

ULSTER COUNTY LEGISLATURE

KENNETH J. RONK, JR. Chairman
JAMES F. MALONEY, Vice Chairman
MARY BETH MAIO, Majority Leader
HECTOR S. RODRIGUEZ, Minority Leader
VICTORIA A. FABELLA, Clerk



P.O. Box 1800
KINGSTON, NEW YORK 12402
Telephone: 845 340-3900
FAX: 845 340-3651

MINUTES

AUGUST 16, 2016

REGULAR MEETING

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:02 PM

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENT MEDITATION:

Led by Eagle Scout Devin Joseph Egan. Devin is a member of Troop 195, BSA, Modena, New York, who was recognized for attaining the rank of Eagle Scout at his Court of Honor ceremony on July 31, 2016 at St. Charles Borromeo Church Hall in Gardiner, New York. Devin's Eagle Scout Project included raising funds and insulating a new meeting room for the Plattekill United Methodist Church in Modena. Devin was presented a Pride of Ulster County Award at his Court of Honor.

ANNOUNCEMENTS

AUGUST SESSION THEME: Recognizing National Health Center Week – Celebrating America's Health Centers: Innovators in Community Health, August 7 – August 13, 2016.

Ulster County is blessed with hundreds of Health Care teams who are prepared for everything from life threatening emergencies to long term rehabilitation. This month we salute our Health Care Professionals serving our residents from the Ellenville Regional Hospital in the west to the Northeast Center for Rehabilitation and Brain Injury in the east and all of the amazing facilities in between. Hats off to these dedicated professionals.

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

CELL PHONES

Please silence cell phones for the duration of the Session.

MICROPHONES

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

ROLL CALL: Present: 21 Absent: 2 (Legislator Mary Beth Maio)
(Legislator R. Parete arrived 7:11 PM)

BIRTHDAYS:

Legislator Mary Wawro, August 20th

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

Minority Leader Hector Rodriguez motioned, seconded by Majority Whip Carl Belfiglio to dispense with the reading of the minutes of the previous meeting. All in favor.

COMMUNICATIONS FROM:

Ulster County Chairman

UC Clerk of the Legislature

Planning Dept. Christopher White

State of NY Office of the Attorney General
Legislator John Parete

Legislator Richard Parete

Press Release, Ulster County Fair 8/2-8/7
Press Release, Esopus Creek Strainer
Legal Notice to City, Towns & Villages
Proposition Relocate Family Court to
Town of Ulster
Hudson Valley Rail Trail West: Phase 4
Public Hearing Transcript & Exhibits
Pursuant to Eminent Domain Procedure
Law
Eminent Domain Deposit Notification
Letter to NYS Comptroller, Mid-Hudson
Region Economic Profile Evaluations
Letter to Senator Gillibrand, Coast Guard

COMMUNICATIONS (continued)

Legislator's Craig Lopez and Thomas Briggs
Legislator Carl Belfiglio
Legislator Manna Jo Greene
First Coast Guard District, Craig Lapiejko

UC Comptroller's Office, Elliott Auerbach

NYS Comptroller, Thomas DiNapoli
UC Dept. Of Finance, Commissioner Gulnick
State of New York, Dept. of State
UC Regional Chamber of Commerce

UC Traffic Safety Board
Youth Board Committee
SCOPE, Ulster County, Santos Lopez
Office of the State Comptroller, Mitchell Morris
Cornell Cooperative Extension of Ulster County
ProAct, Inc.
County News
Charles Davenport, TPP Free Hudson Valley
NYSAC

Town of Shandaken, Supervisor Stanley
Town of Rochester, Clerk Kathleen Gundberg

UC Personnel Department
Peter Baker
UC Attorney, Beatrice Havranek

UC Tourism Department
Johanna Winer

Press Release, Nevele Prosport Project
Narcan Esopus Training Article
Photos of Rail Removal Ref. Res. 275
Federal Register Notice, Anchorage
Grounds, Hudson River Feedback
Guidelines to Submit Comments
Mgmt. Letter Review Report, 7/21/16
Memorandum, Technology Disaster Plan
Sizing Up Ulster-Economic Region
Profile
Press Release UC Sales Tax Revenue
On the Rise: UC Sales Tax Revenue
Special Report: Mid-Hudson Region
UC Comptroller Mgmt. Report Review
Local Law 2, 3 & 4 of 2016 Filed 7/19
Ribbon Cutting Savor Beauty & Spa 8/5
Ribbon Cutting Star Gas 8/6/16
Ribbon Cutting Residence Inn 8/4/16
Ribbon Cutting Smorgasburg 8/6/16
Ribbon Cutting Saug. Pharmacy 8/18/16
August 2016 Chamber News
Minutes, 6/6/16, Attendance Sheet 7/18
Minutes, May 19, 2016
Firearms Facts Educational Event 7/27
Sales Tax Certificate Correction 7/8/16
UC Fair 8/2-7 Brochure
UC Discount Card Utilization Report
Vol. 48, Nos.14, 15, 16
Orange County Anti-TPP Resolution
2016 Fall Seminar 9/19-21/2016
Letter, Electronic Waste Grants
13th Annual Shandaken Day, 8/27/16
Notice of Public Hearing LL#3-2016
9/1/16 7PM, Town Hall, Accord
Civil Service Exam Announcements
Huffington Post Blog U&D Railway
Notification of Wetland Activity,
Pantherkill Rd., Town of Shandaken
July 2016 County Litigation
Trending Brochure, August 2016
Thank You Note

COMMUNICATIONS (continued)

NYS Dept. Taxation & Finance
Shadowland Stages
UC Dept. of Public Works, Comm. Plonski
Central Hudson
Town of Wawarsing Supervisor Leonard Distel

Bardavon, Exec. Director Chris Silva
Associated Builders & Contractors, Inc. (ABC)
League of Women Voters
NYS Dept. of Taxation & Finance, Real Property
Vassar Brothers Medical Center

List 2016 State Equalization Rates
8-Track 70s Music 8/12-9/11/16
Tourist Railroad Permits East & West
July 2016 Brochure
Certified Resolution No. 38
Consolidated Funding Application
Thank You UPAC Appropriation
Letter, Project Labor Agreement (PLA)
August Commentator Calendar, Website
List Certified 2016 Equalization Rates
Groundbreaking Ceremony 9/13/16
Diamond Gala 2016, 9/17/16 Hyde Park

COUNTY EXECUTIVE COMMUNICATIONS:

Press Release, Multi-Year Permit CMRR
Press Release, UC Job Campaign Launch
Budgetary Transfers July 2016

COMMITTEE REPORTS:

DATE:

Economic Development, Tourism, Housing,
Planning & Transit
Economic Development Special Meeting
Energy & Environment
Government Efficiency and Review
Law Enforcement and Public Safety
Laws and Rules, Governmental Services

Legislative Programs, Education & Community Services
Public Health and Social Services
Public Works and Capital Projects
Ways and Means

July 5, 2016
July 19, 2016
July 11, 2016
July 18, 2016
July 5, 2016
July 11, 2016
July 18, 2016
July 12, 2016
July 12, 2016
July 7, 2016
July 12, 2016
July 19, 2016

PRIVILEGE OF THE FLOOR:

Chairman Kenneth Ronk granted Privilege of the Floor to the Northeast Center for Rehabilitation and Brain Injury. Mr. Gerry Brooks, Director of the Brain Injury Program shared information on brain injuries and brain injury rehabilitation, including the injuries suffered by those who have survived drug overdose. His comments culminated with a call to action in support of the Brain Injury Association of New York State (BIANYS). Also in attendance was: Administrator Seth Rinn, Director of Medical Records Julie Cole, Case Manager Joanne Liguori, Social Work Director Paula Carberry, Therapeutic Educators Christine Lawlor and Mark Ingolio, and Occupational Therapy Coordinator Annmarie Belfiglio.

The Northeast Center will be participating in The Brain Injury Association of New York State's (BIANYS) March On for Brain Injury - Hudson Valley Walk on August 27, 2016 at The Walkway Over the Hudson, Highland, New York.

PUBLIC COMMENT:

There were (6) speakers signed up for public comment.

1. Frank Azzaro, Kingston: Mr. Azzaro asked for a moment of silence in honor of Madison Creagan, a 14 year old Onteora student who lost her life in an automobile accident. Mr. Azzaro also played a Catskill Mountain railroad video produced by Ryan Lenox from his cell phone in an effort to prevent the removal of rails.
2. William Ford, Kingston: Mr. Ford called out the CEO of the Maritime Commission for brushing off the local communities needs in the name of progress. Mr. Ford spoke out against anchoring barges along the Hudson River carrying 8 million gallons of fracking oil per tanker. The tankers are six-stories high and more than three football fields long. Mr. Ford noted this action will prevent all present and future generations from enjoying the scenic Hudson River as it has been for millions of settlers and tourists as an important part of their heritage since its earliest days. Mr. Ford will be collecting signatures at the Maritime Museum in Kingston, and will forward the petition to the coast guard by the September 7th deadline.
3. William Farrell, Modena: Mr. Farrell endorsed the boy scout and eagle scout programs. Mr. Farrell also shared his experience attending a heroin forum at the Plattekill library. He thanked and urged legislators and others to continue to be involved.
4. Burr Hubbell, Big Indian: Mr. Hubbell spoke regarding litigation between the Catskill Mountain Railroad and Ulster County referencing a provision found in paragraph II. L. Mr. Hubbell asked that railroad volunteers' rights to free speech and association is protected and preserved.

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5. Russ Bonk, Clinton Corners: Mr. Bonk attended the “Building Ulster County Together” breakfast with guest speaker Cynthia Nikitin, Senior VP for Projects and Public Spaces. Mr. Bonk conveyed concern and frustration noting Ms. Nikitin proposals for the Catskill mountains wooded area’s such as signage, black top sidewalks in the woods, outdoor movies in the woods, artwork displays, fake rock climbing walls in the mountains, chess & checkers, shops, blacktop parking lots, bathrooms, skateboard parks, exercise machines, food trucks, etc. would be detrimental to the landscape. Mr. Bonk expressed the Catskill Mountain forest is pristine and doesn’t want to see the county turn it into a three ring circus. He asked that common sense take the upper hand.
6. Christina Gardner, Boiceville: Ms. Gardner also attending the “Building UC Together” breakfast conveyed the same feelings the previous speaker spoke to. The mountains are a place of calm and peace that we need to protect without gadgets or gimmicks.

Please Note: Complete content of the public comment period can be heard on the Ulster County Legislative Website.

**RESOLUTION NOS: 357-362, 365-381, 384 - 386; 131, 364 - NO ACTION TAKEN;
170, 291, 326 & 382 - POSTPONED; 296 & 343 - WITHDRAWN;
363 -DEFEATED**

Resolution No. 131 – Setting A Public Hearing On Proposed Local Law No. 3 of 2016 (A Local Law Protecting Children From Exposure To Toxic Chemicals) To Be Held On Tuesday, May 10, 2016 At 6:00 PM

NO ACTION TAKEN IN COMMITTEE

Resolution No. 364 - Amending The Electric Vehicle Charging Station Policy To Encourage Tourist Use

NO ACTION TAKEN IN COMMITTEE

Resolution No. 170 - Re-Authorizing the Update of the County-Wide Economic Development Strategy Ulster Tomorrow

POSTPONED IN COMMITTEE

Resolution No. 291 - Setting A Public Hearing On Proposed Local Law No. 9 of 2016 (A Local Law Regarding Campaign Finance Reform in Ulster County) To Be Held On Tuesday, September 13, 2016 At 6:05 PM

POSTPONED IN COMMITTEE

Resolution No. 326 - Establishing A Policy For Ulster County Bus Advertising
POSTPONED IN COMMITTEE

Resolution No. 382 - Setting A Public Hearing On Proposed Local Law No. 11 of 2016 (A Local Law Prohibiting Discrimination On The Basis Of Gender Identity At Places Of Public Accommodation, Resort Or Amusement) To Be Held On Tuesday, September 13, 2016 At 6:10 PM
POSTPONED IN COMMITTEE

Resolution No. 296 - Authorizing Pavement Over Existing Rails In Mid-Town Kingston
WITHDRAWN BY SPONSOR

Resolution No. 343 - Authorizing The Acquisition Of Right-Of-Way Interests Over Certain Real Property For The Hudson Valley Rail Trail West: Phase 4 In The Town of Lloyd – Department Of Planning
WITHDRAWN BY SPONSOR

Resolution No. 363 - Approving Ballot Proposition To Be Submitted To The Qualified Voters Of Ulster County Regarding A New Location For Ulster County Family Court
DEFEATED IN COMMITTEE

A motion was made by Minority Leader Rodriguez, seconded by Majority Whip Belfiglio, to move Resolution Nos. 375, 384 and 385 out of the Non-Consent and Late Agenda and into the Consent Agenda. All in favor.

Consent

358 Confirming Appointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

359 Confirming Appointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

360 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

361 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

362 Confirming Reappointment Of A Member To The Environmental Management Council

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

366 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Youth Advocate Programs – Department Of Social Services

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 367 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Alindus, Inc. – Department Of Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 368 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Family Of Woodstock, Inc. – Youth Bureau**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(1 Abstention: Legislator Wawro)
(Absent: Legislator Maio)

- 369 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Family Of Woodstock, Inc. – Youth Bureau**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(1 Abstention: Legislator Wawro)
(Absent: Legislator Maio)

- 370 Approving The Execution Of A Contract Amendment Causing The Aggregate Contract Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Next Step Digital, LLC – Department Of Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 371 Approving The Execution Of A Contract Amendment Causing The Aggregate Contract Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Black Creek Integrated Systems, Corp. – Ulster County Sheriff**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 373 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Gentech, Ltd. – Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 374 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Cornell Cooperative Extension Of Ulster County– Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 377 Establishing Capital Project No. 482- Countywide Radio System – Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 379 Establishing Capital Project No. 483– Fire Training Center – Department of Public Works To Provide for Design and Engineering Work and Seeking Lead Agency Status Under the State Environmental Quality Review Act (SEQRA) (Department of Public Works Buildings and Grounds)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 381 Authorizing The Conveyance Of County-Owned Properties To The Original Owners – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

Non-Consent

- 357 Adopting Proposed Local Law No. 8 of 2016, (A Local Law Prohibiting The Sale And Use Of Sky Lanterns In Ulster County)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislator Bartels)
(Absent: Legislator Maio)

- 372 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – PKF O’Connor Davies, LLP – Legislature**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 3
(Noes: Legislators Bartels, Berky, Rodriguez)
(Absent: Legislator Maio)

375 Issuing Determination and Findings For The Hudson Valley Rail Trail West: Phase 4- PIN 8761.21- in the Town of Lloyd Pursuant to Eminent Domain Procedure Law- Department of Planning

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

376 Creating Two Full Time Deputy Sheriff Positions And Amending The 2016 Ulster County Budget – Ulster County Sheriff

Legislator Gerentine motioned, seconded by Legislator Belfiglio, to strike language in the last WHEREAS, to correct the position title in the last WHEREAS and first RESOLVED, and to add a final RESOLVED as indicated above in bold font.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislator J. Parete)
(Absent: Legislator Maio)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislators Bartels)
(Absent: Legislator Maio)

378 Authorizing The Upgrade To The Countywide Radio System, For The BOND County Of Ulster, New York, At A Maximum Estimated Cost Of \$420,000.00, And Authorizing The Issuance Of \$420,000.00 Bonds Of Said County To Pay The Cost Thereof

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 380 BOND Authorizing Preliminary Engineering And Design For The Fire Training Center, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$152,000.00, And Authorizing The Issuance Of \$152,000.00 Bonds Of Said County To Pay The Cost Thereof**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

Late Resolutions

- 384 Approving The Execution Of A Contract Amendment Causing The Aggregate Contract Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Costanzi Crane, Inc. – Department Of Public Works**

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 385 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Niagra Erecting, Inc. – Department Of Public Works**

MOVED TO CONSENT

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Maio)

- 386 Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Extension Agreement with GD Realty Kingston LLC For Office Space Currently Occupied By The Ulster County Family Court Located At 16 Lucas Avenue, Kingston, New York – Department of Public Works (Buildings And Grounds)**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislator Loughran)
(Absent: Legislator Maio)

Memorializing Resolution

- 365 Opposing The Re-License Of Certain Nuclear Generating Units**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 12 NOES: 9
(Noes: Legislators Belfiglio, Fabiano, Gerentine,
Lapp, Litts, Lopez, Maloney, Roberts and Ronk)
(1 Abstention: Legislator Greene)
(Absent: Legislator Maio)

MEETING ADJOURNED IN MEMORY OF: Read by Legislator Jonathan Heppner.

Christine E. (Maloney) Brady, Colonie, NY	Frank P. Faluotico, Sr., Kingston, NY
Rev. Charles Jeter, Ellenville, NY	Walter C. Maxwell, Kingston, NY
Rebecca J. Teetsel, Kingston, NY	Helen Olson, Tillson, NY
Helen Sleight, Port Ewen, NY	Donald J. DeBrosky, Mt. Marion, NY
George G. Gulbrandsen, New Paltz, NY	Michael E. Donlon, Basking Ridge, NJ
Belcher W. Squires, Vero Beach, FL	George D. Glaser, Kingston, NY
Regina Craft, Ellenville, NY	Mary Feigenbaum, Ulster Park, NY 102yrs.
Evelyn I. Benedict, Wallkill, NY	Edward C. Byrne, Gardiner, NY
Clemente Rodriguez, Plattekill, NY	Charles R. Taylor Jr., Saugerties, NY
Rose M. Buboltz, Kingston, NY	Sandra L. Stephens, Wallkill, NY
Sara Peroni, Highland, NY	Marjorie Ronson Tompkins, Saugerties, NY
Marie Van Duyne, Delmar, NY	Dr. Herbert E. Gade, Kingston, NY
Josephine Pidala, Cold Spring, NY	Cara L. Beruk Hartwell, Kingston, NC
Esther M. Corrado, Marlboro, NY	Jocelyn A. Mayhon, Hurley, NY
Gilbert B. McCord, Pine Bush, NY	Barbara Matthews Newcombe-Weber, Catskill, NY
Dr. Heinz Meng, New Paltz, NY	Madison M. Creagan, West Shokan, NY
James E. Rothlein, Saugerties, NY	Frank H. Yaeger, Saugerties, NY
Mark T. Westinghouse, Saugerties, NY	Patricia V. Buono, Saugerties, NY
John G. Brandow, Kingston, NY	Mary LaMela, Marlboro, NY
Louis F. Clearwater Jr., Saugerties, NY	Hans J. Jensen, Gardiner, NY
Edward J. Booth, Ellenville, NY	

Motion by Legislator Herbert Litts, seconded by Minority Leader Hector Rodriguez to adjourn Legislative Session. All in favor.

MEETING ADJOURNED: 8:23 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, September 20, 2016 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, August 31, 2016 at 12 Noon.**