operations Center Of The County Of Ulster Under Section 6-C Of The New York State General Municipal Law

Resolution Summary: Establishing A Restricted Capital Reserve Fund For The Government Operations Center

Disposition: **NO ACTION TAKEN**

Resolution No. 425 - Establishing A Policy To Liberalize Access To Public Spaces For Survival

Resolution Summary:

Motion No. 22

Motion By:

Motion Seconded By:

Discussion:

Moved Resolution for DISCUSSION

Legislator Erner

Legislator Nolan

Legislator Litts stated that this is a security issue, and that a better framing of this idea would be for the County to develop tiny homes in vacant parcels as supportive and emergency housing, rather than leave buildings unlocked or pay to staff county buildings overnight, and stated that he cannot support any Resolutions that do not have the financial impact measured. Legislator Nolan stated that zy would like to see the sponsor withdraw this Resolution. Chair Petit disagreed and stated that a vote should be taken. Legislator Erner requested postponement as he would like the conversation to continue.

Motion No. 23

Motion By:

Motion Seconded By:

Discussion:

Moved to POSTPONE Resolution No. 425

Legislator Erner

Legislator Nolan

Chair Petit stated that these and the following Resolutions have been on the agenda for months without action and votes should be taken.

Voting in Favor:

Legislators Erner, Litts, Nolan

Voting Against:

Chair Petit

Votes in Favor:

3

Votes Against:

1

Disposition:

Resolution POSTPONED

Resolution No. 433 - Urging The Governments Of The State Of New York And The United States Of America To Establish Fossil-Fuel-Free State And Federal Public Transportation Services

Resolution Summary: Memorializing Resolution asking the federal government for more public transportation systems on currently private freight infrastructure.

Disposition:

WITHDRAWN BY SPONSOR

Resolution No. 464 - Establishing A Public-Transportation Level-of-Service Policy

Resolution Summary: This Resolution requires UCAT to provide regular fixed-route and paratransit service such that the public may attend all Sessions of the Legislature, guaranteeing that the day's last run on each regular fixed-route bus line in the municipality where the Session took place, as well as that any paratransit riders' return trip, shall depart no earlier than half-an-hour following the end of the Session.

Motion No. 24

Motion By:

Motion Seconded By:

Moved Resolution for DISCUSSION

Legislator Nolan

Legislator Erner

Discussion: Legislator Litts stated that he cannot support any Resolution that does not have an estimated financial impact statement.

Motion No. 25 **Moved to Postpone Resolution No. 464**
Motion By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Petit, Nolan
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolution No. 468 - Amending The 2023 - 2028 Capital Improvement Program - Amending Capital Project No. 645 – Renovation Of 21 Elizabeth Street – Elizabeth Manor Emergency Housing

Resolution Summary: Removing funding from Capital Project No. 645.

Disposition: **NO ACTION TAKEN**

Resolution No. 551 - Setting A Public Hearing On Proposed Local Law No. 11 Of 2023, A Local Law Providing For The Protection Of Vulnerable Road Users Bill Of Rights At Trail Crossings, To Be Held On Wednesday, December 6, 2023 At 6:00 PM

Resolution Summary: Setting A Public Hearing On Proposed Local Law No. 11 Of 2023

Motion No. 26 **Moved Resolution for DISCUSSION**
Motion By: Legislator Erner
Second By: Legislator Nolan
Discussion: Legislator Erner explained what an Idaho stop is. Legislator Litts said this law is in violation of both the state and federal MUTCD. Legislator Erner stated Sections 1 through 4 are not enforceable.
DISPOSITION: **NO ACTION TAKEN**

Resolution No. 552 - Establishing A Policy To Replace Conventional Toilets With Composting Toilets At County Facilities

Resolution Summary: Establishing A Policy To Replace Conventional Toilets With Composting Toilets

Motion No. 27 **Moved Resolution for DISCUSSION**
Motion By: Legislator Nolan
Motion Seconded By: Legislator Erner
Discussion: Legislator Nolan stated that the county should study the feasibility of compost toilets at outdoor facilities rather than office buildings. Legislator Greene stated there are many local

examples of success on the implementation of compostable toilets.

Motion No. 28	Moved to POSTPONE Resolution No. 552
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Erner
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0
Disposition:	Resolution POSTPONED

Resolution No. 597 - Establishing A Policy To Expand Paratransit Services - Department Of Public Transportation

Resolution Summary: Setting a policy to expand paratransit services to within ¼ mile of fixed bus routes.

Resolution No. 598 - Requiring Establishment And Maintenance Of Periodic Bus Stop Markers - Departments Of Public Transportation And Public Works

Resolution Summary: Setting a policy to require UCAT and DPW to install bus stop markers along fixed routes.

Resolution No. 599 - Amending Resolution No. 553 Of 2022 To Clarify And Expand Requirements Of Public Notification Of Changes To Ulster County Area Transit Bus Routes And Schedules

Resolution Summary: Requiring that UCAT shall update the public on changes to routes in a timely manner in both English and Spanish.

Motion No. 29	Moved to BLOCK Resolution Nos. 597, 598, 599
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Erner
Discussion:	Legislators Litts and Nolan reiterated their earlier statements about needing to know the full cost of these programs before they could vote on them. Legislator Erner thanked UCAT for updating their website.

Motion No. 30	Moved to POSTPONE Blocked Resolutions
Motion By:	Legislator Nolan
Motion Seconded By:	Legislator Litts
Discussion:	None.
Voting in Favor:	Legislators Erner, Litts, Nolan, Petit
Voting Against:	None
Votes in Favor:	4
Votes Against:	0

Disposition:

Resolution Nos. 597, 598, 599 POSTPONED

Adjournment:

Motion By:

Legislator Litts

Motion Seconded By:

Legislator Nolan

TIME:

9:51 PM

Minutes Approved:

December 11, 2023

Respectfully Submitted By:

Michael Tierney, Senior Legislative Employee