

**Government Efficiency & Review Committee
Regular Meeting Minutes**

DATE & TIME: May 15, 2017 – 5:30 PM
LOCATION: COB, 6th Floor, Karen Binder Library
PRESIDING OFFICER: Chairman John Parete
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Belfiglio, Briggs, Greene R. Parete and Ronk
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Bartels, Deputy County Executive Ken Crannel, Evan Gallo - Ulster County Comptroller's Office, Kathy O'Connor, Cindy Bell, Jennifer Clark, Jean McGarry, and Susan Holland – League of Women Voters

Chairman J. Parete called the meeting to order at 5:30 PM.

Motion No. 1: Moved to APPROVE the Minutes of the April 17, 2017 meeting
Motion By: Legislator Briggs
Motion Seconded By: Legislator Belfiglio

Discussion: None

Voting In Favor: Legislators Belfiglio, Briggs, Greene, J. Parete, and R. Parete
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Minutes APPROVED

Resolutions for the May 16, 2017 Session of the Legislature:

Resolution No. 223: Requiring The Payment Of A Living Wage To Employees Of Contractors And Sub-Contractors That Provide Services To The County Of Ulster

Resolution Summary: This resolution fixes the compensation of all officers and employees paid from County funds, or, for employees not covered by a collective bargaining agreement, to be no less than \$15 per hour.

Motion No. 2: Moved to POSTPONE Resolution No. 223
Motion By: Legislator Briggs
Motion Seconded By: Legislator Belfiglio

Discussion:

Chairman J. Parete stated that he would like the Resolution postponed until the next month.

Voting In Favor: Legislators Belfiglio, Briggs, Greene, J. Parete and R. Parete
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution **POSTPONED**

Resolution No. 181: Setting A Public Hearing On Proposed Local Law No. 4 Of 2017, A Local Law To Provide For The Collection Of Village Real Property Taxes, To Be Held On Tuesday, June 20, 2017 At 7:25 PM

Resolution Summary: This resolution sets a Public Hearing on Tuesday, June 20, 2017 at 7:25 PM for the purpose of hearing public comment of Proposed Local Law No. 4 of 2017.

Motion No. 3: Moved to **ADOPT Resolution No. 181**
Motion By: Legislator Belfiglio
Motion Seconded By: Legislator Briggs

Discussion:

Chairman J. Parete stated that the Resolution had passed the Ways & Means Committee. Legislator Briggs said that he would be communicating with the officials in the village to assess their support and to identify repeat offenders and evaluate what assistance could be offered to the treasurer. Legislator Belfiglio asked for confirmation that the local law would apply only to delinquent taxes moving forward and was not attempting to recoup back taxes owed. Chairman J. Parete confirmed that was the intent and language of the law. He advised the members that Ellenville Mayor Jeff Kaplan sent a letter to the County Executive and Chairman of the Legislature asking for assistance with delinquent taxes. A copy of the letter was included in the members meeting materials and is attached to these minutes.

The members briefly discussed what the Village of Ellenville has and has not done in order to collect delinquent taxes. The members also discussed various economic development initiatives in Ellenville.

Voting In Favor: Legislators Belfiglio, Briggs, Greene, J. Parete and R. Parete
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 219: Supporting Ulster County's Municipal Consolidation And Efficiency Competition (MCEC) Application As Required By The New York State Department Of State In Submission Of The Grant Application

Resolution Summary: This resolution expresses the county's support for participating in the Municipal Consolidation and Efficiency application as required by the NYS Department of State.

Motion No. 4: Moved to ADOPT Resolution No. 219

Motion By: Legislator Belfiglio

Motion Seconded By: Legislator Briggs

Discussion:

Legislator Belfiglio asked for confirmation that the grant was to be used for the consolidation of the Village of Ellenville and the Town of Wawarsing. Deputy County Executive Crannell responded that the possible Ellenville/Wawarsing consolidation was only a part of the grant application. He added that the application had not yet been submitted to the state. He explained that this will be a multi-phase process; adding that Ulster County was one of only six municipalities in the entire state that qualifies for the \$20 million award. He informed the members that consolidation of certain services in the Village and Town of Saugerties and the Village and Town of New Paltz were also being considered. He informed the members that there were additional shared service initiatives being looked at across the county, including the City of Kingston and UCAT bus transportation services. Legislator Belfiglio requested a copy of the plan and application. Mr. Crannell said the administration would be happy to share it with the Legislature as soon as it was completed.

The members again briefly discussed the benefits of making the Villages, especially Ellenville, whole for delinquent taxes as a part of a shared services model.

Legislator Greene commented that she understood the focus on consolidation of services between villages and towns, and asked if other municipalities were contacted as well. Mr. Crannell explained that the Executive's Office reached out to all municipalities in the county for participation and many, not all, responded. He added that there was a new mandate included in the recently adopted state budget which requires the County Executive to work with all the local officials. He added that another shared services plan must be delivered to the County Legislature by August 1st. He informed the members that a lot of the work that has been done for the grant application will become part of the new shared services plan.

Voting In Favor: Legislators Belfiglio, Briggs, Greene, J. Parete and R. Parete

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: Resolution ADOPTED

Resolution No. 220: Authorizing The Chairman To Enter Into A Contract With New York State Department Of State For The Municipal Consolidation And Efficiency Competition (MCEC)

Resolution Summary: This resolution authorizes the Chairman to enter into a contract with the NYS Department of State in the amount of \$50,000 to engage in preliminary planning, analysis and studying activities related to the MCEC.

Motion No. 5: Moved to ADOPT Resolution No. 220
Motion By: Legislator Briggs
Motion Seconded By: Legislator Belfiglio

Discussion:

Mr. Crannell explained that when the county qualified for the final round of grant applicants \$50,000 was awarded to help with the planning process. The resolution authorizes the Chairman to accept that money.

Voting In Favor: Legislators Belfiglio, Briggs, Greene, J. Parete and R. Parete
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution ADOPTED

Old Business

Resolution No. 411 of 2002 – Authorization to Establish the Ulster County Housing Consortium

Chairman J. Parete informed the members that he has reached out to RUPCO representatives for their thoughts on reviving the Consortium. He added that he felt they should move forward with requesting an RFP for an updated housing study and said he would work with Chairman Ronk to get the process started before budget time.

Legislator Belfiglio commented that he would like other developers in the area to be brought to the table. He added that the county is unquestionably in need of low income and affordable housing. Legislator Greene stated that she understood the reasoning RUPCO provided for the switch to the focus on homelessness, but said she felt the lack of affordable housing opportunities should also be addressed in the county. Legislator Bartels questioned whether a new advisory committee on the subject should be formed. Legislator Greene said she supported a study, but felt that the Consortium should be reactivated and/or reformed and they should weigh in on the information that should be included in the study.

Legislator R. Parete commented that there are laws in Massachusetts that require certain percentages of new developments built be dedicated to affordable and/or low income housing. He added that there are also provisions regarding sale prices within certain time periods. Legislator Belfiglio expressed his concerns about tax exemption for affordable housing complexes. The members discussed that federal and state subsidies would be necessary in order to make construction of affordable housing more appealing to developers. Legislator Greene stated that she would like to see community profiles included in the study as well as a list of solutions that have worked in other communities. Legislator Briggs commented that places like New Paltz, with the ability to rent to college students, will never encourage affordable housing development. Legislator Bartels commented that the example given by Legislator R. Parete about what is done in Cape Cod could be a model for towns to use that would help dissuade NIMBY attitudes and also keep properties on the tax rolls. Legislator R. Parete suggested dedicating the Air BnB tax revenue to communities that favor the development of affordable housing.

Chairman J. Parete said he would discuss starting the RFP process for a study with Chairman Ronk as well as the make-up of a new advisory committee or consortium. Legislator Briggs commented that 15 members was a lot. Legislator Donaldson added that any more than 5-7 members tends to be problematic.

Resolution No. 319 of 2011 – Establishing the Policy of the County of Ulster with Regard to Project Labor Agreements for Construction Projects in Excess of \$1,000,000

Chairman J. Parete informed the members that Purchasing Director Rider had a scheduling conflict and could not attend the meeting, but provided some good information in a letter. The letter was provided to the members. He said Mr. Rider will be invited to the June meeting.

Local Law No. 4 of 2015 - A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Ulster County

Chairman J. Parete reminded the members that Chairman Ronk asked the committee to review the law for its successes. Legislator Belfiglio was asked to look into the matter. He informed the members that a letter was received from Mr. David Rosenberg regarding the adverse effects the law has had on the camp he runs in the Town of Wawarsing. A copy of the letter was provided to the members. He showed the members beverage containers made from coated paper, Styrofoam and other materials and pointed out their weights. Legislator Belfiglio mentioned that a local franchise owner expressed her concerns about not being able to obtain non-Styrofoam containers with the company branding. He added that Styrofoam is available for purchase in Sam's Club and other retailers. He stated that packaging Styrofoam amounts to more Styrofoam than food containers and felt the law was unfairly punishing food establishment owners. Legislator Bartels stated that packaging Styrofoam was investigated during the drafting of the law but was not able to be included because of global manufacturing challenges. She added that she would be in favor of investigating Styrofoam recycling in Ulster County. She informed the members that she spoke to a franchise location in Albany County, which also has a Styrofoam ban, and they were able to obtain non-Styrofoam containers with company branding. Legislator Greene commented that she was pleased with the level of compliance in the county.

Chairman J. Parete said Legislator Belfiglio would continue to look into the effects of the law on businesses and whether any amendments should be considered.

Chairman J. Parete asked the members if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator R. Parete
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 6:36 PM

Respectfully submitted: Jay Mahler, Deputy Clerk
Minutes Approved: June 19, 2017

Village of Ellenville

Government Center
2 Elting Court
Ellenville, New York 12428
Phone: 845-647-7080, Fax: 845-647-7171
www.villageofellenville.com

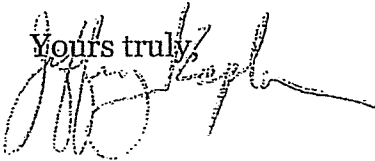
March 28, 2017

Ulster County Executive Michael Hein
P.O. Box 1800
244 Fair Street
Kingston, New York 12401

Dear Executive Hein:

Please be advised at the March 27, 2017 meeting the Village Board voted unanimously to request Ulster County adopt and enforce a policy as of January 1st of a given year, if a property in the Village of Ellenville that is subject to foreclosure in that year, the County will not enter into an installment agreement or accept tax payments unless the taxpayer agrees to resolve their unpaid Village taxes as well.

Yours truly,



Jeffrey Kaplan
Mayor

Xc: Kenneth J. Ronk, Jr., Chairman-Ulster County Legislative

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APR 03 2017

ULSTER COUNTY LEGISLATURE

COUNTY OF ULSTER

PURCHASING DEPARTMENT

244 Fair Street, Third Floor, PO Box 1800
KINGSTON, NEW YORK 12401
(845) 340-3400/FAX (845) 340-3434

MICHAEL P. HEIN
County Executive

MARC D. RIDER
Director of Purchasing



EDWARD M. JORDAN
Deputy Director of Purchasing

MEMORANDUM

TO: MEMBERS OF THE GOVERNMENT EFFICIENCY & REVIEW COMMITTEE
FROM: MARC RIDER, DIRECTOR OF PURCHASING
DATE: APRIL 07, 2017
RE: RE: Project Labor Agreements

I have received your request for assistance with obtaining information pertaining to Project Labor Agreements and Resolution No. 319 of 2001. I have also received your invitation to attend your next meeting on April 17th, 2017. Unfortunately, I leave for vacation on April 7th and will not return until the 18th. As an alternative, I offer this memo for your consideration.

The focus of this memo will be from 2009 until present, as this was when the responsibility for operational oversight transferred from the Legislature to the County Executive. Prior to this period, as you know, the project to build the Law Enforcement Center was done through a Project Labor Agreement. In 2007, a Project Labor Agreement, hereinafter ("PLA") was considered for a construction project at SUNY Ulster, but Resolution 126 of that year indicates that it was found to be unnecessary since the cost of that project was in the \$3.5 million dollar range, which is lower than the value at which most architects or construction managers would consider using a PLA. Instead, that Resolution called for Apprentice Agreement Requirements to be used.

The current policy is for the Purchasing Director and relevant Department Head to do an analysis of whether a PLA should be used. This is a three-step process. First, the type of project is identified and the Purchasing Director, with the advice of the Department Head, determines whether the type of project is conducive to a PLA. Second, an outside consultant, either the architect, engineer, or construction manager, will be asked to do an initial analysis of whether a PLA would benefit the County. This was done for the 2007 SUNY Ulster project. Finally, if the consultant finds that it might be beneficial to use a PLA, a Due Diligence Study will then be ordered by the Purchasing Director.

PLAs are typically only beneficial on projects where there are multiple prime contractors. This is because PLAs help with coordination between the prime contractors and establish rates

for overtime and shift work at the onset of a project. The clear majority of these types of projects involve the construction or renovation of a building. Many of the County's capital projects do not involve this type of work. For instance, out of the 20 capital projects that have met the million dollar threshold since 2009, eight of those projects (Capital Project Numbers 234, 242, 260, 262, 264, 385, 439, and 458) were bridge construction projects. On bridge projects there is typically a single prime, so the benefits of a PLA are not realized. Recognizing the flaw in the 2001 resolution, the Legislature, working with the County Executive, created and unanimously passed Local Law No 15 of 2014. This Local Law requires Apprenticeship Agreements for any bridge related construction project over \$500,000. The law helps retain some of the non-economic benefits of a PLA, such as using a local workforce and ensuring that the work force continues to receive the proper training, even though a PLA would not be appropriate.

There were twelve capital projects that do not relate to bridge construction that met the aforementioned threshold. Five of those projects (Capital Project Numbers 325, 354, 355, 356, and 406) related to storm damage remediation from storms Irene, Lee, and Sandy. This type of project is not appropriate for PLAs as they are also typically done through a single prime, and under very tight time constraints. Three of the projects (Capital Project Numbers 425, 426, and 427) relate to paving asphalt, which is also a type of project that is not conducive to using a PLA because of the use of a single prime contractor.

Capital Project 414, New Paltz Pool Repairs, was done in two phases, neither of which met the threshold independently. This was done so that the pool would be able to open in the Summer of 2016. Even if the project was taken as a whole and not split into phases, it was a single prime contract for each phase, and would not have made it to the second part of the analysis. In fact, none of the projects discussed above made it to the second part of the analysis.

Capital Project Number 370, Satellite Campus at Sophie Finn, which was completed in 2015 was determined to be conducive to a Project Labor Agreement by myself and the Department Heads of Planning and Public Works. The Construction Manager for that project determined that it would not be in the best interest of the County to use a PLA. The criteria for this decision was the size and complexity of the project, the lack of need for overtime or shift work involving weekends, and the requirement from some of the funding sources that required the use of Minority and Women-Owned Business Enterprises. The County followed the recommendation of the Construction Manager and instead included an Apprenticeship Agreement Requirement in the bidding documents.

Capital Project Number 494, BRC Renovations for the Relocation of Family Court, is an ongoing project. In the Request for Proposals for Construction Manager, the Scope of Work section included the analysis for a PLA. The Construction Manager has determined that a PLA might be appropriate for this project and is gathering quotes for a Due Diligence Study. This Due Diligence Study will dictate whether a PLA is used on this project.

Capital Project Number 495, Ashokan Reservoir Rail Trail, is another ongoing project. It has been determined that a Due Diligence Study would be appropriate for this project and I am in the process of gathering three quotes from firms capable of doing the study.

You have requested a listing of all current PLAs. There are currently no PLAs in use. You have requested a listing of all PLAs used since the enactment of this policy. The only PLA that I could find since the enactment of this policy is the PLA used during the construction of the Law Enforcement Center. You have requested the estimation of the current project amount threshold adjusted to reflect any increase in the consumer price index. The current threshold is approximately 1.25 million dollars.

Machine Rav Tov
543 Bedford Avenue
Brooklyn, NY 11211

Kenneth Ronk, Jr., Chairman
Ulster County Legislature
P.O. Box 1800
Kingston, NY 12402

Dear Chairman Ronk,

I am appealing to you to consider amending Local Law Number 4 of 2015 entitled the "Food Service Waste Reduction Act."

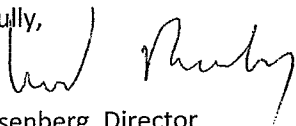
The prohibition of the use of polystyrene foam disposable food service containers has not only created a financial hardship for our camps, but has placed hundreds of campers at risk as a result of inadequate substitutions to serve hot meals in.

We serve hot soup, hot coffee and tea and hot meals on a daily basis. Our attempts to provide an alternative to the foam plates, bowls and cups have resulted in some of our campers experiencing light and medium burns. As a result, our medical staff has cautioned us and recommended that foam substitutes should not be used.

I implore you to consider the health, safety and well being of our children and devise an amendment to the current law that would tolerate us of foam containers under these circumstances.

Thank you.

Respectfully,



David Rosenberg, Director

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ULSTER COUNTY LEGISLATURE

