

Ways & Means Committee Regular Meeting Minutes

DATE & TIME: December 19, 2017 – 5:00
LOCATION: KL Binder Library, 6th Floor, County Office Building,
244 Fair Street, Kingston, NY
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Amber Feaster
PRESENT: Legislators Thomas Briggs, Chris Allen, Carl Belfiglio,
Mary Beth Maio, and James F. Maloney
ABSENT: Legislator Tracey Bartels
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Jonathan Heppner and Hector Rodriguez; Nicholas Pascale, Legislative Counsel; Ken Crannell, Deputy County Executive; Burt Gulnick, Commissioner of Finance; Beatrice Havranek, County Attorney; Jennifer Clark and Marie Bing, County Attorney; Chris White, Planning; Rick Remsnyder, Director of Tourism; Elliot Auerbach, Comptroller; Legislator Elects Brian Woltman and Kathy Nolan; Kevin Smith, Woodstock Land Conservancy & Friends of Catskill Mountain Rail Trail; Lee Kalish, Resident; John Grossbohlen, City of Kingston Complete Streets Adv. Council

- **Chairman Gerentine called the meeting to order at 5:08 PM**
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Motion No. 1: To discuss Resolution No. 374 - Amending Resolution No. 319 Of 2001, Amending The Policy Of The County Of Ulster With Regard To Project Labor Agreements, as Amended

Resolution Summary: This Resolution establishes that it is the policy of the County of Ulster that in all construction projects where the estimated total of construction contracts for an individual project is equal to or exceeds \$5,000,000.00, and the project requires the services of three or more contractors for completion, the Purchasing Director and appropriate Department Head shall initiate a Due Diligence Study to explore and consider using project labor agreements to reduce construction costs, avoid delay claims, and potential litigation, when the use of a project labor agreement is rationally based upon reasons in the public interest promoted by the competitive bidding statues, and that upon completion of each Due Diligence Study, the findings of said study and recommendation of the Purchasing Director and Department Head are filed with the Clerk of the Legislature subject to review and ratification by the Legislature.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Belfiglio

Discussion:

Chairman Gerentine explained that in prior discussions on the Resolution, it was asked of Nicholas Pascale, Legislative Counsel, to create an amendment to the policy that would be amenable to all parties involved, and that, unfortunately, the attempted amendments were unable to please all parties. Further, Chairman Gerentine stated that he understands the County Executive's concerns, but that he feels this policy is necessary. Nicholas Pascale gave a brief history of the policy, explaining that the existing policy dates back to 2001 which was a pre-charter era, that he worked with Chris Ragucci, Minority Counsel, that the two of them heard input from the Committee and from Department Heads which resulted in language that essentially provides a waiver to the policy if a reasonable basis is articulated. Moreover, Mr. Pascale explained that he received an opinion from the County Attorney saying that, in her opinion, this language allowing for the waiver opportunity intrudes on the County Executive's operations functions. Committee members and Mr. Pascale discussed the proposed amendments, asking why the waiver is perceived as an intrusion on operations. Beatrice Havranek, County Attorney, explained that it is her opinion that under the proposed amendment the Director of Purchasing has to request permission from the Legislature for the waiver, but that the Director of Purchasing works for the County Executive and that the County Executive's power should be over the Director of Purchasing, further stating that if the waiver is taken out, she believes the contents become an issue of policy rather than one of charter. Discussion pursued on the differences of opinions on the Resolution, the Legislature's power as provided by the Charter, and the duties and authority of the County Executive.

Motion No. 2: To amend Resolution No. 374 - Amending Resolution No. 319 Of 2001, Amending The Policy Of The County Of Ulster With Regard To Project Labor Agreements, as Amended

Motion Made By: Legislator Belfiglio
Motion Seconded By: Legislator Maio

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Amended

Motion No. 3: To approve Resolution No. 374, as Amended - Amending Resolution No. 319 Of 2001, Amending The Policy Of The County Of Ulster With Regard To Project Labor Agreements, as Amended

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

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 4: To discuss Resolution No. 456 - Adopting Proposed Local Law No. 10 Of 2017, A Local Law Amending Local Law No. 7 Of 2008 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The “Cold War”)

Resolution Summary: This Resolution approves the adoption of Proposed Local Law No. 10 of 2017, pending the approval of the County Executive, assigns a local law number consecutive to the last local law adopted and approved in 2017.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 5: To approve Resolution No. 467 - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Dutchess Tekon Industries Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Dutchess Tekon Industries, Inc. for HVAC repairs for various County owned buildings from January 1, 2018 through December 31, 2019 for \$135,000.00.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Belfiglio

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 6: To approve Resolution No. 468 - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Barone Construction Group Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Barone Construction Group, Inc. for general contractor services and electrical services related to the ADA compliance upgrades from November 1, 2017 through December 31, 2018 for \$636,996.00.

Motion Made By: Legislator Belfiglio
Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 7: To approve Resolution No. 469 - Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Ashley Mechanical Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract amendment with Ashley Mechanical, Inc. to extend the term of agreement through December 31, 2018 and to increase funding for boiler repair and preventive maintenance at the Law Enforcement Center for an additional \$30,656.00, making the contract total \$101,624.00.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Allen

Discussion: Belfiglio confirmed that this contract amendment is for a boiler replacement in the Law Enforcement Center.

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0

Disposition: Approved

Motion No. 8: To approve Resolution No. 486 - Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Lothrop Associates LLP– Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract amendment with Lothrop Associates LLP to expand the architect’s scope of work to include bid through construction phase services for an additional \$64,900.00, making the contract total \$99,900.00.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 9: To approve Resolution No. 489 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Cubic Inc. – Department Of Tourism

Resolution Summary: This Resolution approves the execution of a contract amendment with Cubic, Inc. to exercise an option to extend the term of the agreement for full services advertising through December 31, 2018 for an additional \$313,852.00, making the contract total \$602,704.00.

Motion Made By: Legislator Maloney

Motion Seconded By: Legislator Briggs

Discussion: Chairman Gerentine confirmed that the Legislative Fiscal Analyst circulated information relating to this contract amendment and asked if there were any questions regarding this information.

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 10: To approve Resolution No. 490 - Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Creighton Manning Engineering LLP– Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract amendment with Creighton Manning Engineering LLP to extend the term of agreement through July 1, 2018 for design work related to the rehabilitation of the Wallkill Bridge and increase costs related to inspection services for an additional \$36,000.00, making the contract total \$297,000.00.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Belfiglio

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 11: To approve Resolution No. 493 - Establishing Capital Project No. 513 – Equipment and Facility Upgrades – Amending the 2017-2022 Ulster County Capital Improvement Program - Amending The 2017 Capital Fund Budget – Ulster County Area Transportation (UCAT)

Resolution Summary: This Resolution establishes Capital Project No. 513 for equipment and facility upgrades including the installation of a bus wash to prolong the useful life of the County’s fleet at an estimated cost of \$180,000.00, the purchase and installation of electronic fare collection systems at an estimated cost of \$275,000.00, the installation of informational kiosks at an estimated cost of \$5,000.00, and the re-pavement of the Ulster County Area Transit’s parking lot at an estimated cost of \$139,940.00. Additionally, this Resolution amends the 2017-2022 Ulster County Capital Improvement Program for the addition of said project and amends the 2017 Ulster County Capital Fund Budget accordingly.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 12: To approve Resolution No. 494 - Authorizing The Purchase Of Transit Equipment And The Reconstruction Of A Parking Lot, For Ulster County Area Transportation (UCAT) Of The County Of Ulster, New York, At A Maximum Estimated Cost Of \$599,940.00, And Authorizing The Issuance Of \$599,940.00 Serial Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$599,940.00 in serial bonds for the purpose of funding Capital Project No. 513 for transit equipment and facility upgrades.

Motion Made By: Legislator Belfiglio

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 13: To approve Resolution No. 495 – Establishing Capital Project No. 514 – Purchase of Mass Transit Buses – Amending the 2017 Capital Fund Budget – Ulster County Area Transportation (UCAT)

Resolution Summary: This Resolution establishes Capital Project No. 514 as part of the Public Transportation Modernization and Enhancement Program for the purchase of one 40' bus for an estimated cost of \$475,000.00 and one 35' bus for an estimated cost of \$412,912.00, with funding sources of 100% State. Additionally, this Resolution amends the 2017 Ulster County Capital Fund Budget accordingly.

Motion Made By: Legislator Belfiglio

Motion Seconded By: Legislator Briggs

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 14: To approve Resolution No. 496 - Authorizing The Purchase Of Mass Transit Buses, For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$1,837,909.00, And Authorizing The Issuance Of \$1,837,909.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$1,837,909.00 in serial bonds for the purpose of funding Capital Project No. 514 for the purchase of Mass Transit Buses.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 15: To approve Resolution No. 501 - Authorizing The Purchase Of The County's Share Of The Acquisition Of An Agricultural Conservation Easement Or Rights Of Interest In Such Land, For The Preservation Of Open Space And Farmland, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$129,000.00, And Authorizing The Issuance Of \$129,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the purchase of the County's share of the acquisition of an agricultural conservation easement on approximately 32.02 acres of farmland located in the Town of New Paltz for a maximum estimated cost of \$129,000.00, and authorizes the issuance of serial bonds for said purpose.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 16: To approve Resolution No. 503 - Establishing Capital Project No. 479 - Ulster County Midtown Linear Park (PIN 8761.82) - Authorizing The Chairman Of The Ulster County

Legislature To Execute Agreements, Certifications And Reimbursement Requests For Federal Aid On Behalf of Ulster County With The New York State Department Of Transportation For Funding Engineering Phase – Declaring Intent To Act As Lead Agency (SEQRA)– Department Of Planning

Resolution Summary: This Resolution establishes Capital Project No. 479 for the Ulster County Midtown Linear Park, provides funding for only the engineering and right-of-way incidental work for an estimated cost of \$165,000.00, and amends the 2017 Ulster County Capital Fund Budget accordingly.

Motion Made By: Legislator Maloney

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 17: To approve Resolution No. 504 - Authorizing Preliminary Engineering And Incidental Right-Of-Way Costs For The Ulster County Midtown Linear Park, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$165,000.00, And Authorizing The Issuance Of \$165,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$165,000.00 in serial bonds for Capital Project No. 479 for engineering and incidental right-of-way costs for the Ulster County Midtown Linear Park.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 18: To approve Resolution No. 514 - Amending Capital Project 439 – Rehabilitation Of The Wallkill Bridge – Amending the 2017-2022 Capital Program - Department Of Public Works (Highways & Bridges)

Resolution Summary: This Resolution amends Capital Project No. 439 to increase funding by \$51,000.00 due to unanticipated field conditions which have impacted the overall construction duration requiring an increase to construction and construction inspection costs, resulting in a total project cost of \$2,276,000.00. Additionally, this Resolution amends the 2017 Ulster County Capital Fund Budget accordingly.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 19: To approve Resolution No. 515 - Authorizing The Issuance Of An Additional \$51,000.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Reconstruction Of Wallkill Bridge, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of \$51,000.00 in serial bonds for Capital Project No. 439 due to unanticipated field conditions which have resulted in increased funding needs.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 20: To approve Resolution No. 516 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With Town Of Hardenburgh For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to execute an Inter-municipal Shared Services Agreement, and any amendments thereto, with the Town of

Hardenburgh for performance by the Town of summer light maintenance, snow plowing, sanding, and salting of a 6.2-mile length of County Road 102, and a 3.77-mile length of County Road 7A, and a 1.73-mile length of County Road 145, for the period October 1, 2017 through September 30, 2020 for \$83,615.00 of 2018 appropriation dollars and a total contract cost of \$255,895.00.

Motion Made By: Legislator Maloney

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 21: To approve Resolution No. 517 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Shared Services Agreement With Town Of Shandaken For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to enter an agreement with the Town of Shandaken for the performance of snow plowing, sanding, and salting for the period from October 1, 2017 through September 30, 2020 for \$24,000.00 of 2018 appropriation dollars and a total contract cost of \$72,000.00.

Motion Made By: Legislator Briggs

Motion Seconded By: Legislator Allen

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 22: To approve Resolution No. 518 – Establishing Capital Project No. 516 – Ulster County Clerk Mobile Department Of Motor Vehicle (DMV) Bus – Amending The 2017-2022 Ulster County Capital Improvement Program – Amending The 2017 Ulster County Capital Fund Budget – Ulster County Clerk’s Office

Resolution Summary: This Resolution establishes Capital Project No. 516 for the Ulster County Clerk's Mobile DMV Unit for \$260,000.00, amends the 2017-2022 Ulster County Capital Improvement Program for said project, and amends the 2017 Capital Fund Budget accordingly.

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

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 23: To approve Resolution No. 519 - Authorizing The Purchase Of A Mobile Office For The Department Of Motor Vehicles, For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$260,000.00, And Authorizing The Issuance Of \$260,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution approves the issuance of \$260,000.00 in serial bond proceeds for Capital Project No. 516 for the Ulster County Clerk's Mobile DMV Unit.

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

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 24: To approve Resolution No. 523 - Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of Criminal Justice To Accept Grant Funds For Detective Division Overtime Reimbursement – Sheriff's Office

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to enter into an agreement, and any amendments thereto, with the New York State Division of Homeland Security and Emergency Services for the purpose of Ulster County's participation in the New

York State Operation Red Team Project # SH16-1088-SHSP, for the period August 1, 2017 through November 30, 2017 in the amount of \$3,119.00.

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

Discussion: None

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 25: To approve Resolution No. 524 - Authorizing The County Executive To Execute An Agreement With Dutchess County For The Provision Of Reciprocal Conflict Defense – Public Defender’s Office

Resolution Summary: This Resolution authorizes the County Executive to execute an agreement, and any amendments thereto, with Dutchess County for the purpose of providing reciprocal conflict defense for indigent defendants in Ulster and Dutchess Counties for the term beginning January 1, 2018 and ending December 31, 2018 for a total salary and benefits cost of \$35,806.00 annually, resulting in \$29,839.00 in 2018 appropriation dollars, and amends the 2018 Ulster County Budget accordingly.

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Belfiglio

Discussion: Legislator Belfiglio informed the Committee that the position starts in March of 2018 and that the 2018 appropriation is pro-rated accordingly, which explains why the total salary and benefits is greater than the total 2018 appropriation.

Voting In Favor: Legislators Gerentine, Briggs, Allen, Belfiglio, Maio, and Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

New Business: None

Old Business: None

Chairman Gerentine asked if there was any other business or questions. There being no further business before the Committee, a motion was made to adjourn.

Adjournment

Motion Made By:	Legislator Briggs
Motion Seconded By:	Legislator Belfiglio
No. of Votes in Favor:	6
No. of Votes Against:	0

Time:	5:28pm
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Respectfully submitted:	Amber Feaster
Minutes Approved:	February 6, 2018