

Ways & Means Committee Regular Meeting Minutes

DATE & TIME: April 10, 2018 – 5:00
LOCATION: KL Binder Library, 6th Floor, County Office Building,
244 Fair Street, Kingston, NY
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Amber Feaster
PRESENT: Legislators Laura Petit, Lynn Archer, Tracey Bartels, Craig
V. Lopez, James F. Maloney, and Joseph Maloney; and
Legislative Chairman Kenneth J. Ronk, Jr. (5:20-5:44 PM)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Herbert Litts III, Kathy Nolan, and Heidi Haynes;
Kyle Barnett, Legislative Counsel; Ken Crannell, Deputy County
Executive; Burt Gulnick, Commissioner of Finance; Beatrice
Havranek, County Attorney; Jennifer Clark and Marie Bing,
County Attorney; Dennis Doyle, Director of Planning; Chris
White, Planning; Elliot Auerbach, Comptroller; Maxanne
Resnick, Woodstock Land Conservancy; Nick Mercurio, Citizen

- **Chairman Gerentine called the meeting to order at 5:06 PM**

Motion No. 1: To approve the Minutes of March 13, 2018 and March 20, 2018

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Craig
Discussion: None
Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and
Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

**Motion No. 2: To approve Resolution No. 124 – Approving The Execution Of A Contract
Amendment In Excess Of \$50,000.00 Entered Into By The County – Brinnier and Larios PC –
Department Of Public Works**

Resolution Summary: This Resolution approves the execution of a contract amendment with Brinnier and Larios PC to extend the term of agreement from March 8, 2018 through December 31, 2019, and to expand the scope of services to include construction inspection services, and to increase the not-to-exceed amount for slope stabilization work on Ohayo Mountain Road and DeWitt Lake Road for an additional \$147,328.00, making the contract total \$260,228.00.

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Maloney (James)

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 3: To approve Resolution No. 125 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – LandVScape, Inc. D/B/A Nicky Diggs Excavation – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with LandVScape, Inc. d/b/a Nicky Diggs Excavation from May 1, 2018 through September 30, 2018 for construction services for the Ohayo Mountain Road slope stabilization project for \$312,316.54.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 4: To approve Resolution No. 126 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Creighton Manning Engineering LLP– Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Creighton Manning Engineering LLP from May 1, 2018 through December 31, 2021 for design services related to the widening of the shoulders on Route 299 for \$749,397.00 (13% County Share).

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Maloney (James)

Discussion: Legislator Bartels stated support for the Resolution.

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 5: To discuss Resolution No. 127 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Gorman Bros., Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Gorman Bros., Inc. from April 1, 2018 through March 31, 2019 for the purchase and application of liquid bituminous materials for rates anticipated to exceed \$50,000 in total.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 6: To discuss Resolution No. 128 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – HVEA Engineers – Department Of Planning

Resolution Summary: This Resolution approves the execution of a contract with HVEA Engineers from May 1, 2018 through September 30, 2020 for engineering and right-of-way services related to the Ulster County Midtown Linear Park for \$165,000.00 (20% County).

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Lopez

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 7: To discuss Resolution No. 129 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – RUPCO Inc – Department Of Planning

Resolution Summary: This Resolution approves the execution of a contract with RUPCO Inc. from April 2, 2018 through December 31, 2019 for implementation of the New York State Homes and Community Renewal Community Development Block Grant Homeownership Program for \$444,000.00 (100% Federal).

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Lopez

Discussion: None

Voting In Favor: Legislators Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

Abstained: Legislator Gerentine

No. of Votes in Favor: 5

No. of Votes Against: 0

No. of Votes Abstained: 1

Disposition: Approved

Motion No. 8: To discuss Resolution No. 130 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – RxBenefits, Inc. – Department Of Finance

Resolution Summary: This Resolution approves the execution of a contract with RxBenefits, Inc. from January 1, 2018 through December 31, 2018 for administrative services related to prescription drug benefits for County Employees and Retirees for rates expected to exceed a total of \$50,000.00.

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Maloney (James)

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 9: To postpone Resolution No. 131 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Westchester Medical Center – Department Of Health

Resolution Summary: This Resolution approves the execution of a contract amendment with Westchester Medical Center to extend the term of agreement from April 30, 2018 through April 30, 2021 for postmortem laboratory testing, forensic pathology, histology, and diener services for \$450,700.00.

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Archer

Discussion: Chairman Gerentine requested that the Resolution be postponed due to the recent receipt of a report entitled “Medical Examiner’s Office Analysis” from the Office of the Ulster County Comptroller. Deputy County Executive Ken Crannell stated that he has also received the report and that it contains incorrect values, is missing information, and that his Department has been in communication with the Office of the Comptroller regarding the contents of this report. Further Ken Crannell explained to the Committee some changes within the Department, what services are provided by the contract in question, and why contract costs have increased over time. Comptroller Elliot Auerbach asked the Committee to postpone the contract, expressing concern over the rising cost of autopsies, asking that consideration be given to extending the current contract through the end of the year for the purpose of creating time to research other avenues to ensure that the most cost effective option is chosen. Ken Crannell agreed to provide the Committee with a response to the Comptroller’s report prior to the next meeting of the Ways & Means Committee. Discussion pursued over changes within the Department of the Medical Examiner, budget planning, the increasing cost of autopsies, and other services provided by the contract.

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Postponed

Motion No. 10: To discuss Resolution No. 132 – Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – New York Communications Company, Inc. – Emergency Management

Resolution Summary: This Resolution approves the execution of a contract amendment with New York Communications Company, Inc. to extend the term of agreement from April 30, 2018 through April 30, 2019 for lease of Common Police Radio Frequency for an additional \$23,112.00, making the contract total \$161,784.00.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 11: To discuss Resolution No. 134 – Amending The 2018 Ulster County Budget To Adjust The Annual Salary Of The District Attorney As Required By The New York State Judiciary Law– District Attorney

Resolution Summary: This Resolution revises the 2018 Ulster County Budget in order to increase the annual salary of the District Attorney from \$184,198.00 to \$200,000.00, an increase of \$15,802.00.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Lopez

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 12: To discuss Resolution No. 135 – Authorizing The Chairman Of The Ulster County Legislature to Accept Funding From The Governor’s Traffic Safety Committee For The STOP DWI Program – Amending The 2018 Ulster County Budget – Probation Department - STOP DWI Division

Resolution Summary: This Resolution amends the 2018 Ulster County Budget to accept funding in the amount of \$27,500.00 from the Governor’s Traffic Safety Committee for the STOP DWI Program.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Lopez

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 13: To discuss Resolution No. 136 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division of Criminal Justice Services – Sexual Assault Crisis And Prevention Program – Department of Probation

Resolution Summary: This Resolution amends the 2018 Ulster County Budget for funding in the amount of \$72,506.00 which was awarded to the Department of Probation for the purpose of funding the current Sexual Assault Crisis and Prevention Programs’ efforts providing prevention, training, education, and support services to victims of sexual assault.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Bartels

Discussion: Legislator Bartels asked if any of the included programs are new. Deputy County Executive Ken Crannell stated that some of the programs are new as of last year. Legislator Bartels expressed interest in the program’s evaluation framework.

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 14: To discuss Resolution No. 137 – Authorizing The Chairman Of The Ulster County Legislature To Execute A Multi-Year Agreement With New York State Department Of Health – Enough Is Enough Initiative - Department Of Probation

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to execute an agreement and any amendments thereto, pertaining to the contract with the New York State Department of Health for the purpose of the Enough is Enough State Law initiatives for multi-year contract period May 1, 2018 through April 30, 2021.

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Maloney (James)

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Approved

Motion No. 15: To discuss Resolution No. 138 – Ratifying Recommendation For Use Of Project Labor Agreement For Ashokan Rail Trail Project- Phase 2 Construction- Capital Project No. 459- Department of Planning

Resolution Summary: This Resolution ratifies the recommendation of the Director of Planning and Director of Purchasing to use a Project Labor Agreement for the Ashokan Rail Trail Project – Phase 2 Construction – Capital Project No. 459 based on projected labor costs savings and non-economic benefits contributing to the success of the Project.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Archer

Discussion: Legislator Bartels requested circulation of this information at the time of completion. Deputy Director of Planning Chris White stated that the information was provided as quickly as possible and that the Department wants the Legislature to have the information for review.

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 16: To discuss Resolution No. 139 – Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Environmental Conservation (DEC) To Accept Grant Funds, For The Ulster County Climate Change Adaptation Planning Project, And Amending The 2018 Ulster County Budget – Department Of The Environment

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to execute the agreement, and any amendments thereto, with the New York State Department of Environmental Conservation for the purpose of accepting a grant in the amount of \$84,000.00 from the Climate Smart Communities Program, and, following the execution of the State Assistance Contract, authorizes the Coordinator of the Department of Environment to submit all necessary grant related documentation and otherwise act for the County regarding this grant funding. Further, this Resolution amends the 2018 Ulster County Budget accordingly.

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 17: To discuss Resolution No. 140 – Amending Capital Project 475 – Slope Analysis & Stabilization – Increasing Funding for Construction, Construction Supervision and Construction Inspection – Amending the 2018-2023 Capital Program - Department Of Public Works (Highways & Bridges)

Resolution Summary: This Resolution authorizes the Commissioner of Finance to transfer funds between Capital Project No. 475 – Slope Analysis & Stabilization and Capital Project No. 439 – Wallkill Bridge when bids are opened and as construction progresses, and amends the 2018 Ulster County Capital Fund Budget accordingly.

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 18: To discuss Resolution No. 142 – Amending Capital Project No. 488, Installation Of Shoulders Along Route 299, Towns Of New Paltz And Gardiner – Transportation Improvement Project (TIP) Not On The State Highway System – Amending The 2018 – 2023 Capital Improvement Program And Declaration Of Intent To Serve As Lead Agency Under SEQRA Department Of Public Works (Highways And Bridges)

Resolution Summary: This Resolution authorizes the County to pay for the cost of engineering work for the Project, authorizes the Chairman of the Legislature to execute all necessary agreements, certifications, or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible. Further, this Resolution authorizes the Commissioner of Public Works, County Engineer, County Comptroller, and County Attorney to execute any necessary agreements or certifications in connection with the advancement or approval of the Project, and amends the 2018 Ulster County Budget accordingly.

Motion Made By: Legislator Bartels

Motion Seconded By: Legislator Maloney (James)

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

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

Motion No. 19: To discuss Resolution No. 144 – Authorizing Land Acquisitions For The Frost Valley Road S-Turn Project In The Town Of Denning – Department Of Public Works (Highways & Bridges)

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to execute any and all documents related to the land acquisitions as approved by the County Attorney, and authorizes the Commissioner of Finance to make payments associated with the land acquisitions needed for the Project, from the funding for Land Acquisitions.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 20: To discuss Resolution No. 145 – Establishing Capital Project No. 525- Reconstruction Of Various Roads In Ulster County – Department Of Public Works (Highways And Bridges)

Resolution Summary: This Resolution establishes Capital Project No. 525 – Reconstruction of Various Roads for \$425,000.00 and amends the 2018 Ulster County Capital Fund budget accordingly.

Motion Made By: Legislator Maloney (James)
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 21: To discuss Resolution No. 147 – Authorizing The Conveyance Of County-Owned Properties To The Original Owners – Department Of Finance

Resolution Summary: This Resolution authorizes the Commissioner of Finance to accept specified payments for the included parcels from the parcel owners, and authorizes the Chairman of the Legislature to make, execute, and deliver to the owner making payment, a quitclaim deed conveying the interest of the County in the parcel.

Motion Made By: Legislator Bartels

Motion Seconded By: Legislator Archer

Discussion: Comptroller Elliot Auerbach stated that his office found conflicting information regarding the SBL No. and the name of the parcel's owner. Commissioner of Finance, Burt Gulnick, to follow up with the Committee for confirmation of the information provided therein.

Motion No. 22: To postpone Resolution No. 147 – Authorizing The Conveyance Of County-Owned Properties To The Original Owners – Department Of Finance

Resolution Summary: This Resolution authorizes the Commissioner of Finance to accept specified payments for the included parcels from the parcel owners, and authorizes the Chairman of the Legislature to make, execute, and deliver to the owner making payment, a quitclaim deed conveying the interest of the County in the parcel.

Motion Made By: Legislator Archer

Motion Seconded By: Legislator Bartels

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Postponed

Motion No. 22: To discuss Resolution No. 148 – Authorizing The Chairman Of The Ulster County Legislature To Convey A Correction Quitclaim Deed To A Party Who Purchased Real Property Which Was Formerly County-Owned Real Property – Department Of Finance, Division Of Real Property Tax Service

Resolution Summary: This Resolution finds and determines that the property described therein is appropriate for conveyance to “The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of the CWABS Inc., Asset-Backed Certificates, Series 2005-17”, in the interests of equity, fairness, and good faith. Further, this Resolution specifies the preparation of the deed to the property, and authorizes and directs the Chairman of the Legislature to make, execute, and deliver to said party or an authorized representative, a Correction Deed, and any other documents required, to convey the interest of the County in said Parcel.

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Gerentine, Archer, Bartels, Lopez, James Maloney, and Joseph Maloney

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition: Approved

New Business: Legislator Joseph Maloney provided a handout to the members of the Committee regarding staffing within the Finance Department and the Budget Department, comparing that of Ulster County to those of Dutchess, Orange, and Albany Counties. Legislator Joseph Maloney stated that there is currently a vacant Deputy Commissioner of Finance position and that he believes consideration should be given to not filling the position based on his concerns that the departments are overstaffed. Commissioner of Finance Burt Gulnick asked whether consideration was given to the duties performed by each the Counties included in the comparison. Discussion perused on the Legislature’s purview on the subject matter. Chairman Gerentine requested that, as a courtesy, the Commissioner of Finance wait to fill the position until after the requested information is provided to the Committee and a discussion is had.

Old Business: None

Chairman Gerentine asked if there was any other business or questions. There being no further business before the Committee, a motion was made to adjourn.

Adjournment

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Archer
No. of Votes in Favor: 7
No. of Votes Against: 0

Time: 5:52 PM

Respectfully submitted: Amber Feaster
Minutes Approved: May 8, 2018