

**Economic Development, Tourism, Housing, Planning & Transit Committee**

**Regular Meeting Minutes**

**DATE & TIME:** April 1, 2014, 6:30 PM  
**LOCATION:** Karen L. Binder Library, 6<sup>th</sup> Floor, COB, Kingston, NY  
**PRESIDING OFFICER:** Chair Thomas J. Briggs  
**LEGISLATIVE STAFF:** Krista J. Barringer, Deputy Clerk  
**PRESENT:** Legislators James F. Maloney, Chris Allen, Lynn Archer, Herbert Litts, III, Mary Beth Maio, and Hector Rodriguez (arrived 6:36 PM)  
**EXCUSED:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislator Kenneth Wishnick, League of Women Voters Representative Vic Melville, Ulster County Planning Department Deputy Director Chris White, League of Women Voters Representative Tom Kadgen, Ulster County Trails Advisory Committee Chair Steve Rice and member Kathy Nolan, Ulster Publishing Publisher Geddy Sveikauskas, Mid Hudson Limo Owner Eric Cerniglia, Scott L. Sutton Inc. Transportation Owner Scott Sutton, and Casanova Carriage Owner Charles Myers.

Chair Briggs called the meeting to order at 6:30 PM. He noted a request from the League of Women Voters that speakers introduce themselves for the purposes of the audio record.

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**MOTION NO. 1                      RESOLVED To Approve the Minutes of March 4, 2014**

**Motion Made By:** Legislator Archer

**Motion Seconded By:** Legislator Maloney

**Discussion:** None

**Roll Call Vote:** No

**Voting In Favor:** Legislators Allen, Archer, Briggs, Litts, Maio, and Maloney

**Voting Against:** None

**No. of Votes in Favor:** 6

**No. of Votes Against:** 0

**Disposition:** Carried

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**Motion No. 2                      Resolution No. 121 – April 15, 2014**

**Motion Made By:**            **Legislator Maio**

**Motion Seconded By:** **Legislator Maloney**

**Text of Motion:**            **Resolved to approve Resolution No. 121** - Confirming The Appointment Of Lisa Berger As Director Of The Department Of Employment And Training

**Resolution No. 121 Summary:** This Resolution states the Ulster County Legislature hereby confirms the appointment of Lisa Berger to the position of Director of the Ulster County Department of Employment and Training.

**Discussion:**                None

**Roll Call Vote:**                No

**Voting In Favor:**            Legislators Allen, Archer, Briggs, Litts, Maio, and Maloney

**Voting Against:**              None

**No. of Votes in Favor:**        7

**No. of Votes Against:**        0

**Disposition:**                Carried

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**Motion No. 3                      Resolution No. 140 – April 15, 2014**

**Motion Made By:**            Legislator Litts

**Motion Seconded By:** Legislator Allen

**Text of Motion:**            **Resolved to approve Resolution No. 140** - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – VHB Engineering Surveying And Landscape Architecture, P.C. – Planning Department

**Resolution No. 140 Summary:** This Resolution states the Ulster County Legislature has examined the contract, and hereby approves the contract in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney and Legislative Counsel.

**Discussion:**

At the request of additional information from Legislator Archer, Department of Planning Deputy Director White stated this was a contract for the Ulster County Transportation

Council as part of the Unified Planning Work Program. He stated this was Federal pass through funding to benefit the Kingston Greenline Project.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Allen, Archer, Briggs, Litts, Maio, Maloney, and Rodriguez  
**Voting Against:** None  
**No. of Votes in Favor:** 7  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 4                      Resolution No. 141 – April 15, 2014**

**Motion Made By:** Legislator Maloney

**Motion Seconded By:** Legislator Litts

**Text of Motion:**                      **Resolved to approve Resolution No. 141** - Urging The New York State Legislature To Pass Legislation Amending The General Municipal Law And Vehicle And Traffic Law To Authorize Ulster County To Regulate The Registration And Licensing Of Taxicabs, Limousines And Livery Vehicles

**Resolution No. 141 Summary:** This Resolution states the Ulster County Legislature hereby urges the New York State Senate and Assembly to act upon and pass legislation amending the New York State General Municipal Law and Vehicle and Traffic Law to authorize Ulster County to regulate the registration and licensing of taxicabs, limousines and livery vehicles.

**Discussion:**                      Legislator Archer inquired if this was setting up a new county-wide department and who would provide the oversight. Mr. Sutton replied they would develop a mechanism to ensure self-governance of the taxi, limousine, and livery vehicles. Legislator Archer clarified this would mean a new County department. Mr. Sutton replied the State would require standards to show that the industry is being regulated.

Legislator Litts asked if there would be a medallion system similar to the NYC commission. Mr. Sutton indicated there would be the registration of a driver's license as well as a vehicle license which would include stickers indicating registration.

Legislator Litts asked if the registration system would generate cash to operate the system. Mr. Sutton indicated it would. Legislator Maio stated the financial impact indicates there is none.

Legislator Maloney felt there needed to be clarification on the scope of this resolution. Chairman Briggs replied this resolution just put the County in the ballgame.

Mr. Myers discussed his experience at the airports. Legislator Allen asked if this experience was new. Mr. Myers replied the response was due to a recent decision to enforce existing regulations. He spoke about experiences of cars being impounded and towed by the Taxi/Limo Commission (TLC), a law enforcement entity. Legislator Allen felt this was an attempt to force a monopoly. Mr. Myers noted the increased number of NYC taxis seen traveling north on Route 28 transporting airport passengers. Legislator Allen noted this experience was not quid pro quo. Mr. Myers stated the TLC expected northern companies to tag into one of their TLC companies. He noted the establishment of an Ulster County registry would put the NYC taxis in a position to have to deal with the Ulster County TLC.

Legislator Wishnick expressed caution that the establishment of an Ulster County TLC may solve this problem while creating commission rules that are unfavorable to the companies. He suggested ensuring the language of the Ulster County TLC be specific to restrict authority in regulating other rights.

Legislator Rodriguez concurred that the next resolution would be needed at the next stage and at that point the Legislature would need to be specific with the language.

**Roll Call Vote:** No  
**Voting In Favor:** Legislators Allen, Archer, Briggs, Litts, Maio, Maloney, and Rodriguez  
**Voting Against:** None  
**No. of Votes in Favor:** 7  
**No. of Votes Against:** 0  
**Disposition:** Carried

**Motion No. 5                      Resolution No. 142 – April 15, 2014**

**Motion Made By:**            **Legislator Rodriguez**

**Motion Seconded By:** **Legislator Maio**

**Text of Motion:**            **Resolved to approve Resolution No. 142** - Amending The 2014 Ulster County Budget - Appropriating Unexpended Grant Funds From The New York State Department Of State – Department Of Tourism

**Resolution No. 142 Summary:** This Resolution amends the 2014 Ulster County Budget as follows:

	INCREASE	AMOUNT
A4-2800-4553	Other Misc. Contractual	\$26,463.00
A3-2800-3716	State Aid, Tourism Grant	\$26,463.00

**Discussion:** None  
**Roll Call Vote:** No  
**Voting In Favor:** Legislators Allen, Archer, Briggs, Litts, Maio, Maloney, and Rodriguez  
**Voting Against:** None  
**No. of Votes in Favor:** 7  
**No. of Votes Against:** 0  
**Disposition:** Carried

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**Motion No. 6                      Resolution No. 143 – April 15, 2014**

**Motion Made By:**            **Legislator Maio**

**Motion Seconded By:** **Legislator Allen**

**Text of Motion:**            **Resolved to approve Resolution No. 143** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement To Receive Grant Funding From The New York State Environmental Facilities Corporation For Green Infrastructure Elements Utilized In The STRIVE Project – SUNY Ulster Satellite Campus – Department Of Planning

**Resolution No. 143 Summary:** This Resolution authorizes the Chairman of the Ulster County Legislature to execute a Grant Agreement, and any amendments thereto, with the New York State Environmental Facilities Corporation in the sample form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney, as well as any other contracts, documents and instruments necessary to bring about the Project and fulfill the County of Ulster’s obligations under the Green Innovation Grant Program (GIGP) Grant Agreement. In addition, the County of Ulster authorizes the ten percent local match as required by the Green Innovation Grant Program (GIGP) for the STRIVE- SUNY Ulster Satellite College Green Infrastructure, with the source of the local match being private grant contributions received by Ulster County for STRIVE implementation.

**Discussion:**    None.

**Roll Call Vote:**                No  
**Voting In Favor:**            Legislators Allen, Archer, Briggs, Litts, Maio, Maloney, and Rodriguez  
**Voting Against:**            None  
**No. of Votes in Favor:**     7  
**No. of Votes Against:**     0  
**Disposition:**                Carried

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## **Old Business: Ulster County Trails Advisory Committee (Comprehensive Overview)**

Mr. Rice presented the 2013 Annual Report for the Ulster County Trails Advisory Committee. He noted there was no mention of the Catskill Mountain Railroad or the Rosendale Rail trail. He indicated the County was in court on these matters. He stated the Committee received the plan and discussed it but they have no resolution yet accepting it as approved by the Committee. Mr. Rice reviewed the written report (attached to the minutes).

Chairman Briggs asked how the Economic Development, Tourism, Housing, Planning, and Transit Committee can help the Trails Advisory Committee. Mr. Rice replied that they have areas that need money. He indicated a desire for a unified signage program that would designate County and local trails. He stated consistent trail markers could include a railroad historical marker. Legislator Litts advised part of the trail is located in the Catskill Forest Park Preserve and they would require approval of all signage in the Preserve.

Legislator Rodriguez expressed Legislative support of the rail trail and asked what is the discrete opportunities that could be identified that might require County Department assistance. Mr. Rice replied they receive good help from the Planning Department and would seek Legislative support in the future with their visioning for the trail system as it is expected to grow. Department of Planning Deputy Director White indicated the Trails Advisory Committee should be asking the Planning Department directly as they are distinct from this Legislative body.

Ms. Nolan stated there may be projects that require matching money. She noted upon the completion of the pending legal issues with the Catskill Mountain Railroad, the Legislature will be approached for support of the Ulster-Delaware Railtrail. She noted the Catskill Mountain Railroad lease expires in 2016.

Chairman Briggs reminded Mr. Rice and Ms. Nolan of the County's budget process and that it starts in August and September.

Legislator Archer inquired as to the Trails Advisory Committee's outreach and connection to the local communities for possible match opportunities. Ms. Nolan noted all current projects have been down without the need for match funding. Mr. Rice stated the trail managers do their own outreach to the local communities.

Department of Planning Deputy Director White highlighted the four major trail corridors in Ulster County. He stated the County Planning Department would be coming back to the Legislature with a couple of projects including the proposal to connect the Hurley

Railtrail to Kingston which is on the State Transportation Implementation Plan and a request to modify a capital project previously approved by the Legislature.

Legislator Maloney suggested the Trails Advisory Committee reach out to the Industrial Development Agency (IDA) for possible funding.

Ms. Nolan and Mr. Rice discussed the submission of names for the annual resolution to re-establish the Trails Advisory Committee and indicated this information would be provided shortly.

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### **New Business:**

Legislator Litts stated a new Federal regulation from the Food and Drug Agency (FDA) was having an impact on local farms and breweries. He stated the breweries produce a wet grain waste product in their beer production that was similar to the grinding up of stumps. He noted this had become a free source of feed for the local farms, would save the breweries approximately \$8,000 per month in waste disposal fees, and reduce the amount of waste being disposed of locally. He indicated as part of the FDA's update to the Food Safety Modernization Act of 2010, the spent grain must be dried and prepackaged on site in a manner that does not allow human hand contact. He noted that human hand contact was allowed in the production of beer. He felt a possible result of this new regulation would be small breweries going out of business and farmers having to increase the cost of feed also at risk of going out of business. He stated he would like to present something through the Committee. Legislator Allen asked if there was a winder of time for the breweries to deliver the wet grain and still be safe for consumption. Legislator Litts replied the wet grain would mold if left too long and yet would still be safe as animals would not eat something that was not safe. Legislator Wishnick asked about the FDA's rationale for the new regulation and felt that after hearing the rationale, the Committee could then proceed with action accordingly. Legislator Rodriguez inquired as to the Committee action being sought by Legislator Litts and felt a Resolution next month and a letter now to the County's representatives in Congress was in order. Chairman Briggs stated he would have a letter and a resolution prepared for the Committee.

Legislator Rodriguez noted with the conclusion of the New Paltz Park Point issue, the IDA concerns of appointments and a dormitory policy needed to be discussed by the Legislature. He felt the Majority Caucus needed to discuss appointment and to reconsider the dormitory policy. Legislator Maio asked if the Town and the developer worked out the issues. Chairman Briggs stated if the pilot was granted, the Town would not approve the permit and if the pilot was not granted, then the permit would be approved. He expressed his concern regarding possible lawsuits based on this Town

decision and stated he would highlight the IDA concerns to the Legislative Chairman. Legislator Wishnick clarified the New Paltz Planning Board had taken no action and that the issue would be resolved at the Town level on April 7, 2014. He stated with this resolve, the IDA cannot issue a pilot as there would be no SEQRA. He noted Ulster County Resolution #3 of 2014 gave the direction to the Economic Development, Tourism, Housing, Planning, and Transit Committee to oversee the policy and the actions of the IDA. He noted previous Committee discussions have resulted in the understanding of the oversight role being limited to the appointments to the Board. He felt this warranted a Committee discussion of what the Committee's role is regarding the IDA.

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**Adjournment**

**Motion Made By:** Legislator Litts

**Motion Seconded By:** Legislator Maio

**No. of Votes in Favor:** 7

**No. of Votes Against:** 0

**TIME:** 7:19 PM

**Dated the 7<sup>th</sup> day of April, 2014**

**Krista Barringer, Deputy Clerk**

**Minutes Approved on: May 6, 2014**