

**Public Works and Capital Projects Committee
Regular Meeting Minutes**

DATE & TIME: September 8, 2016 – 6:30 PM
LOCATION: COB, 6th Floor, K. L. Binder Library
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Nettie Tomshaw
PRESENT: Legislators Loughran, Greene
ABSENT: Legislators Litts, Maloney
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator John Parete, Susan Plonski Commissioner
Department of Public Works

Chairman Fabiano called the meeting to order at 6:30 PM.

Motion No. 1: Moved to Approve the Minutes of the July 7, 2016 meeting
Motion By: Legislator Loughran
Motion Seconded By: Legislator Greene
Discussion: None
Voting In Favor: Legislators Fabiano, Loughran, Greene
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: Minutes approved

Resolutions for the September 20, 2016 Session of the Legislature

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

Resolution Summary: This resolution would amend the Ulster County Electric Vehicle Charging Policy to add an additional section addressing fees for electric use for Ulster County residents.

Motion No. 2: Resolution moved for discussion
Motion By: Legislator Loughran
Motion Seconded By: Legislator Greene

Discussion:

As this resolution was postponed at last month's meeting, Legislator John Parete, sponsor of this resolution shared his position determining it is reasonable and appropriate for the county to charge a fee-for-service for the use of charging stations. Legislator Parete expressed from the beginning it was wrong not to charge for the service but accepted it in the name of tourism growth. He noted statistics have shown over the past year the charging stations have not produced out of town users, and in summary stated the executive cannot give away services, referencing NYS law in the realm of gifting whereas a fee must be fairly priced right and reasonable. Legislator Parete read an excerpt from the NYS Controller stating a transfer of property, such as (electricity) is a gift if given without or for only nominal consideration. Legislator Greene shared her experience and estimated cost of .45 cents per charge and felt it would be a very easy calculation to figure actual county costs as data is readily available through Charge Plate. Committee discussion ensued.

Chairman Fabiano expressed since the taxpayers are not impacted and the Chamber of Commerce pledged to fund the program, he was fine with the current policy and ultimately motioned to postpone the resolution until the full committee can weigh in.

Motion No. 3: **Moved to Postpone Resolution No. 364 for one month.**

Motion By: Legislator Fabiano

Motion Seconded By: Legislator Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene

Voting Against: None

Votes in Favor: 3

Votes Against: 0

Disposition: Resolution postponed

Resolution No. 395: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Ashley Mechanical Inc. – Department Of Public Works

Resolution Summary: This contract with Ashley Mechanical Inc. allows for the supply, delivery and installation of new Liebert HVAC equipment for the data server rooms at the Ulster County Law Enforcement Center. This includes all thermostats, control cabling and conduits, condensate piping, and any additional valves, pumps, accessories, insulation, etc., for a fully complete and functional system.

Motion No. 4: **Resolution moved for discussion**

Motion By: Legislator Loughran

Motion Seconded By: Legislator Greene

Discussion:

Commissioner Plonski explained this resolution is for the installation of heating, ventilation, air conditioning (HVAC) equipment in the data server rooms at the Ulster County Law Enforcement Center (UCLEC) and possible the Sheriff's office preventing overheating of equipment. Legislator Greene voiced with optimism and hope the county will utilize the most energy efficient HVAC equipment. This contract is 100% county, \$111,580.00.

Motion No. 5: **Moved to adopt Resolution No. 395.**
Motion By: Legislator Fabiano
Motion Seconded By: Legislator Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: Resolution adopted

Resolution No. 396: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – J & J Tree Works Inc. – Department Of Public Works

Resolution Summary: This contract with J & J Tree Works Inc. is for the felling and removal of dead ash trees and other hazardous trees marked by Ulster County DPW prior to cutting. The sequence of removal will occur in the order as listed on the table provided by the county.

Motion No. 6: **Resolution moved for discussion**
Motion By: Legislator Greene
Motion Seconded By: Legislator Loughran

Discussion:

Chairman Fabiano provided an overview of this contract noting most townships are covered. Chairman Fabiano inquired how a contractor would go about bidding on a project. Commissioner Plonski noted postings are listed in the designated official county newspapers, Empire State Reporter website, and to talk with Mark Rider Director of Purchasing. J&J Tree Works was awarded the contract last year. Legislator Greene expressed the cost appears to be very reasonable. 100% County, \$90,870.00.

Motion No. 7: **Moved to adopt Resolution No. 396.**
Motion By: Legislator Greene
Motion Seconded By: Legislator Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: Resolution adopted

Resolution No. 397: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – NYCOMCO – Department Of Public Works

Resolution Summary: This contract with NYCOMCO allows for the upgrade of brand new, state of the art, Motorola, MotoTrbo radio equipment at the same rates under the current lease agreement for all the radio equipment leased by the county Public Works Department. This contract supersedes/replaces County Contract No. C14-00064.

Motion No. 8: Resolution moved for discussion

Motion By: Legislator Loughran

Motion Seconded By: Legislator Greene

Discussion:

Chairman Fabiano and Comm. Plonski provided an overview of this 5-year lease of radio equipment installed in UC Dept. of Public Works vehicles and highway department including GPS capabilities. Commissioner Plonski noted when there are equipment failures it will be replaced at no additional cost – repair, maintenance and service. 100% County, \$701,100.00

Motion No. 9: Moved to adopt Resolution No. 397.

Motion By: Legislator Loughran

Motion Seconded By: Legislator Greene

Voting In Favor: Legislators Fabiano, Loughran, Greene

Voting Against: None

Votes in Favor: 3

Votes Against: 0

Disposition: Resolution adopted

Old Business

- Chairman Fabiano conveyed Legislator Kevin Roberts District No. 12, appreciation to Commissioner Plonski and her crew for a job well done fixing the culvert pipe in front of the Plattekill Post Office.
- Legislators Greene and Loughran shared concern regarding the Family Court BRC facility tour – wanting to have the walk through prior to the November ballot vote and also questioned when the County Executive’s office plans to have the informational presentation. Legislator Loughran also expressed concern if the referendum fails there is no Plan B. Committee discussion ensued. Chairman Fabiano to follow up with Bob Sudlow.

(Please Note: On 9/28/16 the County Executive Office forward the following proposal)



Ulster County Family Court Relocation Proposal

Information Included:

Frequently Asked Questions

May 26, 2016 Letter from the NYS Unified Court System Cost

Comparison with Other Sites

Map of Family Court Sites (current vs. BRC)

Schematic Design for Proposed Family Court Accommodations at the BRC

Parking Demand Analysis

Planner's Memorandum - Ulster County Family Court Transit Service

ULSTER COUNTY GOVERNMENT



Ulster County Family Court Relocation Proposal

Frequently Asked Questions

1) *Q: Why does the County have to take any action with the Family Court facility?*

A: 1) The County is legally required to provide suitable and sufficient court facilities for the transaction of business pursuant to New York State Judiciary Law §39(3)(a).

2) The New York State Office of Court Administration (NYSOCA) has deemed the current leased space at 16 Lucas Avenue, Kingston, inadequate and inefficient to properly accommodate the current workload and the projected future workload of the Court and has directed Ulster County to find a larger, more secure and more efficient space to meet today's Family Court needs.

3) NYSOCA is opposed to the status quo for a multitude of reasons (see attached NYSOCA Letter), and if the County does nothing the State could well withhold State aid.

4) In 2015, New York State added an additional Family Court Judge and staff to help handle the average 8,486 cases per year.

2) *Q: What are the County's alternatives?*

A: 1) Renovate the existing space and construct an addition on a facility which the County does not own;

2) Purchase a new property and build courtrooms, offices and other needed components; or

3) Renovate an existing building that the County already owns.

3) *Q: Why not renovate the existing facility?*

A: 1) The current building that houses the Family Court on Lucas Avenue in Kingston has been leased by Ulster County since 1986. In the last 10 years alone the County has spent in excess of \$4.1 million in rent, property taxes and maintenance.

2) The County would be spending a large amount of taxpayer dollars to improve a property owned by a private company if it were to remain at the leased Lucas Avenue facility. Multi-million dollar renovations would include building an addition onto the current facility. Any addition would also further limit available parking.

3) From an economic development prospective, this move will provide opportunities for additional private sector businesses in Uptown Kingston by freeing up space which is in high demand while helping reduce current parking congestion. (See attached Parking Demand Analysis).

4) Q: Why relocate to the Business Resource Center on Ulster Avenue?

A: 1) The County working with its consultant has determined that the Business Resource Center (BRC) represents the most cost effective alternative. It is less than half the cost of other alternatives as the County already owns the BRC which is located on Ulster Avenue in the Town of Ulster where the facility is proposed to be relocated (see attached Cost Comparison Chart). There would be no acquisition cost. There is currently more than enough suitable space within this building to accommodate Family Court's current and future needs. There is approximately 30,000 sq. ft. of vacant space at the BRC, much of which became available when SUNY Ulster was relocated from the Town of Ulster to the City of Kingston at the former Sophie Finn School on Mary's Avenue adjacent to Kingston High School.

2) In 2016 and thereafter, it is anticipated that the County taxpayers will spend a minimum of \$394,000 annually to satisfy lease obligations at the Lucas Avenue site, including rent, taxes and annual maintenance. If Family Court operations are moved to the BRC, these rental costs will offset a large portion of the renovation costs thereby reducing the need to raise property taxes.

3) The BRC location is easily accessible, offers adequate parking, is already in compliance with the Americans with Disabilities Act and is located directly on the Ulster County Area Transit (UCAT) and Citibus routes with service numerous times per day. (See attached Planner's Memorandum).

4) While the BRC is renovated, the Family Court can continue to operate in its current location with no disruption in services to clients or court operations.

5) Locating Family Court next to the Department of Social Services (DSS) will create new synergies and efficiencies as staff from the County's children and family services programs as well as other personnel appear in Family Court regularly. More importantly, the move to the BRC will result in improved services to the children and families in Ulster County.

6) Moving the Family Court operations to the BRC will take advantage of an underutilized County owned property and both the location and the initial concept layout are highly recommended by the New York State office of Court Administration (See attached Design for Proposed Location at BRC).

5) Q: Why is a public referendum required to move?

A: 1) Section 216 of County Law requires a public referendum when a Court is relocated beyond the City limits where it currently exists. Thus, although the BRC, the proposed relocation site, is less than 800 feet outside the City of Kingston's border in the Town of Ulster the law requires that a public referendum be held (see attached Relocation Map). To view the referendum as it will appear on the ballot on Election Day on November 8, 2016 or to view more information please visit <http://ulstercountyny.gov/referendum-relocation-ulster-county-family-court>.

6) Q: Why not build an entirely new facility?

A: 1) The cost to purchase property suitable in size for a family court plus provide sufficient parking as well as fund site work and new construction of a roughly 30,000 sq. ft. building, is likely to add millions to the cost and would greatly delay the much needed changes to family court operations. By renovating the existing structure at the BRC, project costs would be reduced and the completion of the project can be expedited.

2) If the County were to purchase property it would need to be in the City of Kingston or a referendum would still be required. Any real property that the County purchased would be removed from the property tax rolls, thereby negatively affecting all taxpayers.

7) Q: Why not utilize the Alms House on Flatbush Avenue?

A: 1) The Alms House is ill suited to house court facilities. Its interior bearing walls make creating adequate courtroom space extremely difficult. The location of stairs and elevator create internal security issues for court personnel and clients. Access into the building is hampered by grade changes between parking and building entrances. Renovations would be extensive and are likely to threaten the integrity of the building's historic architecture.

2) As an older building, the Alms House would have much higher ongoing maintenance costs and is neither energy efficient nor fully ADA compliant.

3) The Flatbush Avenue location is poorly served by public transit. Only a single Citibus route passes the site and no UCAT service is available at the site.

8) Q: Why not relocate elsewhere in the City of Kingston?

A: 1) Relocating elsewhere would be difficult and costly as there are limited available properties that would meet the requirements for a court facility. Additionally, it would result in the County having to acquire property while incurring the expenses of site preparation and renovations. It would also remove the property from the tax rolls in the City of Kingston. Further, it would cause significant time delays which would increase costs and would most likely burden the property taxpayers.

9) Q: What are the projected costs of renovating other County-owned sites compared to the BRC?

A: 1) The projected costs to renovate one of the other County-owned buildings such as the Alms House, the old Jail Facility or the Mental Health Building, range from **over \$20 million to over \$30 million.**

2) The projected costs for the construction of a new building are estimated to be **over \$20 million.**

3) The projected costs for renovating the Business Resource Center **is estimated to be less than \$10 million,** making it the most cost-effective option that meets the requirements of a quality court facility while protecting Ulster County property taxpayers (See attached Cost Comparison Chart).



NEW YORK STATE
Unified Court System

OFFICE OF COURT ADMINISTRATION

LAWRENCE K.
MARKS
CHIEF ADMINISTRATIVE
JUDGE

RONALD P. YOUNKINS, ESQ.

May 26, 2016

Hon. Michael P. Hein, County Executive
County of Ulster
County Office Building, 6th Floor
244 Fair Street Kingston, NY 12401

Dear County Executive Hein:

I am writing in response to your request for the position of the Unified Court System with respect to the proposal to relocate the Ulster County Family courthouse to the Business Resource Center (BRC) on Ulster Avenue in the town of Ulster. As the County is aware the current Family Court facility, in its present state, is inadequate for the court's needs.

After months of meetings, site visits and discussions, the court system has chosen to participate in a design exercise with the County's architectural consultant to evaluate the feasibility of locating the Family Court at the BRC. It is our view that the BRC is uniquely suited to be developed into a first-rate Family Court facility that complies with the Chief Judge's facility guidelines, achieves compliance with the Americans with Disabilities Act; is technologically up-to-date, and, most importantly, will provide the people of Ulster County with a courthouse that is appropriate for the important work of this court.

In our view, the benefits of the BRC site include the following:

- Based on the architect's feasibility study of May 13, 2016, the site appears to provide suitable and sufficient space for the Family Court, as well as room for future growth;
- The proposed site provides ample parking as well as access to public transportation;
- The BRC is owned by the County, and there would therefore be no acquisition costs;
- Renovation of an existing structure, rather than construction of a new building, should reduce the project cost and expedite completion of the project;
- The proposed site would co-locate the Family Court with Ulster County Department of Social Services and other county agencies that work closely with the Family Court, thereby increasing efficiencies and reducing costs for the Court, the County, and their clients;
- Renovations can be completed without any disruption to existing Family Court operations.

In our view, the primary concern about the BRC site is that relocation of the Family Court outside of the Kingston City limits is subject to voter referendum (County Law 216). Nonetheless, we

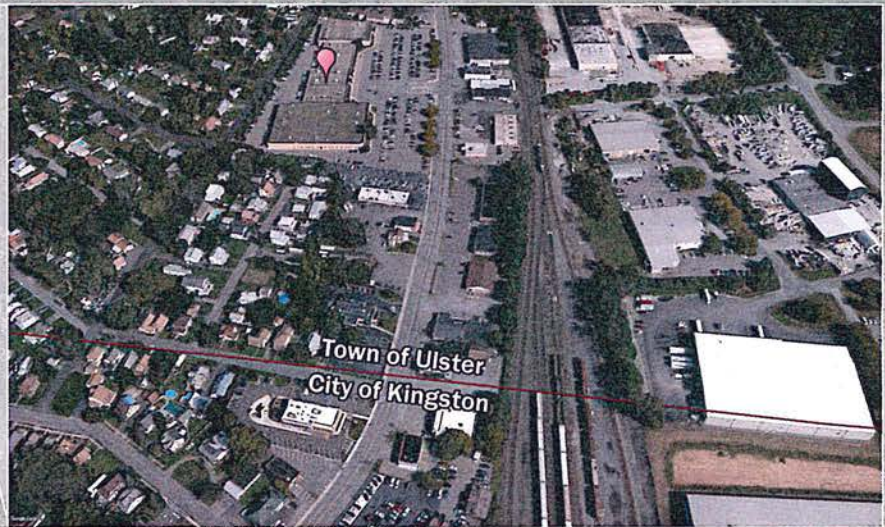
are confident that when all of the advantages of the BRC site are considered, and in view of the lack of a reasonable alternative within the City's limits, and the possibility of the imposition of financial

Cost Comparison

Other Sites with Business Resource Center (BRC) on Ulster Avenue

Options	Project Costs	Difference from BRC
Mental Health Building	\$30,707,171	\$20,719,185
Old Jail Facility	\$28,678,991	\$18,691,005
Flatbush Avenue	\$20,160,635	\$10,172,649
Building New	\$20,160,635	\$10,172,649
BRC-Proposed	\$9,987,986	\$0

Proposed Ulster County Family Court Relocation



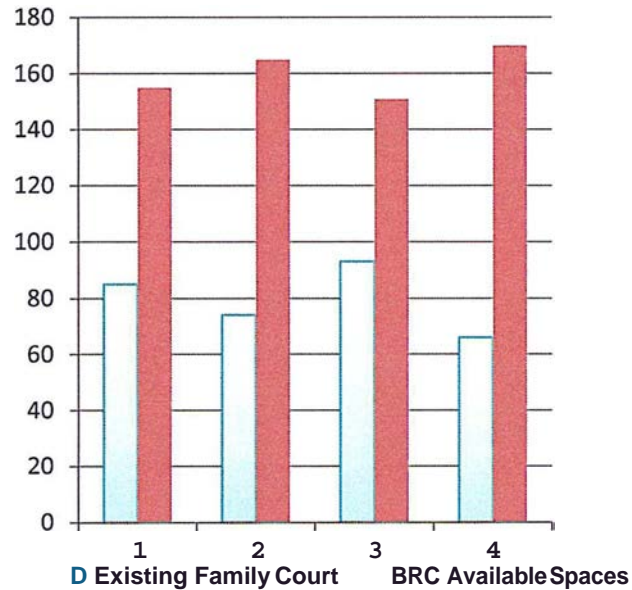
The proposed location is less than 800 feet from the Kingston City Line.



ALFANDRE *E. Z*
ARCHITECTURE

Parking Demand Analysis Potential Family Court at BRC vs. Current Facility

Existing Family Court % Available Spaces at BRC Parking Lot w/o Reserved					Remain	
Date	Day	Time	Occupied @ Fam.ct.	Available BRC	Number	As %
17-May	Tues	10:00	85	155	70	45%
17-May	Tues	2:00	74	165	91	55%
19-May	Thurs	1:00	93	151	58	38%
19-May	Thurs	2:00	66	170	104	61%
High est			93	151	58	38%
Average			80	1:60	:80	50%



Planner's Memorandum

Ulster County Planning Department 244 Fair Street, Kingston NY 12401

Ulster County Family Court Transit Service Comparison Current Location versus Business Resource Center

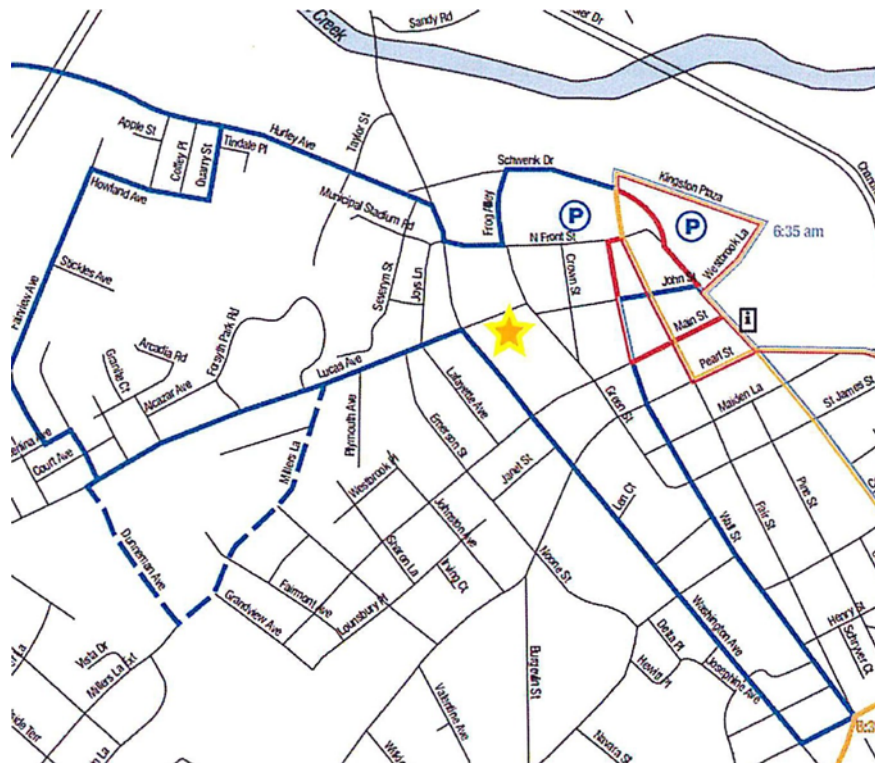
Current Location - Transit Overview

The Ulster County Family Court is currently located at 16 Lucas Ave, Kingston, NY 12401 between Green St and Washington Ave. Both UCAT and Citibus utilize the Hanford Plaza as a hub for many of their routes. Walking distance from Kingston Plaza to the current Family court location is 0.6 miles. The standard walking distance acceptable for transit users is 0.25 miles and therefore limits access to transit from the current Family Court Location. Neither system provides direct service to this location

Kingston Citibus

Kingston Citibus has two routes operating within the 0.25 mile walking distance of the current Family Court Location. The B route (Blue) operates on 1 hour headways from 6:45 am through 6:45 pm, going past Lucas and Washington Ave at 45 minutes after the hour. Service breaks occur from 9:30 - 10:30 am and from 3:30 - 4:30 pm. The bus passes Washington Ave and Lucas Ave 13 times a day – 9 times are within a reasonable time of Family Court's operating hours.

The A route (Red) operates on 1 hour headways from 7:05 am through 7:05 pm, going past Wall and John St at 5 minutes after the hour. Service breaks occur from 10:00 - 11:00 am and from 2:00 - 3:00 pm. The bus passes Wall and John St 13 times a day with 9 of those within a reasonable period of the Family Court's operating hours.



UCAT Service

No UCAT service operates within 0.25 miles walking distance of the current Family Court location. The closest that UCAT passes the site is at the intersection of Schwenk Drive and Washington Avenue. This is a difficult intersection for pick-up and drop-offs and none are reported by UCAT. This route is associated with the Ellenville run.

Ulster County Business Resource Center Location

The Business Resource Center located at 1 Development Ct, Kingston, NY 12401 off of Ulster Ave offers a number of resources for clients in a single location. In contrast to the current Family Court location, the BRC site has direct service by both UCAT and Kingston Citibus with existing routes.

Kingston Citibus

The B route services the BRC 12 times a day at 20 minutes after the hour from 7:20 am to 6:20 pm with 9 of these trips in reasonable proximity to the operating hours of Family Court. The B route also interconnects well with the A bus at Hannaford allowing the transfer from its service area to reach the BRC Family Court. Service operates utilizing 1 hour headways.

UCAT Service

Overview

UCAT's utilizes the Kingston Plaza as a hub allowing it to provide service to the BRC from the outlying areas of Ellenville, Saugerties (direct), New Paltz and Shandaken. This greatly expands the number of people outside of the City of Kingston able to use public transit to access the BRC. In addition UCAT's Kingston Plaza Hub also connects with Citibus routes providing for piggy-back service to the B Bus trips to the BRC. UCAT's direct service to the BRC is provided by the KS route.

Takeaways

Current Location

- The current location of the Ulster County Family Court is not directly serviced by either provider.
- Transit service availability for out-of-City users is possible but difficult using either UCAT or Trailways Trailways does not offer service in the NYS Rt. 209 corridor.
- Kingston Citibus is the only public provider operating service within 0.25 mile walking distance of the current location
- The closest UCAT service would be from Ellenville and would require drop-off at Washington Avenue and Schwenk Drive. A walk of 0.6 miles from the Kingston Plaza hub is considered not acceptable. Overall service at the existing facility while similar to the service at the proposed BRC location is complex and not direct and more limited for out-of-City users.

Business Resource Center Location

- The BRC site offers direct connections from both UCAT and Citibus. Frequency of service is very similar to the existing location in terms of available trips within the window of Family Court's operating hours.
- The ability to service out-of-city users is significantly better than the existing location.
- Consolidation of multiple public services located in the same area offer the ability to combine trips
- Connections at the Kingston Plaza Hub are important
- A 2012 Transit Study by the Ulster County Transportation Council suggested route changes that if implemented by Citibus would increase service to the BRC.

Planner's Memorandum

The Ulster County Charter and Administrative Code includes as a function of the County Planning Director under Section A7-2 Powers and duties of the Planning Board and Director the following:

Advising the County Executive, County Legislature, County departments, and other agencies with respect to any matter relating to the development or redevelopment of the County on which an opinion is requested or upon which the Director of Planning deems it advisable to report. The County Executive has requested an opinion of

the Planning Director under this section of the Charter and Administrative Code and this Planner's Memorandum is in response to his request.

- Chairman Fabiano confirmed, during the week of the Ulster County Fair all restrooms including handicap restrooms were in working order while open to the public. There were plumbing issues prior to opening day that were addressed by fair employees and county employees collaboratively. Staff monitored and checked restrooms every morning prior to opening.

Chairman Fabiano asked if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Greene

Motion Seconded By: Legislator Loughran

No. of Votes in Favor: 3

No. of Votes Against: 0

TIME: 7:20 PM

Respectfully submitted: Nettie Tomshaw, Legislative Staff

Minutes Approved: October 6, 2016

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