

Ways & Means Committee Regular Meeting Minutes

DATE & TIME: May 15, 2018 – 5:30
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 (arrived at 5:37 PM), Lynn Archer,
Tracey Bartels, James F. Maloney, and Joseph Maloney;
and Legislative Chairman Kenneth J. Ronk, Jr. (5:40 – 5:50
PM)
ABSENT: Legislator Craig V. Lopez
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Julius Collins, Dean Fabiano, Manna Jo Greene, and
Kathy Nolan; Kyle Barnett, Legislative Counsel; Ken Crannell,
Deputy County Executive; Burt Gulnick, Commissioner of
Finance; Marc Rider, Director of Purchasing; Jennifer Clark and
Marie Bing, County Attorney; Rashida Tyler, County Attorney

- **Chairman Gerentine called the meeting to order at 5:31 PM**
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Motion No. 1: To discuss Resolution No. 192 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Peter Luizzi & Bros. Contracting, Inc. – Ulster County Area Transit

Resolution Summary: This Resolution approves the execution of a contract with Peter Luizzi & Bros. Contracting, Inc. for paving services for the UCAT parking lot from August 1, 2018 through November 30, 2018 in the amount of \$115,002.50.

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

Discussion: Legislator James Maloney withdrew the Resolution due to legal issues. All Committee members were in consent with the withdrawal.

Disposition: Withdrawn

Motion No. 2: To postpone Resolution No. 197 – Establishing A Policy To Limit Participation In Party Politics By Appointees Of Ulster County Elected Officials

Resolution Summary: This Resolution establishes a policy to prohibit disclosed positions within Ulster County from holding any position of authority within any political party and prohibiting disclosed positions from making a contribution of any sum of money to any committee on behalf of any candidate for an Ulster County elected office.

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

Discussion: Legislator Joseph Maloney requested the Resolution be postponed.

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

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Postponed

Motion No. 3: To approve Resolution No. 176 – Authorizing The Issuance Of An Additional \$83,409.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of The Wolven Bridge On Zena Road, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of \$83,409.00 in bonds for amendments to Capital Project No. 505 – Replacement Of The Wolven Bridge on Zena Road.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Approved

Motion No. 4: To approve Resolution No. 178 – Authorizing The Issuance Of An Additional \$80,810.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of The Fantinekill Bridge, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of \$80,810.00 in bonds for amendments to Capital Project No. 508 – Fantinekill Bridge Replacement (PIN 8761.75) In The Town of Rochester – Transportation Improvement Project (TIP) Not On The State Highway System

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Approved

Motion No. 5: To approve Resolution No. 180 – Authorizing The Reconstruction Of The Donahue Bridge, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$236,930.00, And Authorizing The Issuance Of \$236,930.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$236,930.00 in bonds for Capital Project No. 510 – Rehabilitation of the Donahue Bridge.

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Approved

Motion No. 6: To approve Resolution No. 182 – Authorizing The Issuance Of An Additional \$250,000.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of Construction Of Asphalt Shoulders Along Lucas Turnpike, In Kingston, New York, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of \$250,000.00 in bonds for Capital Project No. 526 – Construction of Various Shoulders.

Motion Made By: Legislator Archer

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Approved

Motion No. 7: To approve Resolution No. 198 – Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department of Criminal Justice To Accept Grant Funds for Detective Division Overtime Reimbursement – Sheriff’s Office

Resolution Summary: This Resolution authorizes the Chairman of the Legislature to enter into an agreement, and any amendments thereto, with the New York State Division of Homeland Security and Emergency Services for the purpose of Ulster County’s participation in the New York State Operation Red Team Project #SH16-1094-D00, for the period May 1, 2018 through July 31, 2018 in the amount of \$5,088.00.

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Maloney (Joseph)

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Approved

Chairman Gerentine introduced Resolutions No. 199, 200, 201, 202, and 203 pertaining to Capital Project No. 512, Probation Building Construction – To Accommodate The Ulster County Restorative Justice And Community Empowerment Center. Chairman Gerentine emphasized that the Project was initially approved at \$1,630,641 and now approval is being requested for \$3,262,200, requesting an explanation for the cost doubling. Marc Rider, Director of Purchasing, explained that the Legislature previously approved \$420,000 for architectural, engineering, and demolition services required; that the County went out to bid using the architect’s specifications; and that bids came back higher than anticipated. Further, Marc Rider stated that the County performed value engineering, went back out to bid, and that the proposals from the second round of bidding came back on May 3rd, at which point Resolutions were created for presentation to the Legislature.

Legislator Bartels asked how the cost of the Project got so high and requested a special meeting of the Legislature, saying that she would like to hear about the details of this project including exactly is being done and what programs are to be created as a result. Further, Legislator Bartels argued that the Legislature cannot voice to constituents that they understand the dynamics and the detail of the project and why it's doubled in price with the information that has been provided to them to date.

Chairman Gerentine specified that the Resolution states that the increase is "due in part to an accelerated timeline and the revised design components incorporated into such Project based on best practice models for the construction and development of spaces targeted", asking what these "best practice models" are. Legislator Bartels expressed desire to hear how the implementation of best practices results in programmatic changes and how these changes translate to other changes in documents and changes in numbers.

Marc Rider introduced Rashida Tyler, Director of Operational Programming. Rashida Tyler explained to the Committee that her primary job is to oversee the implementation of the Restorative Justice and Empowerment Center and Raise the Age, while explaining some of the initiatives that she has taken on these matters.

Legislator Archer expressed concerns over the timing of the receipt of materials, emphasizing that because of the importance of the program within the communities it will serve, the Legislature needs to obtain a full understanding of what the programs are and how they have played into the reconfiguration of the Center. Legislator Archer also requested justification for the increase in expenses, asked how the County is taking the Raise the Age regulations and applying the principals beyond the minimum requirements of the State, and how the County is expanding upon these minimum requirements to drive program changes that are critical, stating that this is an important initiative that has far reaching ramifications beyond just where the building is but also how it affects each community.

Ken Crannell, Deputy County Executive, stated that timelines are tight and the the goal is to change children's lives. Chairman Gerentine retorted that the point is not how the center is going to change lives, emphasizing that no one is doubting that, but rather that the legislature has not been involved in the process, has not been provided with an explanation as to what is being done and why things have been required to change. Ken Crannell asked how the Legislature would like to interact. Discussion pursued on the lines of communication and the process of communication. Marc Rider said that the original budget was established based on a County employee's estimate, affirming that the scope of the Project has slightly changed.

Legislator Joseph Maloney asked if Legislators in other Counties were left out of the planning phase, making a statement of belief that other County Legislators are more involved at this phase of program development. Further, Legislator Joseph Maloney asked about Ms. Tyler's position and why she is working under the County Attorney's Department. Ms. Tyler explained the Restorative Justice and Empowerment Center's relationship with Raise the Age laws and Regulations. Ken Crannell confirmed that the prosecution of juveniles comes out of the County Attorney's office.

Chairman Gerentine asked what the consequences are, if any, if the Resolutions are postponed for a week. Marc Rider stated that the October construction deadline will not be met and that juveniles will have to go through the standard justice system as the Center will not be operable and questioned whether state funding would be missed. Legislator Archer asked if there are minimum standards that the County can meet by October 1, 2018, before the implementation of the Restorative Justice Program as it stands before the committee today that will provide a bit of wiggle room without this pressure. Marc Rider answered that additional costs are due to the addition of 8 offices and a conference room that can be used for multiple purposes and that a request for the contractor to complete a specific part first will increase total construction costs. Legislator Archer emphasized that her question pertains to what other options exist beyond building a center, arguing that centers are not being built everywhere. Ken Crannell reiterated the purpose of the project, stating that the County has experience in Restorative Justice programming and is already practicing these methodologies and he believes that current space will not be sufficient once raise the age is implemented.

Legislator Kathy Nolan expressed content with the Resolutions and the amount of funding being requested based on her understanding of how the project has developed. Legislator James Maloney affirmed understanding in the original Capital Project budget being an estimate, but asked that the Legislature receive a plan so that the project can be fully understood.

Chairman Gerentine confirmed that the Chairman of the Legislature is willing to call a Special Meeting of the Legislature to discuss the matter and to provide the Legislature with the opportunity to obtain an understanding of the project's scope prior to voting on its approval.

Motion No. 8: To Bundle Resolutions No. 199, 200, 201, 202, and 203

Motion Made By: Legislator Maloney (James)

Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gerentine, Petit, Archer, Bartels, 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 the following Resolutions:

Resolution No. 199 – Amending Capital Project No. 512, Probation Building Construction – To Accommodate The Ulster County Restorative Justice And Community Empowerment Center – Amending The 2018-2023 Ulster County Capital Improvement Program - Amending The 2018 Capital Fund Budget – Public Works (Building And Grounds)

Resolution Summary: This Resolution amends the 2018-2023 Ulster County Capital Improvement Program to amend Capital Project No. 512 – Restorative Justice and Community Empowerment Center from \$1,630,641 to \$3,262,200, an increase of \$1,631,559 due in part to an accelerated timeline and the revised design components incorporated into such Project based on best practice models for the construction and development of spaces targeted to the provision of Restorative Justice services.

Resolution No. 200 – Authorizing Probation Building Reconstruction To Accommodate The Ulster County Restorative Justice And Community Empowerment Center, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$2,842,200.00, And Authorizing The Issuance Of \$2,842,200.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$2,842,200.00 in bonds for the construction phase of Capital Project No. 512, Probation Building Construction – To Accommodate The Ulster County Restorative Justice And Community Empowerment Center.

Resolution No. 201 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Ferrari & Sons, Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Ferrari & Sons, Inc. for general contractor services for the construction of the Restorative Justice and Community Empowerment Center from May 16, 2018 through December 31, 2018 in the amount of \$1,746,000.00.

Resolution No. 202 -- Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – J & J Sass Electric, Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with J & J Sass Electric, Inc. for electrical contractor services for the construction of the Restorative Justice and Community Empowerment Center from May 16, 2018 through December 31, 2018 in the amount of \$330,000.00.

Resolution No. 203 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Vamco Sheet Metal, Inc. – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Vamco Sheet Metal, Inc. for mechanical contractor services for the construction of the Restorative Justice and Community Empowerment Center from May 16, 2018 through December 31, 2018 in the amount of \$401,000.00.

Motion Made By: Legislator Archer

Motion Seconded By: Legislator Petit

Discussion: The Committee agreed to postpone the Resolutions with the intent of holding a special meeting of the Legislature in order to vote on the included Resolutions in the upcoming week.

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

Old Business: None

New 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 Maloney (James)
Motion Seconded By: Legislator Maloney (Joseph)
No. of Votes in Favor: 6
No. of Votes Against: 0

Time: 6:14 PM

Respectfully submitted: Amber Feaster
Minutes Approved: June 12, 2018