

**Ways & Means Committee
Regular Meeting Minutes**

DATE & TIME: March 16, 2022 – 5:00 PM
LOCATION: KL Binder Library, 6th Floor, COB
PRESIDING OFFICER: Chairman Gavaris
LEGISLATIVE STAFF: Natalie Kelder, Legislative Financial Analyst
PRESENT: Legislators Bartels, Cahill, Fabiano, Ronk, & Walter
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Erner, Heppner, Litts, Maloney, Nolan, Greene, Petit, & Uchitelle, Deputy County Executives Kelly, & Rider, Comptroller Gallagher & Alicia DeMarco – UC Comptroller’s Office, Director Weidemann – UC Department of Economic Development, Director Litwin – UC Recovery & Resilience, Peter Karis & Bob Anderberg – Open Space Institute, Thomas Smiley & Shelley Turk– Mohonk Mountain House, Steve Turk – Rocking Horse Ranch

Chairman Gavaris called the meeting to order at 5:00 PM

Resolutions for the March 16, 2022 Session of the Legislature

Resolution No. 11: Requesting Enactment Of A Senate Bill And Assembly Bill In The New York State Legislature For A Special Law In Relation To The Hotel And Motel Room Occupancy Tax Rates In Ulster County

Resolution Summary: This Resolution requests the enactment of a Senate and Assembly Bill in the New York State Legislature to increase the Hotel & Motel Occupancy Tax to 4% and the Short-Term Rental Tax to 8%.

Motion No. 1: **Motion to DISCUSS Resolution No. 11**
Motion By: Legislator Walter
Motion Seconded By: Legislator Ronk

Discussion: Legislative Chair Bartels stated that she would create a working group in an effort to bring legislators and stakeholders together. Legislator Walter added that she looked forward to this discussion and it would be a good opportunity to weight the various options that have been discussed.

Legislator Cahill noted that this resolution is not technically necessary and stressed the urgency of the working group and finalizing the request prior to asking a state legislator to carry the resolution.

Legislator Maloney summarized that the committee is looking to be more specific prior to asking for support from a state legislator and attempt to finalize the Home Rule Request prior to reaching out.

Legislator Walter requested that the committee take no action on this resolution at this time. Legislator Maloney stated that he preferred postponement but was comfortable with no action at this time.

Legislator Fabiano stated that he is uncomfortable increasing the occupancy tax due to the obstacles that these businesses have had to overcome throughout the pandemic. Even though the tax is passed on to the end user, an increase to living expenses and inflation are also impacting visitors.

Legislator Petit noted that there is never going to be a good time to increase the occupancy tax and that the tax is paid for by the individuals utilizing the service and the occupancy tax in Ulster County is less than all other surrounding counties.

Legislator Ronk added that he prefers having the lower tax and thought it was desirable.

Legislator Maloney concluded that he sees tough economic times in the future, with tough economic decisions to be made and this is a tax that doesn't affect the constituents of Ulster County the way any other tax would.

Legislator Erner pointed out that the workers of the business would also be stakeholders.

Disposition: NO ACTION TAKEN

Resolution No. 17: Setting A Public Hearing On Proposed Local Law No. 3 Of 2022, A Local Law Amending Local Law No. 6 Of 2021, A Local Law Requiring The Payment Of A Living Wage To Employees Of Contractors And Subcontractors That Provide Services To Ulster County, In Relation To Living Wage For Social And Human Services, To Be Held On Tuesday, April 19, 2022 At 7:20 PM

Resolution Summary: This Resolution sets a Public Hearing on Proposed Local Law No. 3 of 2022, requiring the payment of a living wage to employees of contractors and subcontractors, to be held on Tuesday, April 19, 2022 at 7:20 PM.

Motion No. 2: Motion to APPROVE Resolution No. 17
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: Legislator Maloney stated that there are people who are essentially working 100% for the county, though a contract for services with a nonprofit agency. In these scenarios people are not receiving county benefits nor are they earning the salary they would make if they did the same job but were employed by the county. Legislator Maloney also pointed out that some Ulster County employees have received large raises over the last few years.

Legislator Ronk agreed that he was unhappy with the large raises and even voted no for the Ulster County 2022 Budget, but could not support this resolution at this time.

Legislative Chair Bartels shared that she voted for the \$15/hour raise, even though the appropriate supporting documentation was not shared with the legislature and would prefer to vote for this change during the budget cycle.

Legislator Walter noted that for one agency a specific dollar amount was shared for the \$15/hour resolution through a budget amendment during the 2022 budget process. In addition, there are a lot of other implications that have not yet fully been explored and even with this resolution, these employees will still not be receiving county health insurance.

Legislator Litts stated that there are unintended consequences to every decision. In the example of the Youth Program, the hourly rate for the youth workers has increased. However, the funding has not increased proportionately and therefore, less youth workers will be hired, resulting in an unintended consequence of less youth workers being hired.

Legislator Cahill noted that the list provided was 269 contracts that would be impacted by the proposed law and whatever compression issues that were created with the \$15 per hour change would be compounded with a change to \$20 per hour. Legislator Cahill also added that he would like to see those who are earning substandard wages to be increased but it should be done in an informed manner and possibly spread out over a few years.

Legislator Walter added that if this proposed law does eventually pass, the start date should be a year in the future in order to give these agencies the opportunity to put this increase into their grant applications.

Legislator Petit stated that agencies like Head Start are having staffing issues, which cause them to switch to remote services, which in turns affects the working parents who cannot go to work and cannot afford any other method of care. Legislator Petit stated that this proposed law is to fight the revolving door of poverty.

Legislator Erner pointed out that this is for a Public Hearing and if the agencies are not able to perform to their satisfaction, the county can take on these services.

Legislator Uchitelle summarized that there are logistical challenges of finding out the true hourly wage of the individuals, and the impacts raises may have on the specifically identified individuals as well as other employees at the organization. Legislator Uchitelle also suggesting a resolution may be necessary to obtain the information to understand this issue.

Legislator Walter expressed a preference to holding the resolution at this time and made a commitment to meet with DSS to better understand this issue and these contract agencies.

Chairman Gavaris stated that he feels more comfortable having public hearings when the focus is narrow and stressed the importance of obtaining feedback on the final request to avoid unintended consequences. Chairman Gavaris also gave a hypothetical example of an agency paying \$25 an hour for EMT's. The pay is so much higher that you'd have paramedics applying for the role, who would get the EMT job because they have a greater certification, and the EMT's would be out of work.

Voting In Favor: None
Voting Against: Legislator Bartels, Cahill, Fabiano, Gavaris, Ronk, & Walter
Votes in Favor: 0
Votes Against: 6
Disposition: **Resolution DEFEATED**

Resolution No. 18: Appointing An Independent Administrative Hearing Officer Pursuant To §304-25 Of The Code Of The County Of Ulster

Resolution Summary: This Resolution appoints an Independent Administrative Hearing Officer to issue orders assessing civil penalties for violations of Local Law No. 8 of 1991.

Motion No. 3: **Motion to AMEND AND APPROVE Resolution No. 18**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution ADOPTED AS AMENDED**

Resolution No. 29: Funding Capital Project No. 601 – ARP Small Business And Economic Recovery – Department Of Finance

Resolution Summary: This Resolution amends the 2022 Capital Fund in the amount of \$1,000,000.00 to fund Round 2 of the “Ulster County Small Business Assistance Program”. Funds are designated for use as follows: \$850,000.00 for Direct Assistance to Businesses; \$100,000.00 for Program Delivery; \$50,000.00 for Program Administration.

Motion No. 4: **Motion to AMEND AND APPROVE Resolution No. 29**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: Legislator Walter stated that she believes this program will be helpful to businesses in Ulster County. However, there could be more beneficial ways to support small businesses and further expressed concern regarding the empty storefronts.

Legislator Ronk noted that there is a workforce crisis and not all businesses are closing their doors due to a lack of business or funding.

Legislator Maloney stressed that these types of bailouts are typically done by industry, otherwise you’re helping one business but hurting a similar business

across the street. In addition, he has spoken to a lot of business owners who have not heard about this program.

Legislative Chair Bartels expressed concern for the program delivery and program administration fees and stated that she'd like to see a reduction in these fees as well as other changes she'd like to see to the program based upon conversations with Director Weidemann.

Legislator Walter agreed that she has concern regarding the awareness of this program among business owners across the county.

Legislator Ronk reminded the committee that there was a list of businesses from the original CARES funding who did not receive money but had already applied.

Legislator Cahill stated that he agreed with the majority of comments tonight and also favored adding a screening committee that includes members of the Legislature to weigh in on the applicants. Legislator Cahill also expressed concern with the administration fees, stating that the county approved three positions in order to administer the ARPA funds and in addition will be contracting with UCEDA for these services.

Legislator Walter confirmed with Director Weidemann that anyone who previously applied for CARES funding will remain eligible to apply for this program and they will reach out to these businesses to confirm they would still like their application reviewed and will be given the opportunity to update their application. Legislator Walter noted that the ARPA committee scored this particular project very low.

Director Weidemann stated that he recognizes that the situation has changed but the program is geared towards people and they are trying to prevent more closed storefronts and emerge from the pandemic with a thriving business community.

Legislator Ronk commented that \$35,000 may help businesses stay open a few extra months but there is no data to support the idea that this money will prevent these businesses from closing permanently.

Chairman Gavaris noted that this is better than what was first presented but this is not his first choice.

Voting In Favor:	Legislators Cahill, Fabiano, Gavaris, & Ronk
Voting Against:	Legislator Walter
Votes in Favor:	4
Votes Against:	1
Disposition:	Resolution ADOPTED AS AMENDED

Resolution No. 32: Approving The Execution Of A Contract For \$1,000,000.00 Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Department Of Finance

Resolution Summary: This Resolution approves the execution of a contract with Ulster County Economic Development Alliance, Inc. from March 1, 2022 through February 28, 2023 as a subaward of American Rescue Plan Act (“ARPA”) funding in the amount of \$1,000,000.00 to fund Round 2 of the “Ulster County Small Business Assistance Program”. Funds are designated for use as follows: \$850,000.00 for Direct Assistance to Businesses; \$100,000.00 for Program Delivery; \$50,000.00 for Program Administration.

Motion No. 5: **Motion to AMEND AND APPROVE Resolution No. 32**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Discussion: None

Voting In Favor: Legislators Cahill, Fabiano, Gavaris, & Ronk
Voting Against: Legislator Walter
Votes in Favor: 4
Votes Against: 1
Disposition: **Resolution ADOPTED AS AMENDED**

Resolution No. 97: Funding Capital Project No. 602 – ARP Infrastructure And Trails – Open Space Institute Land Trust, Inc. As Subrecipient - Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: This Resolution funds Capital Project No. 602 in the amount of \$2,100,000.00 for expansion of Ulster County’s trail networks to serve Ellenville, provide access to scenic views along the Rondout Creek, further complete a 29-mile rail trail from the City of Kingston to the Village of Ellenville, and to provide a direct feeder trail to the statewide Empire State Trail in the Village of New Paltz.

Motion No. 6: **Motion to APPROVE Resolution No. 97**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: Legislator Walter stated that she takes issue with this project, solely because this isn’t what she believes should be a priority for covid relief funds. However, she will support this resolution as she supports OSI (Open Space Institute) and that trails did provide a relief for some during covid.

Legislator Ronk noted that his one suggestion to spend ARPA funds was a countywide suggestion to clean up brownfields and other dilapidated properties within the county in order to make a real impact to the taxpayers. Legislator Ronk added that he supports investing in infrastructure and that the trails were utilized greatly during covid and Ulster County has some of the best trail networks in the state.

Legislator Maloney warned that the ARPA money is being spent quickly and soon it will be discussed in the same manner as the ‘Ellenville Million’.

Legislative Chair Bartels stated that she believes this a valuable project and will have an impact on the community, adding that crisis stabilization and

brownfields are also critically important projects. Legislative Chair Bartels informed the committee that she already requested a listing of all properties that are in arrears due to brownfield issues and would even like to see a standing budget line to work through the list of properties.

Deputy County Executive Kelly informed the committee that there will be a presentation on brownfield properties in the ARPA meeting next month.

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 98: Approving The Execution Of A Contract For \$2,100,000.00 Entered Into By The County – Open Space Institute Land Trust, Inc. – Department Of Finance

Resolution Summary: This Resolution approve the execution of a contract with Open Space Institute Land Trust, Inc. from March 15, 2022 through June 30, 2024 for subaward of American Rescue Plan Act (“ARPA”) funding for the purpose of improving or developing three sections of public outdoor, rail trail corridors for the mental health and outdoor recreation benefit of trail users and the economic benefit of Ulster County and local communities in the County in the amount of \$2,100,000.00.

Motion No. 7: **Motion to APPROVE Resolution No. 98**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 99: Amending Capital Project No. 597 ARP Housing - For The Purchase & Renovation Of 21 Elizabeth Street Group Home, City Of Kingston – Amending The 2022 Capital Fund Budget – Department Of Public Works (Buildings & Grounds)

Resolution Summary: This Resolution amends Capital Project No. 597 for the purchase of 21 Elizabeth Street for improvement and continuance of operation as a facility to provide supportive housing as an “Unlisted Action” in the amount of \$700,000.00.

Motion No. 8: **Motion to APPROVE Resolution No. 99**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: None
Voting In Favor: Legislators Bartels, Cahill, Fabiano, Ronk, & Walter
Voting Against: Legislator Gavaris
Votes in Favor: 5
Votes Against: 1
Disposition: **Resolution ADOPTED**

Resolution No. 101: Authorizing The Acquisition Of Real Property Located At 21 Elizabeth Street In The City Of Kingston, County Of Ulster, In Order To Renovate A Group Home Facility, And Authorizing The Chair Of The Ulster County Legislature To Execute, On Behalf Of Ulster County, Any And All Documents Required For Said Acquisition – Department Of Public Works (Buildings And Grounds)

Resolution Summary: This Resolution authorizes the acquisition of 21 Elizabeth Street for the purpose of improving and continuing its operation as a facility to provide supportive housing as an “Unlisted Action”, and authorizes the Chair of the Legislature to execute an agreement, and any amendments thereto, and such other documents as may be necessary to establish the terms and conditions pursuant to which the County of Ulster shall purchase and take title to the property.

Motion No. 9: **Motion to APPROVE Resolution No. 101**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: None
Voting In Favor: Legislators Bartels, Cahill, Fabiano, Ronk, & Walter
Voting Against: Legislator Gavaris
Votes in Favor: 5
Votes Against: 1
Disposition: **Resolution ADOPTED**

Resolution No. 111: Authorizing The Issuance Of An Additional \$2,883,835.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of The McKinstry Bridge, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of \$2,883,835

Resolution No. 114: Authorizing The Issuance Of An Additional \$2,291,600.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of The Sundown Bridge In The Town Of Denning, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of an additional \$2,291,600 of bonds for bridge materials and professional services for Capital Project No. 390, the Sundown Bridge Replacement.

Resolution No. 119: Authorizing The Issuance Of An Additional \$65,000.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Design Work For Improvements To The County Courthouse, In And For Said County

Resolution Summary: This Resolution authorizes an additional \$65,000 in bonds for engineering services for Capital Project No. 595, Courthouse Repairs.

Resolution No. 121: Authorizing The Reconstruction Of Various Roads Throughout And In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$650,000.00, And Authorizing The Issuance Of \$650,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes \$650,000 of bonds for road materials for Capital Project No. 622, Pavement Preservation of Various Roads.

Resolution No. 127: Authorizing Emergency Bridge Improvements, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$110,250.00, And Authorizing The Issuance Of \$110,250.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes \$110,250 in bonds for bridge materials for Capital Project No. 623, 2022 Bridge Flag Response.

Resolution No. 132: Authorizing Preliminary Expenses For The Reconstruction Of The SUNY Ulster Children’s Center In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$40,000.00, And Authorizing The Issuance \$40,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes \$40,000 of bonds for architectural services for Capital Project No. 624, SUNY Ulster Children’s Center.

Motion No. 10: MOTION TO BLOCK Resolution Nos. 111, 114, 119, 121, 127, 132
Motion By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: Resolutions BLOCKED

Motion No. 11: MOTION TO APPROVE Resolution Nos. 111, 114, 119, 121, 127, 132
Motion By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: Resolutions ADOPTED

Chairman Gavaris moved on to the Forthcoming Local Laws portion of the agenda, noting that these have been previously discussed.

Resolution No. 14 – Authorizing The Termination Of A Lease Agreement With CPR Kingston, LLC Bank For Space Used By The Board Of Elections

Resolution No. 96 - Amending The 2022 - 2027 Capital Improvement Program – Amending Capital Project Nos. 597, 599, 600, 601, 602, 603, And 604 Ulster County Recovery And Resiliency Projects – Amending The 2022 Capital Fund Budget – Department Of Finance

Comptroller Gallagher informed the committee that as of today the county has a \$46 Million surplus for 2021 but that does not include all adjusting journal entries and expects to end the year in excess of \$30 million.

In addition, a draft copy of the audit on the investment policy was sent to the Commissioner of Finance today.

Chairman Gavaris asked if there was any old or new business.

Adjournment

Motion Made By: Legislator Walter
Motion Seconded By: Legislator Cahill

No. of Votes in Favor: 6
No. of Votes Against: 0

TIME: 6:40 PM

Respectfully submitted: Natalie Kelder
Minutes Approved: April 12, 2022