

ULSTER COUNTY LEGISLATURE

DAVID B. DONALDSON, Chairman
TRACEY A. BARTELS, Vice Chair
JONATHAN R. HEPPNER, Majority Leader
KENNETH J. RONK, JR., Minority Leader
VICTORIA A. FABELLA, Clerk



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

MINUTES

SEPTEMBER 15, 2020

PUBLIC HEARING AND REGULAR MEETING

vimeo livestream <https://livestream.com/accounts/1512750/events/1824203>



Public Comment via Call in Studio. Dial: 205-Ulster-0 (205-857-8370)

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:05 PM

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

Led by Legislator Brian Cahill.

ROLL CALL: Present: 22 Absent: 1 (Legislator Dean Fabiano)

7:07 PM - CALL OF THE PUBLIC HEARING BY CLERK: Application for US Department of Housing Community Development Block Grant Funds (CDBG) Administered by the New York State Office of Community Renewal: PK30 Systems, Inc.

PUBLIC COMMENT: There was one speaker signed up for public comment.

1. Alex Panagiotopoulos, Kingston: (see attached transcript)

Motion by Legislator Litts, second by Legislator Bruno to adjourn the public hearing. All in favor.

PUBLIC HEARING ADJOURNED: 7:09 PM

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BIRTHDAYS:

Legislative Employee, Nettie Tomshaw, September 24th
Minority Leader Kenneth J. Ronk, Jr., September 26th

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

Majority Leader Heppner motioned, seconded by Minority Leader Ronk to dispense with the reading of the minutes of the previous meeting. All in favor.

COMMUNICATIONS FROM:

UC Legislative Chairman, David B. Donaldson

City of Kingston, Office of the Mayor, Steve Noble
UC Attorney, Clinton G. Johnson, Esq.

Concerned Citizens

Kingston Citizen Groups & New Paltz Mayor Tim Rogers

Dept. of Finance, Commissioner Burt Gulnick, Jr.

NYS Ag. & Markets, Jeff Kehoe, Assoc. Envir. Analyst
County News

Tanya Garment, Kingston

Town of Rochester Supervisor Michael Baden

UC Regional Chamber of Commerce

UC Planning Board

UC Tourism Department

UC Community Services Board

UC Department of Public Works

UC Dept. of the Environment

UC Attorney, Clinton Johnson

The Raptis Family

The Hales Family

Press Release, UC Approves Consumer Protection Law

Letter, Disregarding Charter Policy

Letter, Support Kingstonian Pilot Resolution
Commission on Reapportionment

County Litigation, August 2020

(1) Letter of Support Kingstonian

(11) Opposing Tax Break, Kingstonian

Virtual Press Conf. Reject Kingstonian Tax Pilot 9/15, 5:30 PM

IDA Pilot Project Calculations & Payment Sent to School Districts

Notice to Review -Conduct District Review Vol. 52, No. 16 August 2020

FOIL Request and Response

Emergency Order Nos. 13~18-2020

State of Emergency Declaration

Ribbon Cutting, Plaizzata 8/27/20

Marketplace & Eatery 3:30 PM

Ribbon Cutting, UC SPCA 9/1/20

Agenda 9/2/20, Minutes 8/5/20

Trending, September 2020

Special Mtg. Minutes 7/6/2020

Culvert Replmt. Town of Woodstock

2019 Building Energy Report

County Litigation, August 2020

Thank You Note

Thank You Note

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Citizen Action Hudson Valley

Email, UC Jail Report Response

COMMUNICATIONS (continued):

UC Catskill Watershed Corp., Sonia Martinez

Notice of Preliminary Decisions

NYS DEC

Meg Carey

UCRRA, CPA Timothy DeGraff

Dispute Resolution Center (DRC)

UC Legislative Deputy Clerk, Finance

Scenic Hudson, Jess Mullen, Campaign Mgr.

B. Millens Scrapyard Site Kingston

FOIL Request & Response

UCRRA Draft 2021 Budget & Tipping Sch.
Brochures

Review of UC Comptroller Sheriff's 2020
August Audit Report

Cycle of Harm Series Part 3, 9/17 5:30 PM
Danskammer

COUNTY EXECUTIVE COMMUNICATIONS:

Executive Order Nos. 35~41 -2020

State of Emergency Declaration 9/9

Budgetary Transfers, August 2020

Press Release, 2021 Budget Initiatives

ANNUAL REPORTS:

Office of the UC Comptroller

UC District Attorney Office

DATE:

Mid-Year Sales Tax Report

Annual Report 2019

COMMITTEE REPORTS:

Economic Development, Tourism, Housing,

Planning & Transit

Energy & Environment

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

DATE:

August 4, 2020

August 3, 2020

August 5, 2020

August 14, 2020

August 4, 2020

August 3, 2020

August 5, 2020

August 11, 2020

August 13, 2020

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August 18, 2020

PUBLIC COMMENT: There were sixty-two callers, whereas sixty callers made the request to speak regarding next month's agenda item, the Kingstonian project. Two callers therefore spoke regarding tonight's agenda.

(See attached transcript)

1. Rochester Supervisor Michael Baden
 2. Tom Kadgen, Shokan
-

**RESOLUTION NOS: 298, 299, 301 - 313, 315 - 324; 232, 242, 265, 300 – POSTPONED;
266, 314 – WITHDRAWN BY SPONSORS; 240 – OCTOBER INTRODUCTION**

Resolution No. 232 – Calling For Issuance Of Extended Moratorium On Evictions And Rent Relief During State Of Emergency
POSTPONED IN COMMITTEE

Resolution No. 240 -
Requesting The New York State Legislature Introduce, And The Governor Sign, An Amendment To Article 31 Of The New York State Tax Law To Permit The County Of Ulster To Adopt A Local Law To Impose, Collect And Retain A Tax On Real Estate Transfers
FOR OCTOBER INTRODUCTION

Resolution No. 242 – Approving Ulster County's Local Solid Waste Management Plan
POSTPONED IN COMMITTEE

Resolution No. 265 - Establishing A Zero Waste Implementation Plan for Ulster County
POSTPONED IN COMMITTEE

Resolution No. 266 - Setting A Public Hearing On Proposed Local Law No. 11 Of 2020, A Local Law Requiring Naloxone Stations Next To Every Automatic External Defibrillator (AED) Unit At A Public Location, To Be Held On Tuesday, October 20, 2020 At 7:05 PM
WITHDRAWN BY SPONSOR

Resolution No. 299 - Authorizing The Use Of The Tax Stabilization Reserve Fund For COVID-19 Related Expenses
POSTPONED IN COMMITTEE

Resolution No. 300 - Setting A Public Hearing On Proposed Local Law No. 12 Of 2020, A Local Law Amending Local Law No. 4 of 2018, A Local Law Establishing An Ulster County Human Rights Law, To Be Held On Tuesday, October 20, 2020 At 7:00 PM

POSTPONED IN COMMITTEE

Resolution No. 314 - Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Office Of Economic Development
WITHDRAWN BY SPONSOR

A motion was made by Majority Leader Heppner, seconded by Legislator Litts, to move Resolution No. 317 out of the Non-Consent Agenda and into the Consent Agenda. All in favor.

Consent

- 301 Amending The 2020 Ulster County Budget To Include Additional Funding From The New York State Office For The Aging - Office For The Aging**

ADOPTED BY THE FOLLOWING VOTE:

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

- 302 Authorizing The Chair Of The Ulster County Legislature To Execute Grant Agreements And Documents With The Dormitory Authority Of The State Of New York (DASNY) For The Funding And Construction Of A Rooftop Solar Installation At UCAT And Amending The 2020-2025 Capital Program And Establishing Capital Project 574 -Department Of Environment**

ADOPTED BY THE FOLLOWING VOTE:

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

- 304 Authorizing The Chair 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)**

ADOPTED BY THE FOLLOWING VOTE:

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

- 305 An Intermunicipal Shared Services Agreement With Town Of Shandaken For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)**

ADOPTED BY THE FOLLOWING VOTE:

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

- 306 Authorizing A Grant Application To The Federal Transit Administration To Apply, Accept and Administer 5307 Funds Transferred from the Rural Transportation Assistance Program-Section 5311(b)(3) For Operating Assistance And Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements to Accept Funding-Ulster County Area Transit (UCAT)**

ADOPTED BY THE FOLLOWING VOTE:

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

- 307 Adopting The Inclusion Of Additional Lands In Agricultural Districts Within Ulster County As Recommended By The Ulster County Agricultural And Farmland Protection Board – Department Of Planning**

ADOPTED BY THE FOLLOWING VOTE:

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

- 308 Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Homeland Security And Emergency Services For Participation In The Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) Program For Federal Fiscal Year 2020 And Amending The 2020 Ulster County Budget – Emergency Communications/Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

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

- 309 Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement And Any Amendments Thereto, With The New York State Division Of Homeland Security And Emergency Services For FY20 State Homeland Security Program (SHSP) – Emergency Communications / Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

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

- 310 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 Fabiano)

- 311 Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2018 In Rem Foreclosure Proceeding**

ADOPTED BY THE FOLLOWING VOTE:

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

- 312 Accepting The Accounting Of Unpaid School Taxes For The 2020-2021 School Year, Directing Payment To The School Districts And Directing Re-Levying Pursuant To Real Property Tax Law – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

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

- 313 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – The New Paltz Rural Cemetery Association – Veterans Services**

ADOPTED BY THE FOLLOWING VOTE:

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

- 315 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – National Business Equipment, LLC – Information Services**

ADOPTED BY THE FOLLOWING VOTE:

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

- 316 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Freer Abstract, Inc. – Department Of Finance**

ADOPTED BY THE FOLLOWING VOTE:

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

- 317 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management**

ADOPTED BY THE FOLLOWING VOTE:

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

- 318 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – New York Communications Company, Inc. – District Attorney**

ADOPTED BY THE FOLLOWING VOTE:

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

- 319 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Otis Elevator Company – Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

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

- 320 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Energy Management Technologies, LLC – Department Of Public Works**

ADOPTED BY THE FOLLOWING VOTE:

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

- 321 Adopting Proposed Local Law No. 8 Of 2020, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For the County Of Ulster, (Local Law No. 10 Of 2008), To Clarify Budget Modification After Adoption**

ADOPTED BY THE FOLLOWING VOTE:

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

- 322 Adopting Proposed Local Law No. 10 Of 2020, A Local Law Amending Local Law No. 10 of 2015, A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00**

ADOPTED BY THE FOLLOWING VOTE:

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

- 324 Calling For Swift Implementation Of The New York State Drug Take Back Act**

ADOPTED BY THE FOLLOWING VOTE:

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

Non-Consent

298 Authorizing The Chair Of The Ulster County Legislature To Execute An Extension Of The Sales Tax Agreement With The City Of Kingston

Legislator Petit motioned, seconded by Legislator Ronk, to amend the Agreement to insert additional language as indicated in bold font as appended.

MOTION ADOPTED BY THE FOLLOWING VOTE:

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

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

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

299 Authorizing The Use Of The Tax Stabilization Reserve Fund For COVID-19 Related Expenses

Postponed in Committee

303 BOND Authorizing The Construction Of A Rooftop Solar Installation At The UCAT Facility, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$100,000.00, And Authorizing The Issuance Of \$100,000.00 Bonds Of Said County To Pay The Cost Thereof

ADOPTED BY THE FOLLOWING LONG ROLL VOTE:

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

317 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management

Moved to Consent

323 Declaring Intent To Act As Lead Agency Under The State Environmental Quality Review Act (SEQRA) For The Review Of The Draft Ulster County Local Solid Waste Management Plan

Legislator Greene motioned, seconded by Legislator Petit, to refer the Resolution back to the Energy and Environment Committee.

MOTION ADOPTED BY THE FOLLOWING VOTE:

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

REFERRED BACK TO ENERGY AND ENVIRONMENT COMMITTEE

MEETING ADJOURNED IN MEMORY OF: Read by Legislator Albert Bruno.

Barbara “Bobbie” L. Riemer-Valk, Walden, NY	Robert J. Werlau, New Paltz, NY
Deacon Arnold K. Hyland, Saugerties, NY	Christopher A. Burns, Hurley, NY
Dominick D. Spada, Kingston, NY	Mary K. Strothenke, New Paltz, NY
Suzanne L. Simmons, Saugerties, NY	Charlotte M. Garrison, Saugerties, NY
Louis R. Yess, Highland, NY	John Derr, Saugerties, NY
Charles E. Quinn, Saugerties, NY	Fannie Appa, Kingston, NY
Donna A. Boice, Saugerties, NY	Bettie A. Valle, Kingston, NY
Billie Jo Kremper, Kingston, NY	Eddy Constantinou, Kingston, NY
Francis “Pat” J. Houck, Albany, NY	John J. Schaefer, Port Ewen, NY
Beatrice E. Bell, Kingston, NY	Severyn J. Hasbrouck, Jr. Hurley, NY
Eric S. Grassi, Kerhonkson, NY	

Motion by Legislator Litts, seconded by Legislator Bruno to adjourn Legislative Session.
All in favor.

MEETING ADJOURNED: 7:49 PM

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NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on Tuesday, **October 20, 2020 at 7:00 PM**. Further Meeting details shall be forthcoming.

Resolution deadline is Friday, September 25, 2020 at 12 Noon.

ULSTER COUNTY LEGISLATURE



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TRANSCRIPT SEPTEMBER 15, 2020

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Public Comment via Call in Studio. Dial: 205-Ulster-0 (205-857-8370)

7:00 PM

Chairman Donaldson

And we'll start with the budget apply good. Brian done Legislator Cahill, can you meet us on that? And then remain standing for a moment of silence.

Chairman Cahill

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Chairman Donaldson

Alright, be seated. Madam clerk.

Clerk Fabella

Okay, roll call. Archer.

Legislator Archer

Here.

Clerk Fabella

Bartels.

Legislator Bartels

Here.

Clerk Fabella

Bruno

Legislator Bruno

Here.

Clerk Fabella

Cahill.

Legislator Cahill

Here.

Clerk Fabella

Corcoran.

Legislator Corcoran

Here.

Clerk Fabella

Criswell.

Legislator Criswell

Here.

Clerk Fabella

Delaune.

Legislator Delaune

Here.

Clerk Fabella

Donaldson.

Chairman Donaldson

Here.

Clerk Fabella

Fabiano.

Clerk Fabella

Gavaris.

Legislator Gavaris

Present

Clerk Fabella 01:13

Greene.

Legislator Greene

Here.

Clerk Fabella

Haynes.

Legislator Haynes

Here.

Clerk Fabella

Heppner.

Legislator Heppner

Here.

Clerk Fabella

Litts.

Legislator Litts

Here.

Clerk Fabella

Lopez.

Legislator Lopez

Here.

Clerk Fabella

Maio.

Legislator Maio

Here.

Clerk Fabella

Parete.

Legislator Parete

Here.

Clerk Fabella

Petit.

Legislator Petit

Here.

Clerk Fabella

Roberts.

Legislator Roberts

Here.

Clerk Fabella

Ronk.

Legislator Ronk

Present.

Clerk Fabella

Uchitelle.

Legislator Uchitelle

Here.

Clerk Fabella

Walter.

Legislator Walter

Here.

Clerk Fabella

And Wawro.

Legislator Wawro

Here.

Clerk Fabella

Twenty-two present and one absent.

Clerk Fabella

Tonight's public hearing is on: Application for US Department of Housing Community Development Block Grant Funds (CDBG) Administered by the New York State Office of Community Renewal. And this is relation to PK30 Systems, Inc.

Clerk Fabella

And we do have one caller, and I'm sorry, Alex, there's no chance of me getting that last name right. So, Alex, can you say your name for the record, please?

Alex Panagiotopoulos

Alex Panagiotopoulos.

Clerk Fabella

Okay. You're all set. We can hear you.

Alex Panagiotopoulos

Yeah, I just wanted to call in and say that using federal funding for housing is really important. Ulster County has the highest, fastest rising real estate prices in the entire country right now. So, I think that issues like this with housing need to have a much higher priority. We also have the most Airbnb activity of any county in upstate New York, by triple. And on top of that, I know it's not on the agenda tonight, but vote no on the Kingstonian PILOT (Payment In Lieu of Taxes). I think that's a really bad idea. I yield my time.

Clerk Fabella

There are no other speakers signed up for the hearing.

Chairman Donaldson

Alrighty. Can I get a motion to adjourn the meeting? The public hearing?

Legislator Litts

So moved.

Chairman Donaldson

Seconded by Bruno. All those in favor?

Clerk Fabella

Wait! Don't adjourn. Don't take that vote yet. We have... we don't... you didn't take that, right? We have one more speaker who was just added in the last second. That was Jess Mullen. And I want to confirm, Jess Mullen, one that you can hear us, and two that you're here to speak on the public hearing. Hello, Jess, can you hear us? Nope. Oh, Okay, we dropped her. Never mind, then go ahead.

Chairman Donaldson

All right. Again, I'll entertain a motion to adjourn.

Legislator Litts

So moved.

Chairman Donaldson

Alrighty. And Al Bruno did it with his finger rather than unmuting himself. So, we'll accept the finger as the second.

Legislator Bruno

Second it.

Chairman Donaldson

Okay, all those in favor?

Legislative Members

Aye. (22-0)

Chairman Donaldson

We don't have to call roll call again, right? We're just going to go right into the meeting then, correct?

Clerk Fabella

Correct.

Chairman Donaldson

Alrighty, well, I'd like to recognize a couple birthdays. We have legislative employee Nettie Tomshaw, September 24th. And Ken Ronk, September 26th. Very good. Are you... Have you reached thirty yet, Ken?

Legislator Ronk

It never gets old, Dave. It's been 14 years, it never gets old.

Chairman Donaldson

I can't help it. Alrighty. I'll entertain a motion to dispense with the reading of the minutes of the previous meeting.

Legislator Heppner

So moved.

Legislator Ronk

Second.

Chairman Donaldson

Okay. All those in favor?

Legislative Members

Aye. (22-0)

Chairman Donaldson

Opposed?

Chairman Donaldson

There are various communications on file. Take your time to take a look at reading through some of those, along with committee reports. Now we can open up for public comment, is that correct, Madam Clerk.

Clerk Fabella

We, we can. We have lots of calls in there. And it appears that most of them want to speak about items that are not on the agenda. There's fifty-one calls in there. I do want to check one, because I see that Supervisor Baden is on the line. And I want to... there's a chance that could be about an agenda item. So, we're going to try to get him on. So, just give us a second with that.

Chairman Donaldson

John, are you growing a beard or is that your mask? [Laughter]

Legislator Parete

The Lone Ranger. [Laughter]. In case I have to run in the kitchen real quick. I don't want to run into the wrong people out there.

Chairman Donaldson

All right, good.

Legislator Bruno

Take a large pepperoni to go.

Clerk Fabella

Fawn only has ten more calls of the fifty-one left to screen. And so far, they were all for the Kingstonian. So, just proper planning for next month, whether it's in person, or online, it looks like it'll be quite a long meeting.

Legislator Litts

Hey, Dave. Manna Jo has her hand up.

Chairman Donaldson

Yeah, Manna.

Legislator Greene

I think Supervisor Baden is not, you know, is speaking about a relevant issue, are we still going to be able to hear from him?

Chairman Donaldson

Yes.

Clerk Fabella

Yep. Fawn is on.... we can tell Fawn's on the phone with him right now and it looks like he's been moved up so that he can speak.

Legislator Greene

Okay, thank you.

Clerk Fabella

Supervisor Baden, can you hear me?

Mike Baden

I can.

Clerk Fabella

Okay, we can hear you. Go ahead.

Mike Baden

Okay. Excuse me. Thank you very much to the Legislature. I am here again this month representing the Ulster County Association of Town Supervisors and Mayors. And I am here to speak on Resolution 298. It is our understanding, the Supervisors and Mayor's understanding, that an amendment to this resolution will be presented tonight. We would like to extend our support for this amendment. And to also thank the County Executive, and the mayor of Kingston Mayor Noble, and County Executive Ryan, for hearing our requests and for working out an agreement between them on this amendment. So, thank you very much, and thank you for the legislature. That's all I have to say tonight. Thank you.

Clerk Fabella

Let's just give her a couple more minutes because she's still going through all these calls. We can tell.

Legislator Parete

Why don't you dance for us Dave?

Chairman Donaldson

They used to call me dancing Dave. So, maybe I should.

Legislator Parete

I remember that.

Legislator Cahill

I am a witness to that myself.

Chairman Donaldson

The old soft shoe.

Legislator Parete

Just rumors, right, Dave? Just rumors.

Chairman Donaldson

Rumors. Yep.

Legislator Bruno

I'm taking my glasses off. I don't know if I want to see this.

Legislator Petit

Ever seen so many politicians in a room and it's so quiet?

Legislator Litts

It doesn't happen very often.

Legislator Parete

Herbie

Legislator Litts

This never happens when we're physically in chambers.

Legislator Petit

Yeah, maybe next month.

Chairman Donaldson

Maybe next month. We keep on putting it off a month. It does help that I try to put everybody on mute by the way.

Legislator Parete

You can go. It's not going to happen.

Chairman Donaldson

[Let's have John first.]

Legislator Parete

What was that?

Chairman Donaldson

I said you're not on mute. So, your conversation with everybody else showed up.

Legislator Parete

That's my granddaughter right here cheering us on. This is Victoria.

Chairman Donaldson

Hello there Victoria.

Legislator Litts

Is she a Legislator?

Legislator Petit

Oh, which one is that Craig, Brandon or Aaron?

Legislator Lopez

Oh, that's Aaron. Yeah. Brandon. Brandon is closing around, here. It's bedtime. Long day.

Brandon Lopez

[Baby talking]

Chairman Donaldson

Well, I was back... I've been doing the online learning with my five-year old granddaughter and my seven-year old grandson. And I could tell you I'd rather stick needles in my eyes.

Legislative Members

[Laughter]

Legislator Bruno

Not to mention it's a whole different curriculum.

Chairman Donaldson

It's not that, it's just that... we could run a meeting at least... it means you have the kindergarten teacher attempting to basically run a meeting with a bunch of kindergarten kids and their parents. So, the parents keep on talking and when the teachers talking. And it's just like a total nightmare. I get to the point where I'm actually... my wife and I were going to do it together. But I did it by myself on Wednesday, and she did it Thursday. And I thought it might be better that we do it apart because you can't have two people that aggravated in the same house.

Clerk Fabella

Ah, Mr. Chairman, I don't know if you want to maybe even recess this. I'm not even sure that we will have another speaker. She's down to nine people. And, so far

everyone has been for the Kingstonian. So, it's up to you. We can give it more time to her to get through it or we can come back if there's another speaker.

Chairman Donaldson

Well, you'll come back and there's another speaker, I guess. You do... we do we have... I'm not sure what you what you meant by that. Go ahead, Legislator Bartels.

Legislator Bartels

I'll make a motion to recess the public hearing.

Chairman Donaldson

All right.

Legislator Uchitelle

Just as a point of order, can I understand what policy is being enforced that folks aren't able to speak tonight?

Chairman Donaldson

We've been speaking... since we've been doing this, we've been speaking on items that are on the agenda. Many legislative bodies do that. If it's not on the agenda, then you're... it's not something we're considering in this evening.

Legislator Greene

I second Legislator Bartels' motion.

Chairman Donaldson

All right. And all those in favor?

Legislative Members

Aye. (22-0)

Chairman Donaldson

Any opposed? All right. So, we'll postpone that. But we'll come back once we get the things straightened out. And we can start looking at some of the agenda items, is that... are we ready for that Madam Clerk?

Clerk Fabella

Yep, we're all set to go into Consent.

Chairman Donaldson

All right, Leader Ronk and Heppner. Are there any additions or subtractions for the Consent?

Legislator Heppner

Yes, Chairman I'll move 317 from Non-Consent to Consent.

Chairman Donaldson

317, okay. You second that, Legislator Ronk? It would be ...

Legislator Litts

I'll second that.

Chairman Donaldson

Okay. Legislator Litts seconded. Alrighty. All those in favor? Do we have a vote?

Chairman Donaldson

Aye (21-0) (Legislator Ronk stepped away)

Chairman Donaldson

Normally the leaders would do it but Legislator Ronk is out of the room at this moment.

Clerk Fabella

The resolutions are adopted twenty-one to zero.

Chairman Donaldson

Well, that actually just okayed the moving that one item in there. We didn't actually vote on the consent agenda as amended.

Legislator Ronk

Right

Legislator Litts

Right.

Clerk Fabella

Okay.

Chairman Donaldson

So, we have to vote on the Consent Agenda, as amended.

Legislator Heppner

On the Consent Agenda as amended, we're a Short Yes.

Chairman Donaldson

Now Legislator Ronk is back in the room, go ahead.

Legislator Ronk

Yes. I apologize.

Chairman Donaldson

No problem.

Clerk Fabella

The resolutions are adopted twenty-two to zero.

Clerk Fabella

We can deal with that. The first-

Chairman Donaldson

Are the speakers ready to roll yet?

Clerk Fabella

No, she's still going through the list. We have another one added but she's still going.

Tom Kadgen

Can you hear me?

Chairman Donaldson

I mean, are the other nine, can they speak? Are they... they're going to speak on what's on our agenda or...?

Clerk Fabella

Well, that's what Fawn has to speak to every one of them to find out what they're calling for. But it's recessed right now. So, if we're going to do it, we kind of have to open it back up. And she's not done with all the calls, screening all the calls.

Chairman Donaldson

Oh. Okay.

Legislator Uchitelle

I just I feel obligated to state for the record, that we've many times... I mean, look, I realize it's a lot of calls. And I don't like being up late, personally. But we've many times heard people speak about topics not on the agenda in the past.

Clerk Fabella

So, since we've done this, since we've done meetings by Zoom, we've advertised every meeting as such, that it'll only be restricted to agenda items.

Legislator Uchitelle

Alright thank you.

Chairman Donaldson

Yeah, it becomes a nightmare dealing with the call-ins in that manner. That's why we try to try to keep it to the agenda. Many legislative bodies across the state do the actual thing, even on with regular meetings they keep it to the agenda. I think Dutchess County does, many counties do it that way. We've always had it open for everybody. But we changed that while we're doing these virtual meetings.

Clerk Fabella

She's down to three calls. If you just want to wait because one of the callers is speaking on a resolution you're about to vote on.

Chairman Donaldson

Well, that's what my concern was. I would like to hear them on something. So, why don't we let that voter and then we can, I can open up the public comment again.

Legislator Ronk

I think we should I think Vicki's right. I think we should wait until everyone's done and then...

Clerk Fabella

She's only got two more. She's only got two more to screen. And from the notes, I see the caller's speaking on an item on the agenda that's postponed.

Chairman Donaldson

But that's already on the agenda.

Clerk Fabella

Yeah, no one would, no one would know that. If they didn't go to Ways and Means.

Legislator Litts

Well, Dave, you're no longer in contention for the shortest legislative session.

Legislator Bruno

This close.

Chairman Donaldson

But no, what was the shortest one?

Legislator Litts

It's was like seventeen minutes or something like that.

Chairman Donaldson

I could have been a contender.

Legislator Bruno

Probably not.

Legislator Litts

Well, we've been more-quiet than speaking at this one.

Chairman Donaldson

Are we ready? Ready, Madam Clerk? I see you shaking your head.

Clerk Fabella

She's still screening but we can we can start if you want. Because by the time we get going, she will be done.

Legislator Litts

Vicki, why can't we the one that that is....

Chairman Donaldson

That's what we're going to do.

Legislator Litts

... then the screening process will be over.

Clerk Fabella

Exactly.

Chairman Donaldson

Yeah. Legislator Bartels.

Legislator Bartels

I'll make a motion to reopen the public hearing.

Legislator Bruno

I'll second that.

Chairman Donaldson

Alrighty. We all those in favor?

Legislative Members

Aye. (22-0)

Chairman Donaldson

All right public hearing reopened. Go ahead, Madam Clerk.

Clerk Fabella

The next speaker we have signed up for public comment is Mr. Tom Kadgen.

Tom Kadgen

Good evening. My name is... can you hear me?

Clerk Fabella

We can hear you.

Tom Kadgen

My name is Tom Kadgen. I live in Shokan and I do not belong to a political party. I'm speaking tonight about Resolution 299, authorizing the use of the Tax Stabilization Fund. Since the pandemic, the Executive has started up a number of projects that weren't essential, created new positions, and handed out raises, all the while being fully aware that the revenue from taxes was pungent. I'd like to see the Legislature insist that the Executive stop funding these projects, put back those raises, and furlough those new positions before providing him access to the Stabilization Fund and approving this upcoming budget. I thank you very much.

Chairman Donaldson

Thank you, Tom. As a point of information, it was postponed in Ways and Means, just so you know.

Tom Kadgen

Story of my life.

Chairman Donaldson

No problem, Tom. Thank you. Next speaker, Madam Clerk.

Clerk Fabella

Nope, she's screening the last one right now and we'll know soon if it's somebody who needs to speak because it's less one. We're all going have to thank Fawn. It ended up being sixty-one call-ins.

Legislator Bruno

Wow. Great job, Fawn.

Clerk Fabella

Oh, one came in, sixty-two call-ins.

Legislator Bruno

Better job, Fawn.

Clerk Fabella

The most we ever had that I remember, besides UPAC, was for Legislator Petit's cat spay law. We had sixty-two speakers, I think. So, we're there.

Legislator Ronk

That was the same night as the Fire Training Center in Marbletown.

Legislator Uchitelle

Can I just ask the Clerk, just while we're waiting to... just for folks that might be listening in who are, were hoping to speak tonight, where they can find the agenda for next month's session, when they can find it, so they can know what's going to be covered, and come back if it's relevant for them.

Clerk Fabella

Absolutely. We have the agenda posted online. Unfortunately, we can't post until Laws and Rules meets, which is the night before. So, the night before each Session. So, the morning of Session, you can go online and find it right off of our webpage. If anybody has problems, they can call us and we can help them. Also, with this particular hot item, we've also made sure to communicate with anybody who's called the office that

we anticipate this topic coming up in October. We're pretty certain. We've let everybody know that.

Legislator Uchitelle

Thank you, Clerk, I appreciate it.

Legislator Ronk

Our website being ulstercountyny.gov/legislature.

Chairman Donaldson

Right. They could also take a look before it's actually posted. Any of the resolutions that are being considered that month are most likely either going to be on the agenda, or postponed, even before Laws and Rules meets.

Chairman Donaldson

Whistlers mother?

Legislator Litts

That was for the soft shoe.

Chairman Donaldson

Madam Clerk are you ready?

Clerk Fabella

I think we should be good to go. And I also want to remind anybody who's live streaming us, that at any point in time, they can send us their written... anyone can send in the written comments. And I forward that, just as fast as I get it, to every legislator. So, I think we can move on.

Chairman Donaldson

Alrighty, let's get back to the Non-Consent Agenda.

Clerk Fabella

The first item in Non-Consent is Resolution 298: Authorizing The Chair Of The Ulster County Legislature To Execute An Extension Of The Sales Tax Agreement With The City Of Kingston.

Chairman Donaldson

Alrighty. So, thanks to Eve and Brian, we have had a change in this. And I'd like to call on Legislator Petit for an amendment to the agreement. Which is not a change in the resolution technically, but an amendment to the agreement. Go ahead.

Legislator Petit

Right. This this is a motion to the agreement. It's after input from the town supervisors, and with the support of the Mayor, County Executive Ryan asked me to put forward an amendment on the sales tax agreement. The language is developed with the assistance of Supervisor Shannon Harris and Supervisor Jim Quigley. The amendment will allow for the City and the County to reevaluate the agreement if the threshold of the 2020 budgeted sales tax amount is exceeded at any point during the five-year agreement.

Legislator Petit

So, it's an addition of paragraph four, "for any sales tax period covered under this Agreement, should the gross sales tax collected by Ulster County during a tax year exceed the high watermark of \$128,561,331.00 that's in the 2020 budgeted revenue. The County of Ulster and the City of Kingston agree to meet no later than May 1st of the following year to discuss the allocation of the amount in excess of \$128,561,331.00 to consider increasing the allocation of the excess to the Towns. And that will be subject to the approval of the Ulster County Legislature and the City of Kingston Common Council.

Chairman Donaldson

Legislator Ronk for a second.

Legislator Ronk

I'll second that.

Chairman Donaldson

On the amendment. Legislator Bartels.

Legislator Bartels

It's on the... it's absolutely on the amendment, actually. I want to acknowledge Legislators Cahill and Legislator Walter for their work on this issue. And their commitment to at least considering a more-fair distribution to the municipalities. I don't want to speak for them. But I think we all know they were both prepared to vote no today on the agreement, as written. And they have long both been vocal advocates for the kind of change that we're seeing today. And so, I think it's really in large part to both their doing.

Chairman Donaldson

Thank you, Legislator Heppner.

Legislator Heppner

Thank you, Chairman. I just want to lead with, you know, this is always... I believe it was five years ago, the last time I went through the sales tax agreement. It's always a sensitive issue, very understandably why. I'm very happy with, you know, our colleagues in government, both on the county level and the municipal level, for, you know, in the last 12 hours, having, you know, previous discussions to get to this point.

Legislator Heppner

But I do want to acknowledge Legislator Walter and Legislator Cahill for really pushing this, you know, amongst the Legislature. And for, you know, their tenacity, and their creativity, and their intelligence to come forth with an idea that everyone was able to agree on. Republican, Democrat, City, Village, County, and Town. You know, this is what good government looks like. And again, I just want to acknowledge them. And I, they happily vote yes for this amendment.

Chairman Donaldson

Legislator Uchitelle.

Legislator Uchitelle

Yeah, I would also really like to acknowledge Legislator Walter and Legislator Cahill. Legislator Walter, you know, from our time working together, I've learned how open minded and strongly you pursue better forms of doing work. And I think that that's evident here, and better forms of governing. And Legislator Cahill, your commitment to your constituents and tenacity in in their advocacy is second to none. And I admire those traits. And it was really the work of both of you that brought us here tonight. So, thank you for that.

Chairman Donaldson

Legislator Ronk.

Legislator Ronk

Thanks. I just want to give special recognition to Supervisor Jim Quigley of the Town of Ulster who sent this very language to the County Executive and to the Mayor of the City of Kingston, nine months ago.

Chairman Donaldson

Legislator Walter.

Legislator Walter

Thank you, I just want to thank you. And I appreciate these changes. And I just say that this is just the start of it. And I know that I'm personally committed to really exploring what this kind of reallocation of excessive of funds could look like in a way that would be supported by the supervisors and mayors. And so, this is just the start of the work to ensure equity.

Chairman Donaldson

Thank you. Anyone else. Yes, Legislator Cahill.

Chairman Cahill

Thank you, Chairman. I just want to thank everyone for the kind words, we you know, we work worked hard to bring this to the forefront. It's an issue that been hanging out there for years and years. And we really haven't had much of an opportunity to get both parties at the table to maybe even discuss this. So, for me, this is a... any movement in this is a is a big deal, in my opinion. It's the first time we've seen it. And you know, I'm just glad that we're able to have an agreement that everyone can live with. Legislator Walter, I want to thank you very much for your guidance throughout this. Because you and I spoke quite a bit about this. And it's just a great, great thing. I think that the town's will now have somewhat of a seat at the table when the time comes, where we can look at things, doing things a little bit more fairly than they've been done in the past. Thank you.

Legislator Uchitelle

You've got Legislator Greene, Dave.

Chairman Donaldson

Oh, thank you, Legislator Greene.

Legislator Greene

Thank you. I agree with everything that was just said but I, I also really believe that while we're thinking about it, and we have information from the comptroller, etc., that we should convene a process that results in guidance that... so, people can five years from now, instead of finding out about this, you know, relatively at the last minute and, and not having time to have an iterative process with the Association of Town Supervisors and Mayors, and with the Mayor of Kingston, and the County Executive. This happened at the last minute. My preference would have been a one year extension, but that was not what was agreed to. But I do think we should take the next year and plan that. So, that there is a basis, of fact based basis for a recommendation.

Legislator Greene

There may be different people sitting in the seats five years from now. But if we just pass this and let it go, I've seen this process happen a couple times already. Where it was very last minute, it wasn't collaborative, it didn't take all the stakeholders needs into consideration. So, I'm very glad to support this amendment. But I also think we shouldn't leave it for four or five years. Thank you.

Chairman Donaldson

Anyone else? All right, I'll call the question.

Legislator Heppner

On the amendment. The Democratic caucus is a Short Yes.

Legislator Ronk

On the amendment, the Republican caucus is a Short Yes.

Chairman Donaldson

All right. Thank you all. The amendment. I mean, on the resolution as amended.

Legislator Ronk

On the amendment, [inaudible], I think.

Chairman Donaldson

What's that?

Clerk Fabella

The amendment is adopted twenty-two to zero.

Chairman Donaldson

On the resolution as amended.

Legislator Heppner

As amended. The Democratic caucus is a Short Yes.

Legislator Ronk

Republican caucus is a Short Yes.

Chairman Donaldson

Alrighty. Thank you.

Clerk Fabella

Resolution is adopted as amended twenty-two to zero.

Chairman Donaldson

299 was taken out. It was postponed.

Clerk Fabella

303 is a Bond: Authorizing The Construction Of A Rooftop Solar Installation At The UCAT Facility, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$100,000.00, And Authorizing The Issuance Of \$100,000.00 Bonds Of Said County To Pay The Cost Thereof.

Clerk Fabella

Archer.

Legislator Archer

Yes.

Clerk Fabella

Bartels.

Legislator Bartels

Yes.

Clerk Fabella

Bruno.

Legislator Bruno

Absolutely, yes.

Clerk Fabella

Cahill.

Legislator Cahill

Yes.

Clerk Fabella

Corcoran.

Legislator Corcoran

Yes.

Clerk Fabella

Criswell.

Legislator Criswell

Also, absolutely yes.

Clerk Fabella

Delaune.

Legislator Delaune

Yes.

Clerk Fabella

Donaldson.

Chairman Donaldson

Absolutely, positively, yes.

Clerk Fabella

Gavaris.

Legislator Gavaris

Yes.

Clerk Fabella

Greene.

Legislator Greene

Very pleased to vote yes.

Clerk Fabella

Haynes.

Legislator Haynes

Yes.

Clerk Fabella

Heppner.

Legislator Heppner

Yes.

Clerk Fabella

Litts.

Legislator Litts

Sure, yes.

Clerk Fabella

Lopez.

Legislator Lopez

Yes.

Clerk Fabella

Maio.

Legislator Maio

Yes.

Clerk Fabella

Parete.

Legislator Parete

Yep.

Clerk Fabella

Petit.

Legislator Petit

Yes.

Clerk Fabella

Roberts.

Legislator Roberts

Yes.

Clerk Fabella

Ronk.

Legislator Ronk

Yes.

Clerk Fabella

Uchitelle.

Legislator Uchitelle

Yes.

Clerk Fabella

Walter.

Legislator Walter

Yes.

Clerk Fabella

And Wawro.

Legislator Wawro

Yes.

Clerk Fabella

The resolution is adopted twenty-two to zero.

Clerk Fabella

The last resolution is Resolution 323: Declaring Intent To Act As Lead Agency Under The State Environmental Quality Review Act (SEQRA) For The Review Of The Draft Ulster County Local Solid Waste Management Plan.

Chairman Donaldson

Legislator Greene.

Legislator Greene

Yes. As one of two sponsors of this amendment, I would like to move that we send it back to committee. There is now a similar resolution that was passed by the UCRRA, also wanting to be lead agency on their action. Ulster County Legislature has proposed that we be lead agency on our action. And there are legal details that have to be sorted

out in Energy and Environment. And I've asked that the County Attorneys prepare a memo so these issues related to the SEQRA procedure can be clear to all the legislators and we can make an informed decision moving forward.

Chairman Donaldson

Do I have a second?

Legislator Petit

I'll second that motion to refer back to committee.

Chairman Donaldson

Seconded by Legislator Petit. On the postponement.

Legislator Heppner

On the postponement, back to Environment and Energy, the Democratic Caucus is a Short Yes.

Legislator Ronk

On the referral, back to the Energy Environment Committee, the Republican Caucus is a Short Yes.

Chairman Donaldson

I did say postponement, and I mean referral there.

Clerk Fabella

The resolution is referred back to the Energy and Environment Committee by a vote of twenty-two to zero.

Chairman Donaldson

I'd like to call upon Legislator Al Bruno to read the "In memory of."

Legislator Bruno

Tonight's meeting is closed in the memory of: Barbara "Bobbie" L. Riemer-Valk, Wallkill, NY; Deacon Arnold K. Hyland, Saugerties, NY; Dominick D. Spada, Kingston, NY; Suzanne L. Simmons, Saugerties, NY; Louis R. Yess, Highland, NY; Charles E. Quinn, Saugerties, NY; Donna A. Boice, Saugerties, NY; Billie Jo Krempner, Kingston, NY; Francis "Pat" J. Houck, Albany, NY; Beatrice E. Bell, Kingston, NY; Robert J. Werlau, New Paltz, NY; Christopher A. Burns, Hurley, NY; Mary K. Strothenke, New Paltz, NY; Charlotte M. Garrison, Saugerties, NY; John Derr,

Saugerties, NY; Fannie Appa, Kingston, NY; Bettie A. Valle, Kingston, NY; Eddy Constantinou, Kingston, NY; John J. Schaefer, Port Ewen, NY; Severyn Joseph Hasbrouck, Jr., Hurley, NY.

Legislator Bruno

I apologize for any names that I may have mispronounced.

Chairman Donaldson

Legislator Litts.

Legislator Litts

Yes, thank you, Mr. Chairman. I lost the dear friend today. Joe Hasbrouck has been a family friend of ours, well, it's not only him, it's several generations. My grandfather, my father and myself, purchased corn for our animals from their grandfather, his father and his grandfather. So, it's over eighty years we've been dealing with each other in that vein. And If it weren't for Joe Hasbrouck, I wouldn't be here talking to you today. Joe Hasbrouck invited my dad to a square dance in the Lamontville Firehouse and that night he met my mother. And I've known Joe Hasbrouck all my life. There's not a better man who walked the face of the earth. He was a gentle giant. A great farmer. I don't know what else I can say about the man but he passed away earlier today and he's going to be sorely missed. He also sat on Ulster County's Soil and Water Conservation Board. Been a member on that for I don't know how many years. Cooperative Extension, one of his daughters works for the Cooperative Extension in Dutchess, Ulster, and Putnam County, Orange County. Anyway, he was a giant among men. A silent giant. I... In all the year's I've known Joe Hasbrouck I don't think I've ever heard him say a bad word about anyone. He subscribed to the adage that if you can't say something nice about somebody, just don't say anything at all. What a great man. What a great loss. That's all.

Chairman Donaldson

Thank you. Legislator Roberts. Did you have your hand up?

Legislator Roberts

No, sir.

Chairman Donaldson

Okay, Legislator Haynes.

Legislator Haynes

I'd like to offer the name of Eric Scott Grassi, 28 years-old of Kerhonkson, who was taken too soon doing the thing he loved the most, riding his motorcycle, on September 3rd. I offer condolences to his family and friends.

Chairman Donaldson

Legislator Ronk.

Legislator Ronk

Thank you. I just want to give a special recognition to Bobbie Valk. You know, she passed away this morning after a two and a half year-long battle with pancreatic cancer. It's Supervisor John Valk, of the Town of Shawangunk, wife.

Chairman Donaldson

No one else? Thank you. I'll say that the next regular meeting of the Ulster County Legislature will be held on Tuesday, October 20th, at 7pm. Meeting, details shall be forthcoming. Resolution deadline is Friday, September 25, 2020, at 12 noon.

Chairman Donaldson

I'd entertain a motion to adjourn. Legislator Litts.

Legislator Litts

So, moved Mr. Chairman.

Legislator Bruno

Second.

Chairman Donaldson

Seconded by Legislator Bruno. All those in favor?

Legislative Members

Aye.

Chairman Donaldson

Any opposed?

Chairman Donaldson

All right, I want you all to have a nice ordinary week.

Legislator Litts

Be safe and stay healthy everyone.