

**Ways &  
Means Committee  
Regular Meeting Minutes**

**DATE & TIME:** June 8, 2021 – 5:00  
**LOCATION:** Powered by Zoom Meeting by dialing 1-646-558-8656, Meeting ID 965 3134 5605  
**PRESIDING OFFICER:** John Gavaris, Chairman  
**LEGISLATIVE STAFF:** Natalie Kelder, Amber Feaster, and Jay Mahler  
**PRESENT:** Legislators Kenneth J. Ronk, Jr., Lynn Archer, Tracey Bartels, Heidi Haynes, Mary Beth Maio, John Parete, and Eve Walter; and Legislative Chairman David B. Donaldson  
**ABSENT:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Brian Cahill, Manna Jo Greene, Laura Petit, and Abe Uchitelle; Legislative Counsel Chris Ragucci; Legislative Counsel Victor Cueva; Minority Counsel Nicholas Pascale; Clerk of the Legislature, Victoria Fabella; Deputy County Executives Marc Rider, and John Milgrim; Commissioner of Finance Burt Gulnick; Comptroller March Gallagher; David Clegg, District Attorney; Paul DerOhanessian, Assistant District Attorney; Elizabeth Culmone-Mills, Assistant District Attorney; Sheriff Juan Figueroa; Warren Whitaker, Sheriff; Tim Weidemann, Director of Economic Development; Patricia Doxsey, Daily Freeman

- **Chairman Gavaris called the meeting to order at 5:02 PM**

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**District Attorney David Clegg, Assistant District Attorney Elizabeth Culmone-Mills, and Assistant District Attorney Paul DerOhanessian** spoke from 5:02 PM to 5:22 PM on the impact that Discovery Laws have had on the District Attorney’s Office, informing Committee members that the office is under-staffed, detailing how each individual’s workload has increased, and explaining the impacts these factors have on the community. Further, District Attorney Clegg explained unintended consequences of Discovery reform, emphasizing the need for more support staff. Legislative Chairman Donaldson thanked the District Attorney and his staff for their service and commitment, acknowledging the issue before them.

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**Motion No. 1: To approve the Minutes of the May 11, 2021 and May 18, 2021 Regular Meetings, and the May 13, 2021 Special Meeting**

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 2: To discuss Resolution No. 238 – Adopting Revised Ulster County Fund Balance Policy**

**Resolution Summary:** This Resolution adopts the County of Ulster Fund Balance Policy as amended and attached.

**Motion Made By:** Legislator Bartels  
**Motion Seconded By:** Legislator Ronk

**Discussion:** Legislator Ronk asked if there is an appetite for any movement within the acceptable percentage of unrestricted fund balance. Legislator Archer stated that she is willing to move forward on a 16% cap but is looking to increase the 5% floor to 8%. Commissioner of Finance Gulnick affirmed that 8% has been the average over the past few years. Comptroller Gallagher noted that she is preparing a report reviewing the history of the County's fund balance. Further discussion pursued on the history of unrestricted fund balance and the need to balance the budget when unrestricted fund balance is no longer available for use. Legislator Archer proposed postponing the Resolution until the Committee obtains and reviews the Comptroller's report on fund balance.

**Motion No. 3: To postpone Resolution No. 238 – Adopting Revised Ulster County Fund Balance Policy**

**Resolution Summary:** This Resolution adopts the County of Ulster Fund Balance Policy as amended and attached.

**Motion Made By:** Legislator Archer  
**Motion Seconded By:** Legislator Ronk

**Discussion:** Legislator Bartels confirmed that the County’s external auditors have reviewed the proposed policy. Legislator Archer noted that the proposed range is slightly shy of the GFOA’s recommendation. Legislator Walter noted that the external budget analysts assessed the County’s unrestricted fund balance as being low in contrast to that of comparable Counties.

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Postponed

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**Motion No. 4: To approve Resolution No. 239 – Replenishing The Tax Stabilization Reserve Fund Of The County Of Ulster**

**Resolution Summary:** This Resolution authorizes and directs the Commissioner of Finance to make a transfer totaling \$1,450,562.72 from unassigned fund balance to the Tax Stabilization Reserve Fund.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Ronk

**Discussion:** Legislative Chair Donaldson requested the funding come from available American Recovery Funding. Legislator Ronk requested the action be taken as part of the budget process, upon year-end closing. Further discussion pursued on the County’s 2020 surplus funds, and future uncertainties the County may be facing. Deputy County Executive John Milgrim stressed that surpluses quickly turn to deficits, that the County has restored many of the functions that resulted in savings in the prior period, and stressed the importance of fully understanding the spending planned in the upcoming year.

**Voting In Favor:** Legislators Gavaris, Archer, Bartels, Parete, and Walter

**Voting Against:** Legislators Ronk, Haynes, Maio, and Legislative Chairman Donaldson

**No. of Votes in Favor:** 5

**No. of Votes Against:** 4

**Disposition:** Approved

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**Motion No. 5: To approve Resolution No. 245 - Setting A Public Hearing On Tentative Budget Of Ulster County Community College For The Year 2021-2022 To Be Held On Tuesday, July 13, 2021 At 6:05 PM**

**Resolution Summary:** This Resolution authorizes a Public Hearing to be held on Tuesday, July 13, 2021 at 6:05 PM, in the Legislative Chambers, Ulster County Office Building, 6th Floor, 244 Fair Street, Kingston, New York, and/or via videoconference to the extent allowable pursuant to existing New York State legislation, or order and the Rules of the Ulster County Legislature.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 6: To approve Resolution 249** – Amending The 2021 Ulster County Budget To Fund Environmental Compliance Manager Position – Department Of The Environment

**Resolution Summary:** This Resolution authorizes amendment of the 2021 Ulster County Budget to include an Environmental Compliance Officer (\$54,792 – 2021 Annual Salary) in the Department of the Environment which shall report to the Director of the Department of the Environment, for a total 2021 cost of \$44,585.00.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 7: To approve Resolution No. 250** – Authorizing The Chair Of The Ulster County Legislature To Execute A Memorandum Of Agreement With The Kingston City School District For The Operation Of A Point Of Dispensing Site At The Kate Walton Field House – Department Of Public Works (Buildings & Grounds)

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to execute a memorandum of agreement with the Kingston City School District for the operation of Point of Dispensing (POD) sites at the Kate Walton Field House located at Kingston High School in the amount of \$50,900.00.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** Legislator Archer confirmed this Resolution is for a backward looking contract in which the Kingston City SD can obtain FEMA reimbursement.

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 8: To approve Resolution No. 251** – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Office Of Children And Family Services For A Mobile Child Advocacy Center Unit – Department Of Social Services

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to execute an agreement, and any amendments thereto, with the New York State Office of Children and Family Services for the MDT CAC Mobile Unit in the amount of \$250,000.00, and amends the 2021 Operating Budget accordingly.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 9: To approve Resolution No. 252** – Approving The Execution Of A Contract For \$73,511.00 Entered Into By The County – Family Of Woodstock Inc. – Department Of Social Services

**Resolution Summary:** This Resolution approves the execution of a contract with Family of Woodstock, Inc. from January 1, 2021 through December 31, 2021 for the Title XX Domestic Violence Program in the amount of \$73,511.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 10: To approve Resolution No. 253** – Approving The Execution Of A Contract For \$200,000.00 Entered Into By The County – J & D Ultracare Corp. – Department Of Social Services

**Resolution Summary:** This Resolution approves the execution of a contract with J & D Ultracare Corp. from September 1, 2021 through August 31, 2023 for a preschool nurse attendant in the amount of \$200,000.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 11: To approve Resolution No. 254** – Approving The Execution Of A Contract For \$200,000.00 Entered Into By The County – Unlimited Care, Inc. – Department Of Social Services

**Resolution Summary:** This Resolution approves the execution of a contract with Unlimited Care, Inc. from September 1, 2021 through August 31, 2023 for a preschool nurse attendant in the amount of \$200,000.00.

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 12: To approve Resolution No. 255** – Approving The Execution Of A Contract For \$159,176.00 Entered Into By The County – Liberty Resource, Inc. – Department Of Social Services

**Resolution Summary:** This Resolution approves the execution of a contract with Liberty Resource, Inc. from January 1, 2021 through December 31, 2022 for a trauma specialist case manager in the amount of \$159,176.00.

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 9

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 13: To approve Resolution No. 256** – Approving The Execution Of A Contract Amendment For \$53,000.00 Entered Into By The County – PEOPLE: Projects to Empower and Organize the Psychiatrically Labeled, Inc. – Department Of Health

**Resolution Summary:** This Resolution approves the execution of a contract amendment with PEOPLE; Projects to Empower Organize the Psychiatrically Labeled, Inc. from September 1, 2020 through August 31, 2021 to reduce funding for HRMT guidance and support services for a reduced cost of \$21,956.00, making the contract total \$53,000.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 9  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 14: To approve Resolution No. 257** – Approving The Execution Of A Contract Amendment For \$368,450.57 Entered Into By The County – The Trustees Of Columbia University In The City Of New York – Department Of Health

**Resolution Summary:** This Resolution approves the execution of a contract amendment with The Trustees of Columbia University in the City of New York to provide funding for the HEALing Communities Grant from April 1, 2021 through March 30, 2022 in the amount of \$368,450.57, making the contract total \$1,064,598.83.

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 9  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 15: To approve Resolution No. 258** – Supporting The Findings And Recommendations Of The 2020 Final Report And Plan Completed By The Ulster 2040 Working Group

**Resolution Summary:** This Resolution resolves that the Legislature supports the recommendations of the Ulster 2040 Working Group and urges the County Executive to direct resources of the Executive staff towards implementation, and directs the Director of the Department of Economic Development to advise the Ulster County Legislature and the Ulster County Executive on i) updates and changes necessary to ensure that the Ulster 2040 economic development strategy remains relevant and timely as economic conditions continue to evolve, ii) implementation of the recommendations contained in the Ulster 2040 plan, ii) the adoption, modification or repeal of laws and regulations that pertain to economic development, iii) the need for strategic investments in economic development by the County and iv) the coordination of economic development efforts with local, regional and state partners to and facilitate in the accomplishment of the Ulster 2040 plan.



**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** Legislator Ronk questioned why the Legislature is weighing in on this plan. Legislator Bartels stated concerns regarding the interface with UCEDA.

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 16: To approve Resolution No. 259** – Approving The Execution Of A Contract For \$75,000.00 Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Department Of Economic Development

**Resolution Summary:** This Resolution approves the execution of a contract with Ulster County Economic Development Alliance, Inc. from June 1, 2021 through December 31, 2021 to provide economic development services which shall include but not be limited to implementing priorities and actions identified in the Ulster 2040 economic development strategy in the amount of \$75,000.00.

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** Legislator Bartels informed Committee members that she reviewed the enabling legislation which created UCEDA to find a description of the Organization and it's roles and responsibilities in relation to the Department of Economic Development, noting that the Schedule A of this contract describes tasks which the Department of Economic Development should be doing. Director of Economic Development Tim Weidemann acknowledged that there is a struggle with determining what tasks the Department of Economic Development should be responsible for completing. Legislator Archer informed Committee members that she requested a clear delineation of the roles and responsibilities of each organization and the Department of Economic Development. Legislative Chairman Donaldson expressed he believes the included tasks are what UCEDA should be doing. Deputy County Executive Marc Rider argued that the Office of Economic Development overseeing a contract to complete the duties it is charged with is the Department completing those services. Further discussion pursued on the roles and responsibilities of both the

Office of Economic Development and UCEDA, and the relationship between the two. Mr. Weidemann said this contract is a reflection of the scope of work the Office of Economic Development wants to complete. Legislator Archer questioned who is going to manage the contracted tasks. Mr. Weidemann confirmed that there is no staff at UCEDA and that County staff provides that support, emphasizing that UCEDA is being utilized as a tool to allow for contractual and fundraising opportunities that wouldn't otherwise be allowable. Legislator Parete expressed discontent with prior efforts towards economic development in Ulster County.

**Voting In Favor:** Legislators Gavaris, Ronk, Haynes, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** Legislators Archer, and Bartels  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 2  
**Disposition:** Approved

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**Motion No. 17: To approve Resolution No. 260** – Authorizing The Chair Of The Ulster County Legislature To Extend An Intermunicipal Agreement With The Town Of New Paltz To Provide Public Transit Service To The New Paltz Area (New Paltz LOOP) – Department Of Public Transportation (Ulster County Area Transit)

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to execute an agreement and any related amendments with the Town of New Paltz for the period beginning July 1, 2021 and ending December 31, 2021 to continue the New Paltz LOOP public transit service, and resolves that this service will continue contingent upon the availability of local operating funds from the Town of New Paltz and adequate bus fares.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 18: To approve Resolution No. 261** – Approving The Execution Of A Contract Amendment For \$48,600.00, Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Bishop Peak Technology, Inc. – Ulster County Area Transportation (UCAT)

**Resolution Summary:** This Resolution approves the execution of a contract amendment with Bishop Peak Technology, Inc. to extend the term of agreement for a bus tracking system and to expand the scope of work to include a mobile trip planner app from July 31, 2021 through July 31, 2024 for an additional \$48,600.00, making the contract total \$93,600.00.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 19: To approve Resolution No. 262** – Approving The Execution Of A Contract Amendment For \$246,414.00 Entered Into By The County – National Business Equipment, LLC – Information Services

**Resolution Summary:** This Resolution approves the execution of a contract amendment with National Business Equipment, LLC to extend the term of agreement for lease and maintenance of copiers/printers from July 1, 2021 through June 30, 2022 for an additional \$246,414.00, making the contract total \$2,231,758.46.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 20: To approve Resolution No. 263** – Approving The Execution Of A Contract Amendment For \$287,002.44 Entered Into By The County – Tyler Technologies, Inc. – Information Services

**Resolution Summary:** This Resolution approves the execution of a contract amendment with Tyler Technologies, Inc. to extend the term of agreement for the public safety enterprise software system from July 31, 2021 through July 31, 2022 for an additional \$287,002.44, making the contract total \$1,141,012.38.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 21: To approve Resolution No. 264** – Authorizing The Chairman Of The Ulster County Legislature To Execute A Fixed Term Agreement With New York State Office For The Prevention Of Domestic Violence – Enough Is Enough Initiative – Department Of Probation

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to execute an agreement and any amendments thereto pertaining to the contract with the New York State Office for the Prevention of Domestic Violence for the purpose of the Enough Is Enough State Law initiatives for contract period May 1, 2021 through April 30, 2022.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 22: To approve Resolution No. 265** – Approving The Execution Of A Contract For \$50,000.00 Entered Into By The County – Legal Services Of The Hudson Valley – Probation

**Resolution Summary:** This Resolution approves the execution of a contract with Legal Services of the Hudson Valley from January 1, 2021 through December 31, 2021 for legal services for domestic violence crises in the amount of \$50,000.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 23: To approve Resolution No. 266** – Approving The Execution Of A Contract For \$85,440.00 Entered Into By The County – New York Communications Company, Inc. – Ulster County Sheriff

**Resolution Summary:** This Resolution approves the execution of a contract with New York Communications Company, Inc. from June 1, 2021 through May 31, 2026 for radio equipment lease for URGENT in the amount of \$85,440.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 24: To approve Resolution No. 267** – Authorizing The Chairman Of The Ulster County Legislature To Terminate A Memorandum Of Understanding With The New York State Department Of Correctional Services And Community Supervision For Space At Ulster County’s Old Jail – Department Of Public Works (Buildings & Grounds)

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to execute, on behalf of the County, a termination to the Memorandum of Understanding, and any amendments thereto, with the State of New York, Office of General Services, whereby the State was allowed to use approximately 1,850 square feet of space in the old County Jail, approximately two days per month in exchange for a monthly payment of \$1,100.00 to allow for new construction.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 25: To approve Resolution No. 268** – Establishing Capital Project No. 594 - Black Creek Upgrade, Amending The 2021-2026 Capital Improvement Program - Ulster County Sheriff

**Resolution Summary:** This Resolution establishes Capital Project No. 594 – Black Creek Upgrade to replace failing equipment and software that is used to control the Ulster County Jail in the amount of \$1,102,665.00, and amends the 2021 Capital Fund Budget accordingly.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 26: To approve Resolution No. 270** – Approving The Execution Of A Contract Amendment For \$25,000.00, Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Edible Independence, Inc. – Emergency Management

**Resolution Summary:** This Resolution approves the execution of a contract amendment with Edible Independence, Inc. from February 1, 2021 through December 31, 2021 to increase the not-to-exceed amount due to the ongoing COVID-19 pandemic in the amount of \$25,000.00, making the contract total \$74,500.00.

**Motion Made By:** Legislator Ronk  
**Motion Seconded By:** Legislator Donaldson

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 27: To approve Resolution No. 271** – Approving The Execution Of A Contract For \$150,000.00 Entered Into By The County – Emergency Services Marketing Corp., Inc. – Emergency Management

**Resolution Summary:** This Resolution approves the execution of a contract with Emergency Services Marketing Corp., Inc. from July 1, 2021 through June 30, 2026 for an Iamresponding emergency responder software license in the amount of \$150,000.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 28: To approve Resolution No. 272** – Amending The 2021 Ulster County Budget To Create A “Discovery And Records Unit” At The Office Of The Ulster County District Attorney

**Resolution Summary:** This Resolution authorizes and creates the permanent positions of (a) Chief of Discovery Unit; (b) one assistant district attorney; (c) one paralegal; (d) one records and operations manager; (e) one video and technical support technician; and (f) one administrative

assistant, and amends the 2021 Operating Budget accordingly in the amount of \$261,821.00, for an annual impact of no less than \$542,603.00.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** Legislator Ronk informed the Committee that he will be voting no on this Resolution, stating that he respects the need for more staff at the District Attorney's office while acknowledging that staff was increased this year in the budget process. Legislator Ronk continued, adding desire to include a sunset clause. Legislator Walter stated support for the Resolution, emphasizing the amount of work that Discovery Reform has resulted in and informing Committee members that the Law Enforcement and Public Safety Committee was unanimously in support of this. Legislative Chairman Donaldson requested the salaries of Assistant District Attorney's be reviewed as he believes them to be far too low, affirming that he supports this Resolution for safety reasons. Further discussion pursued on the impacts of Discovery Reform, it's history, and the impacts it has had on public safety.

**Voting In Favor:** Legislators Gavaris, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** Legislator Ronk

**No. of Votes in Favor:** 7

**No. of Votes Against:** 1

**Disposition:** Approved

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**Motion No. 29: To bundle Resolutions No. 273, 274, and 275**

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

**Motion No. 30: To approve the following Resolutions:**



**Resolution No. 273** – Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Office Of Indigent Legal Services For Distribution #9 – Public Defender’s Office

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature, or his designee, enter into an agreement, and any amendments thereto, with the New York State Office of Indigent Legal Services for the purpose of Ulster County’s participation in Distribution #9, Contract No. C900051, for the period 01/01/2019 through 12/31/2021.

**Resolution No. 274** – Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Office Of Indigent Legal Services For Distribution #10 – Public Defender’s Office

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to enter into an agreement, and any amendments thereto, with the New York State Office of Indigent Legal Services for the purpose of Ulster County’s participation in Distribution #10, Contract No: C100051, period 01/01/2020 through 12/31/2022.

**Resolution No. 275** – Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The New York State Office Of Indigent Legal Services For Distribution #11 – Public Defender’s Office

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature, or his designee, to enter into an agreement, and any amendments thereto, with the New York State Office of Indigent Legal Services for the purpose of Ulster County’s participation in Distribution #11, Contract No: C110051, for the period January 1, 2021 through December 31, 2023 for State Aid Revenue of \$286,150.59.00 for the fiscal year 2021, \$293,284.44 for the fiscal year 2022, and \$301,653.00 for the fiscal year 2022.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 31: To approve Resolution No. 276** - Establishing Capital Project No. 593 – New Paltz Substation Parking Lot Replacement — Department Of Public Works (Highways & Bridges)

**Resolution Summary:** This Resolution establishes Capital Project No. 593 – New Paltz Substation Parking Lot Replacement to remove the existing parking lot and install a new asphalt surface in the amount of \$145,000.00m and amends the 2021 Capital Fund Budget accordingly.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 32: To approve Resolution No. 278** – Approving The Execution Of A Contract For \$145,000.00 Entered Into By The County – Callanan Industries, Inc. – Department Of Public Works

**Resolution Summary:** This Resolution approves the execution of a contract with Callanan Industries, Inc. from July 1, 2021 through November 15, 2021 for repaving of parking lot at New Paltz substation in the amount of \$145,000.00.

**Motion Made By:** Legislator Donaldson

**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 33: To approve Resolution No. 279** – Approving The Execution Of A Contract Amendment For \$100,000.00 Entered Into By The County – L.W. Tree Service, Inc. – Department Of Public Works

**Resolution Summary:** This Resolution approves the execution of a contract amendment with L.W. Tree Service, Inc. from April 23, 2021 through July 30, 2022 to exercise the final option to extend the term of agreement for removal of hazardous trees for an additional \$100,000.00, making the contract total \$367,700.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter;  
and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 34: To approve Resolution No. 280** – Approving The Execution Of A Contract For \$96,420.00 Entered Into By The County – Barton & Loguidice, D.P.C. – Department Of Public Works

**Resolution Summary:** This Resolution approves the execution of a contract with Barton & Loguidice, D.P.C. from July 1, 2021 through September 30, 2022 for design services for the replacement of the Sundown Bridge in the amount of \$96,420.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter;  
and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 35: To approve Resolution No. 281** – Approving The Execution Of A Contract For \$69,872.00 Entered Into By The County – Alleymor Inc., D/B/A Pestmaster Services – Department Of Public Works

**Resolution Summary:** This Resolution approves the execution of a contract with Alleymor Inc., d/b/a Pestmaster Services from July 1, 2021 through June 30, 2023 for integrated pest management services in the amount of \$69,872.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 36: To approve Resolution No. 282** – Approving The Execution Of A Contract For \$82,885.65 Entered Into By The County – Peak Power Systems, Inc. – Department Of Public Works

**Resolution Summary:** This Resolution approves the execution of a contract with Peak Power Systems, Inc. from July 1, 2021 through June 30, 2024 for generator repair and maintenance in the amount of \$82,885.65.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 37: To approve Resolution No. 283** – Authorizing The Chair Of The Ulster County Legislature To Enter Into A Lease Agreement With Higginsville Station, LLC For Board Of Elections Office & Storage Space - Department Of Public Works – Buildings And Grounds

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to enter into a lease agreement with Higginsville Station, LLC for 2,831 square feet of office space and 9,680 square feet of storage space for the Board of Elections located at 411 Washington Avenue, Kingston, NY in the amount of \$896,848.45 (\$89,486.00 for the period January 1, 2022 through December 31, 2022, \$95,751.50 for the period January 1, 2023 through December 31, 2023, \$101,997.00 for the period January 1, 2024 through December 31, 2024, \$103,248.10 for the period January 1, 2025 through December 31, 2025, and \$106,375.85 for the period January 1, 2026 through December 31, 2026.

**Motion Made By:** Legislator Walter  
**Motion Seconded By:** Legislator Bartels

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 38: To approve Resolution No. 285** – Authorizing The Issuance Pursuant To Section 90.00 And/OR Section 90.10 Of The Local Finance Law Of Refunding Bonds Of The County Of Ulster, New York, To Be Designated Substantially “Public Improvements Refunding (Serial) Bonds”, And Providing For Other Matters In Relation Thereto And The Payment Of The Bonds To Be Refunded Thereby

**Resolution Summary:** This Resolution authorizes the refunding of bonds in the amount of \$227,225,000.00 and related tasks, for an anticipated savings of \$3,930,983.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Ronk

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 39: To approve Resolution No. 286** – Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law

**Resolution Summary:** This Resolution approves the apportionment as present for the period from October 1, 2020 through March 31, 2021, and authorizes the Commissioner of Finance to pay the Comptroller of the City of Kingston, the Treasurer of the three villages and to the respective Supervisors of the twenty towns of the County of Ulster, the amounts as designated therein.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter;  
and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 40: To approve Resolution No. 287** – Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The New York State Division Of Criminal Justice Services For Participation In The Criminal Justice Discovery Reform Grant – District Attorney

**Resolution Summary:** This Resolution authorizes the Chair of the Legislature to enter into an agreement, and any amendments thereto, with the Division of Criminal Justice Services for the purpose of Ulster County’s participation in the Criminal Justice Discovery Reform Grant, for the period April 1, 2020 through March 31, 2021 for anticipated State Aid dollars in the amount of \$768,733.00.

**Motion Made By:** Legislator Donaldson  
**Motion Seconded By:** Legislator Walter

**Discussion:** None

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter;  
and Legislative Chairman Donaldson  
**Voting Against:** None  
**No. of Votes in Favor:** 8  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 41: To approve Resolution No. 288** – Establishing A “Ban The Box” Policy For The County Of Ulster

**Resolution Summary:** This Resolution resolves that any application for examination or employment with Ulster County shall not contain questions or checkboxes regarding criminal history, requires that all applications for County employment be reviewed and judged on the qualifications presented, any applicable civil service standards, and all pertinent laws and regulations, and allows Ulster County to inquire into and consider a candidate’s prior criminal convictions only after the first interview, except as when otherwise required by law.

**Motion Made By:** Legislator Bartels  
**Motion Seconded By:** Legislator Walter

**Discussion:** Legislator Bartels vocalized that she felt it was important to codify the policy as it exists currently. Legislator Walter emphasized support for the Policy.

**Voting In Favor:** Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Parete, and Walter; and Legislative Chairman Donaldson

**Voting Against:** None

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Disposition:** Approved

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**Old Business:** None

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**New Business:** Chairman Gavaris informed Committee members that the next meeting of the Ways & Means Committee will be in-person for Committee members.

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Chairman Gavaris asked the members if there was any other business, and hearing none;

### **Adjournment**

**Motion Made By:** Legislator Walter

**Motion Seconded By:** Legislator Donaldson

**No. of Votes in Favor:** 8

**No. of Votes Against:** 0

**Time:** 5:43 PM

**Respectfully submitted:** Amber Feaster

**Minutes Approved:** July 13, 2021

**Ways &  
Means Committee  
Regular Meeting Transcript**

**DATE & TIME:** June 8, 2021 – 5:00  
**LOCATION:** Powered by Zoom Meeting by dialing 1-646-558-8656,  
Meeting ID 965 3134 5605  
**PRESIDING OFFICER:** John Gavaris, Chairman  
**LEGISLATIVE STAFF:** Natalie Kelder, Amber Feaster, and Jay Mahler  
**PRESENT:** Legislators Kenneth J. Ronk, Jr., Lynn Archer, Tracey Bartels,  
Heidi Haynes, Mary Beth Maio, John Parete, and Eve Walter; and  
Legislative Chairman David B. Donaldson  
**ABSENT:** None  
**QUORUM PRESENT:** Yes  
**OTHER ATTENDEES:** Legislators Brian Cahill, Manna Jo Greene, Laura Petit, and Abe  
Uchitelle; Legislative Counsel Chris Ragucci; Legislative Counsel  
Victor Cueva; Minority Counsel Nicholas Pascale; Clerk of the  
Legislature, Victoria Fabella; Deputy County Executives Marc  
Rider, and John Milgrim; Commissioner of Finance Burt Gulnick;  
Comptroller March Gallagher; David Clegg, District Attorney;  
Paul DerOhanessian, Assistant District Attorney; Elizabeth  
Culmone-Mills, Assistant District Attorney; Sheriff Juan Figueroa;  
Warren Whitaker, Sheriff; Tim Weidemann, Director of Economic  
Development; Patricia Doxsey, Daily Freeman

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**Chairman Gavaris:** District Attorney Clegg, would like to do a presentation, we'll turn it over to him for a few minutes.

**District Attorney Dave Clegg:** Okay, well, thank you. It's nice to see you all virtually. Glad to see you can smile and have some fun together. So the reason that we've made this request for a resolution is that we have a, a burden that's been imposed on us by the new discovery laws that are impacting my office to an extreme degree right now. And I'll go over all the details of that. But I'd like to start off by asking one of my experienced ADA's to tell you how this has affected her legal practice here at the Ulster County DA's Office. So Liz Culmone-Mills, would you please speak?

**Elizabeth Culmone-Mills:** Yes, good evening, everybody. Thank you so much for giving me the opportunity to speak to everybody here today. I have been with the Ulster County District Attorney's Office going into my 15th year. For the past 15 years, I have prosecuted cases of



domestic violence. And I do want to talk to you, I will be brief. But I do want to talk to you how the discovery was have impacted what we are able to do here at the District Attorney's office. And specifically, with respect to a very serious public safety issue that it's causing. We are extremely desperate at the DA's office. We are understaffed, and we are not, we are in a position where public safety is at risk. And I want to take you into that for a moment. As you all know, the most serious and violent cases for police officers, the greatest risk cases for them to respond to are domestic violence cases. And sometimes there are 3, 4, 5 officers who respond to a call for service. Sometimes it's the entire shift that responds to the call for service. And sometimes those call for service appropriately take one to two hours to resolve. That means for each officer that responds to that call for service, we have one to two hours of body camera video and patrol car video that we have to go through. And quite often with domestic violence cases, victims are not cooperative, victims may not have even been the one who called the police. They're reluctant to cooperate when the police are questioning him. And even if they did call, they're reluctant to tell the police exactly what happened because it puts them in a really dangerous situation with their abuser. And so what happens is, every time I get a case, and since March of 2020, I have been assigned 103 cases, and every single case, I have to go through every single body camera video patrol car video, so that I can ensure that I am protecting the victims in this community. I review that video so that I'm able to tell the victim what him or her, what he or she had said, to keep them safe from their abuser. Many times it's, it's a really vulnerable time. When they're responding, when, when they're telling the police officers what happened. In a particular case, it's a it's an extremely vulnerable time for them. And sometimes we're reviewing to ensure that we can apply for a protective order. And other times we're reviewing the body camera video, because I want to ensure that I'm able to tell this victim what in fact, they did say so that when that information gets turned over to their abuser, they're prepared for that.

I feel at this point, that we are not serving the community in the way in which each of you are expecting us to serve the community. I took a personal oath 15 years ago to serve the victims of Ulster County and because of the, the burden that's being put on us, without the proper staffing, it's not the burden, it's the staffing to help us support doing it. I do not feel like I am able to provide the service to the victims in this community that I swore I would do 15 years ago. Um, I apologize for getting emotional but this is, this is not something to, to apologize for, because we are all committed to this community have committed to serving, serving the public and because of how understaffed we are at this point. And because of the discovery obligations that we have, we are not able to do that and we're not able to serve our community. I, I'm not going to take any more of your time but I want to thank you for, for listening to us and to hearing what it's, what it's like for us on a daily basis.

**Legislative Chairman Donaldson:** Thank you.

**District Attorney Dave Clegg:** Thank you Liz. Thank you Liz. So we have a PowerPoint presentation, I'd like to, to show you and we'll discuss what these issues are. Go ahead.

**Unidentified Speaker:** You have to share the screen.

**District Attorney Dave Clegg:** Go ahead, I don't know how to do.

**Natalie Kelder:** You should be able to that.

**Unidentified Speaker:** We can do it? Okay.

**District Attorney Dave Clegg:** So the impact of discovery reform on our office. The April 1st 2019 legislation that was a sweeping reform, for discovery, has affected our office in a way that that, there are unintended consequences. Now, what the discovery law did was it required automatic discovery, accelerated timeline response, and a flow of information of every item in every case, including misdemeanors and felonies. So as we talked about, we've had something in the area of 4,500 cases in the last year and a half. In every single case now, discovery requires us within a timeline of 20 days, or 30 days, depending on the complexity of the case, to make sure that we've responded to all of the discovery demands in each case. What that has done is put the burden on, on our office, and our ADA's to try and respond to this discovery in a very time pressured situation. Which makes us in a, puts us in a position where the workload that we have, along with the importance of the cases we're handling makes it three times more difficult than it ever was before.

Right now, because of the COVID, you know, the pandemic that we had, we had a court closure for six months, we have limited grand jury time, we have backlogs in cases that are doubled and tripled the case loads of each ADA in my office. And what that means is not only do they have more cases than ever before, but they have more work in every case that they have. Now, the way to respond to this. And what we need desperately to make this function is additional staffing to cover the discovery requirements that we have in a speedy fashion in a competent fashion, with the support staff that we're requesting.

We are modeling this discovery unit after what's going on in, in Dutchess County. And so that in Dutchess County, they have a unit, where they requested six ADA's and they got three ADA's and they have four support staff. And what they do is that unit starts to address discovery in a

very immediate fashion. So as I said, within a 20 day limitation, you have to get discovery going right away. And that requires coordination with each law enforcement agency in this county, which we've been doing to the best of our ability, and then getting the information which includes body cams and car cams, and surveillance cameras and phone information. And highly digitalized information that makes this discovery so much more complex than it ever was before. So the combination of all the additional information needs to be discovered. Every, body cameras, as Liz was saying you can have three, four, and as many as 60, depending on the complexity of case, law enforcement officers arriving at a scene of a crime. In a very serious crime, as I said, it could be as many as 50 or 60 officers involved. The amount of time that it takes is incredible and if you lay it all on our ADA's, who have to also do the emotional work, and the trial work, and the arraignments. And all the work that goes into prosecuting cases, it puts a stress on us.

What I will tell you is that right now we have actually indicted four murder second cases within the last six months. Each murder case is probably 20 times the amount of effort, discovery, and time that a normal case takes. That along with the backlog and the extreme, highly complex caseload that each my ADA's has, has put us in a position that in order to make sure that we can do our job, we need this extra support. So just going over this, 21 different categories of discoverable material. If we get this unit we can get those units, excuse me, those categories discovered very quickly and move that on, we have to deal with 14 different local law enforcement agencies, we need an investigator who is, is competent to work with every law enforcement agency in the county, make sure that some of them have the ability to do this, and some of them need a little support. My office is in a position to do that. And that would be part of what the unit would do. We need, digital files and video files have become immense in, in the world that we're in right now. We need somebody with competency to deal with videos. And we are actually in a position where we can expedite the discovery, if we have somebody who can manage that. We also have to sometimes redact these videos, we have to redact evidence. So somebody who is competent in that area is very important. We have a record management need, we are digitalizing all the files in this office using the prosecutors case management system. That has been put in place over the last year and a half. But we need a record management person to be on top of that, as each case comes in. Right now we're getting somewhere between 70 and 100 cases every single week. To, to get the information involved in our digital management system immediately, will will accelerate our ability to respond to all of these discovery demands. We also need an administrative assistance and in order to facilitate all the work that needs to be done, along with a Discovery ADA. That, as Liz was saying, when we get these cases, one of the more concerning aspects of it is that we have to go through all this evidence at a very fast pace. And in order to do that, we have to make sure that we protect

witnesses. We protect confidential informants, and we protect victims. And to do that, we have to review it and identify it and then I make protective orders to protect that information. So all of that takes work right upfront. And it says I say it's another part of the responsibility that we have to make sure that we protect the public in every way, shape and form. So right now I'll, I'll open it up to questions if anybody has a question.

**Chairman Gavaris:** Anybody have any questions? Chair Donaldson?

**Legislative Chairman Donaldson:** Do you want to come out of the sharing?

**Chairman Gavaris:** All right, seeing none. Thank you. And thank your staff for the presentation.

**District Attorney Dave Clegg:** I have, I have one more ADA who would like to speak to this, if that's all right.

**Chairman Gavaris:** Sure.

**District Attorney Dave Clegg:** All right. So Paul, would you speak please?

**Paul DerOhanessian:** Yes. Can everybody hear me and see me okay?

**Chairman Gavaris:** Yeah.

**Paul DerOhanessian:** So my name is Paul DerOhanessian, nice to meet everybody. I've been a prosecutor here in the office for eight and a half years. Having been here this long, I've been able to see the demands that are pre-January 1<sup>st</sup>, 2020, with the discovery laws, and the change in the discovery laws. And I can compare what's required with these new laws and how it's changed our workload. And by my estimation, I would say each case, we prosecute now, our workload has doubled in order to successfully comply with the discovery demands.

There are, whether we're putting case in Grand Jury or if we're having a defendant that's going to plead guilty, getting everything together, and filing a certificate of compliance so that we can go into court and take a guilty plea has led to increased workload by all of us. The certificate of compliance is important because, what we are having to do is, we have to file under penalty of perjury that we have done our due diligence that we have looked at all the information that everything is there, we aren't missing anything. And we're, we're, we're filing an affirmation that

we're not missing anything. And by doing that under penalties of perjury everybody here in this office takes it seriously. Our, this is our law license that we're protecting by by affirming this and our concern is that if we're missing anything that isn't, that we're not complying with law. And it's a big burden for all of us to have to do this in every single case.

With COVID our workloads in and of itself for having to prosecute each case with the new laws is one thing. I can give you an example, my caseload, I'm carrying close to 150 felonies right now. In the past, I've only carried 40 to 50, along with my misdemeanor justice courts. So I'm having triple the number of felonies I'm prosecuting and for each one of the I'm doing double the amount of work in order to make sure that I'm complying with the laws, and that I'm filing a sufficient Certificate of compliance, that is not going to be invalid, that is not falsely signed by myself, and doing everything I can to comply with the laws.

By having to go through all this discovery, again, the police have been great, they they're using tons of resources to get us everything, whether it's video, radio transmission, handwritten notes, but we still have to review that to make sure that nothing's missing. And on top of that, if there's, on a drug case, for example, somebody that needs a protective order, we have to make sure we've reviewed it, we know that there's something that has to be filed with the court. And that it's not as simple as just hitting, checking off all the boxes, turning everything over and saying you've done your job, you really have to review it, you have to see if there's anything missing, if there's anything that needs to be protected. And all this takes time, on top of the heavy caseloads that everybody in this office has been carrying.

By not complying with the discovery laws, it's, it's one thing for us to you know, file under penalty of perjury that we are complying and turning everything over. But there's consequences when we go into court, if on during a trial it comes out that we've missed something, there can be sanctions, as drastic as dismissal. But just as bad that we can be precluded of having a witness testify to something that there's certain evidence that might come out. And it will, it'll have drastic consequences on everything in the, in the justice system. We have many victims, we have many cases that have victims attached to them. And we want to make sure that there's justice done, and that both defendants have an open book and have access to all our files. And that victims can know that we're doing everything that we can to see the case through and successfully prosecuted. But the burdens that have taken place post January 1st, 2020 have been felt by all of us in the office. I've been coming in on weekends, I've been staying late, past five o'clock to make sure that on the more serious cases that I have that I'm, I'm not missing anything, and I'm complying. So I just hope that this paints a picture for the immediate need we have for another bureau that can just focus on Discovery, take that one less thing off of my load, so that I know when I'm getting a case, everything's there, everything's ready for me to sign a

certificate of compliance, and that I can give my everything and see that the goals of the criminal justice system are being achieved.

**District Attorney Dave Clegg:** Thank you Paul.

**Chairman Gavaris:** Thank you. Well if nothing else, thank you again for the presentation and we're gonna go on to our regular agenda.

**District Attorney Dave Clegg:** Okay, thank you very much. Thank you all.

**Chairman Gavaris:** Chair Donaldson.

**Legislative Chairman Donaldson:** John, may I say something?

**Chairman Gavaris:** Go ahead Chair. Chair Donaldson, go ahead.

**Legislative Chairman Donaldson:** Okay. Yeah. I'm just don't see, there you are John. Okay, thank you. First of all, I want to thank Elizabeth and Paul for coming today and their service and their commitment to the positions that they hold. And I've, I've gone through this information over the past two weeks, that was supplied to me by the DA, and you know, and this is a clear safety issue that we have. And it's definitely a criminal justice problem that we're being presented here. And so I would hope that we can support the DA and let's make sure that our streets are safe. Thank you.

**Chairman Gavaris:** Thank you.

**District Attorney Dave Clegg:** If, if I might just point out that there is a grant that we received from the New York State that we hope is going to be received in the very near future. This, this County was granted \$768,733 toward meeting the obligations of both the discovery requirement and bail reform. This office made a request of \$450,000 or \$425,000, toward that which I trust the county will be receiving. So there is money to support this. And I've talked with, with both the Manhattan District Attorney's office that provided the original \$38 million that's been distributed to the Upstate District Attorney's Office in order to meet those obligations. And there is money coming for next year. We don't know exactly how much it will be. And I've also just this week spoken with our Senator Michelle Hinchey, and requested that the, the state provide an ongoing source of, of support for these costs in the future. Hopefully that will happen. So thank you all again.

**Chairman Gavaris:** Thank you. All right. Can I have approval of the minutes from the May 11th, May 18th regular meetings and May 13th special meeting.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second?

**Legislator Ronk:** Second.

**Chairman Gavaris:** Second Chair, Leader Ronk. All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried. Resolution 238: Adopting revised Ulster County funding, fund balance policy. Motion?

**Legislator Bartels:** I'll move it, Bartels.

**Chairman Gavaris:** Bartels.

**Legislator Ronk:** I'll second it, Ronk.

**Chairman Gavaris:** Ronk. Discussion? Legislator Ronk.

**Legislator Ronk:** Thanks. Is Legislator Archer here?

**Chairman Gavaris:** Here.

**Legislator Archer:** Here.

**Legislator Ronk:** Um, it was my understanding in the conversation I was having with Vicky earlier that there may be some movement on the numbers. I just didn't know if we want to have that discussion now.

**Legislator Archer:** Yeah, um, from what I gathered, when I saw the, the edits to the policy, I think the 16 cap that you had recommended, I believe that our last meeting and conversation that

we had, I, I'm willing to, to move on that. As, as the cap, I know, you had originally, I guess, put in 5%, which, you know, the, the range has been five to ten since 2013. I would hope that we could increase the, the bottom of that by a couple percentage points, if not the full movement, at least, bring it up to eight and so that the range would then be eight to 16, based on a conversation we had at the, at the last meeting.

**Legislator Ronk:** Can I ask Mr. Chairman, through you to the Finance Director, if he would be comfortable with the number?

**Legislative Chairman Donaldson:** Yeah.

**Chairman Gavaris:** Burt.

**Commissioner Gulnick:** 8%, has been the average over the last few years. My only concern is when it's depleted. I know the policy says the, the next year, you need to restore it. And my you know, my only way to restore it, I would think would be to raise property taxes or come up with another revenue of some sort. That's just my caution about 8%. That's all.

**Legislator Archer:** I don't think I mean, this fund balance is not in place to put it, the taxpayers at a disadvantage, but for, to better cushion a county that has a pretty volatile income stream in, in a better position. So the, the point is to ensure that we have a stronger baseline, given where we draw our revenues from and so you're right. We haven't gone under six, I'm not sure, and in fact, I think we've been over eight for most of the period. I know, I believe that there's been some analysis that is going to be done by the Comptroller. And I know she was looking at some of the historical stuff, through the Chair to the Comptroller?

**Comptroller Gallagher:** Yeah, we have put together a little report, I'm just double, triple checking those numbers now. And it's sort of a historic review. But it, it does not look like we've been down that low. And I think, you know, obviously, I'll send it to the Commissioner, so he can take a look before I send it over to you guys. But it's it's really been a range, as far as I can see, from about 11% to as much as 19%. So. I'm happy to share that with you to take a peek at it before it goes out.

**Commissioner Gulnick:** [inaudible]

**Legislative Chairman Donaldson:** Yeah, I'd like to, Burt, could Burt respond to that Chairman?



**Chairman Gavaris:** Yes. Burt, go ahead.

**Commissioner Gulnick:** 2011, we were under 6%. In terms of our unassigned fund balance to, in the general fund we were at 5.94%.

**Legislator Archer:** And we had recommendations from our own CMA that, you know, we have to work on the fund balance, and this was an effort to try and, and shore that up a little bit, I thought the last conversation you were at Burt, last meeting, that eight seemed reasonable to you at that time.

**Commissioner Gulnick:** It is, yeah. Legislator Archer, I'm just bringing caution to, to the legislative body where you know, 8% Yes, it's been our average over the last few years, but we've have had years that dipped below that. We had three consecutive years 2009, 10, and 11, where we were under 6%.

**Legislator Archer:** But but but in more recent years, and including

**Commissioner Gulnick:** Correct, correct.

**Legislator Archer:** last year, which was a big question mark and and

**Commissioner Gulnick:** Yes, yeah.

**Legislator Archer:** the concern that we were going to be significantly below and we ended up with a surplus. So I think that this really is an effort to tighten up our policy and ensure that we're looking at it given the volatility of our, of our economics here. I mean, we're, we're based on tourism. And you know that, that does present and the pandemic has shown, it does present some volatility in our market. And so I think it's important for us to shore this up and not at the expense of having to increase taxes either.

**Commissioner Gulnick:** Good.

**Chairman Gavaris:** Chair Donaldson.

**Legislative Chairman Donaldson:** Well, if you're, if you raise it, raise the, the minimum for the fund balance then you are facing the reality that you may have to raise taxes in order to meet.

I mean, that's all that, I mean, that's reality. And what is the fund balance at this point? And what is the percentage Burt?

**Commissioner Gulnick:** At, at the end of 2020? And, and keep in mind it is unaudited we're 13.4%, unassigned fund balance.

**Legislative Chairman Donaldson:** And what did the, what did and what is the number?

**Commissioner Gulnick:** It is \$39.2 million dollars.

**Legislative Chairman Donaldson:** Okay, now, when you do the, since we also have a

**Commissioner Gulnick:** And this is strictly general fund, by the way, just general fund.

**Legislator Archer:** and you, you said that's 15% Burt?

**Commissioner Gulnick:** 13.4%

**Chairman Donaldson:** Is that

**Legislator Archer:** [inaudible] but 15. So I, I guess it was

**Commissioner Gulnick:** you have to compare it to, because this is 12/31/2020. So you have to compare it to your next year's adopted general fund budget.

**Chairman Gavaris:** Deputy Executive Milgrim.

**Legislative Chairman Donaldson:** Now.

**Deputy Executive Milgrim:** If, if I may, just for a moment, just to put into context. While we do have a surplus. I'd like everyone to recall how we got there. It wasn't just magic at the end of the year with the sales tax receipts. We zeroed out quite a few positions after a fairly extraordinary early retirement incentive. So there's, you know, quite a potential that the number could be vastly different right now. Locking our hands into a future policy that will dictate tax hikes, things should be taken with a lot of caution. Especially with the legislature that has the ability, or which has the ability to determine, ultimately during the budget season, what the fund balance level should be in the budget process. So.

**Chairman Gavaris:** Legislator Archer.

**Legislator Archer:** Yeah. So not to, not to negate all the hard work of last year that, that was not the intent. I know that there were a number of things put on hold. But I do, I still believe that, you know, increasing our bottom line from 5% to 8% is not going to create a burden. And I guess my next point, and this is the next topic we'll have is that's the whole point of a tax stabilization is to have a cushion to protect taxpayers from potential increases.

**Chairman Gavaris:** Any other discussion? Chair Donaldson.

**Legislative Chairman Donaldson:** Um, yeah, I'm, I mean, I know as you pointed out in 9, 10, and 11, we, you know, we faced the, you know, an economic downturn that went from the, that emanated out of 2008. And it affected our, you know, our bottom line for three years in a row. And in fact, you don't know when those things are going to happen. I mean, I'm concerned with forcing us to have a higher fund balance could put us into a situation where, you know, we would have to raise taxes. And, and we knew it, I support the idea of the tax stabilization, we are replenishing that because that that does give us another cushion, like a fund balance in a way, but I don't know if I'd want to go to the 8%.

**Chairman Gavaris:** Sorry, Legislator Ronk then Archer.

**Legislator Ronk:** Thanks. I mean, I tend to agree on not so much. I tend to agree with Dave on not so much raising the, the low end, I'm, I'm more comfortable raising the high end. Um, you know, again, in, in times, like, you know, 9, 10, 11 when I was, you know, early on the legislature, you know, there were a lot of really tough decisions, including layoffs and, and cuts to services and whatnot that we had to do in order to keep the budget balanced and not have to overly raise taxes. Can everyone still hear me? Everything's frozen. Okay.

**Legislator Archer:** We heard you.

**Legislative Chairman Donaldson:** Yup.

**Legislator Ronk:** Good long as you can hear me. You know, I would I would hate to have to further have layoffs or further cut services, in order to re-raise the fund balance to an arbitrary number. I, I understand the goal. I just think in practice, it's gonna force us at some point in the future, it could force us to make some what I think are really poor decisions. Yeah, I don't think

that we do layoffs or raise taxes in order to keep our savings account higher. I think that's just poor management.

**Chairman Gavaris:** Legislator Archer.

**Legislator Archer:** I, I would I before we potentially finalize this, I'm, I'm hoping we can postpone this till next week, and I'm making the proposal to postpone it until we get the analysis from the Comptroller's office, because I think that may shed some light on this. You know, we never had we never targeted fund balance to be high. It, it's not currently, you know, we still are challenged by having it be a balanced budget. And I, I think that we should look at this seriously as we're coming out of what we learned in the pandemic. And as we move forward, I think we should really take a very close look at it. And I hoping that the analysis that the comptroller's preparing will be, will enlighten us as we look at what that bottom number should be. So if, if folks are okay with that, I would propose we postpone it till we get that report.

**Legislator Ronk:** I'll second that.

**Chairman Gavaris:** Second. Discussion, Legislator Bartels then Walter.

**Legislator Bartels:** Well, it's partially I guess, I guess it could be on the postponement, which I'll be supportive of. I just, I wanted to confirm that our budget analysts looked at these numbers, and they were comfortable. And I guess this is through the Chair to Legislator Archer, that they were comfortable with this range that is proposed?

**Legislator Archer:** Yes, I believe we confirmed last meeting that it was shared with also Drescher and Malecki and they were comfortable with this. So I think the final piece will be what the historical perspectives have looked like over the years, which is what the comptroller's putting together.

**Legislator Bartels:** And also, if I could just point out again, that it's, it's, it's the GFOA, which the resolution states, but it's the GFOA recommendation as well. And these numbers fall within that recommendation as well. But I look forward to the Comptroller.

**Legislator Archer:** Actually they're a little shy of, at the 16% at the high end, it's a little shy of GFOA so.

**Legislator Bartels:** At the high end is shy of GFOA?

**Legislator Archer:** Yes, yes.

**Legislator Bartels:** Well, then I think we should seriously consider the, the slight, the compromise between Legislators Ronk and Archer. Even though I, I recognize Legislator Ronk that you haven't yet agreed to the compromise but I'm, but that compromise number on the low end be seriously considered if the high end is shy of GFOA recommendations.

**Chairman Gavaris:** Alright,

**Legislator Ronk:** Again, you know, may I?

**Chairman Gavaris:** Go ahead.

**Legislator Ronk:** Since we're talking on the resolution, not necessarily on the postponement um, you know, just to respond Legislator Bartels, I would be more comfortable with raising the high end to the GFOA guideline than raising the low end. That's the, the high end is not my concern. The low end is my concern, because the low end is where we could potentially be over taxing the taxpayers.

**Chairman Gavaris:** Legislator Walter did you still want to speak?

**Legislator Walter:** Yep.

**Chairman Gavaris:** Go ahead.

**Legislator Walter:** So through the Chair to the Comptroller, that, when I look at the CMA report, and it talks about our comparison to other Mid-Hudson counties, saying that ours is low, and their recommendations were very strongly stated that the need, is it possible that you can also provide that perspective of what some other counties are providing in terms of the right comparing apples to apples? Thank you.

**Comptroller Gallagher:** Yeah, we can pull that for you. We'll, we'll try to get our numbers to Burt as soon as possible so that we can get it to you guys. And then I'll find out what other counties have as their policies. I have a few in my files. Yes.

**Chairman Gavaris:** Legislator Ronk and then Bartels.

**Legislator Ronk:** Thanks, just to Legislator Walter's point about surrounding counties. I think that that's a poor comparison. When we compare ourselves to other counties, it's better to compare ourselves to similarly sized counties or similar similarly, geographically set up counties. One of the favorite things of organizations like fire departments and whatnot, and towns and, and every and every other organization, even some of our town's labor unions. They love to compare Ulster County and our and our contracts for employment and all kinds of other things to Orange County. And I'll tell you the same thing I told the fire advisory board when they wanted to build a new fire training center. Is that Orange County has a lot of things that we don't have like Woodbury Commons, which generates more sales tax revenue each year than Ulster County. I will say this, that when using when, when, when going out for labor negotiations, the town of Shawangunk, the town that I represent, it you know, the unions and the arbitrators come in with the Town of Crawford as a comparable. It's roughly the same size and geographic nature of the Town of Shawangunk, but the Town of Crawford gets over \$2 million a year in sales tax sharing from the County and the Town of Shawangunk receives 200, a little over \$200,000. So it's a 10, it's a 10 to one multiplier on what they get in sales tax than what we get in our, and that's just one town to town that borders and is similarly situated. So again, when, when we're talking about using different counties as a as like a bellwether for whether or not we have enough fun balance or not. We should probably be looking at not necessarily surrounding counties, but similarly situated counties.

**Legislator Walter:** May I respond to that?

**Chairman Gavaris:** All right so. Well, hold on. Legislator Bartels, first, but if this, we already have a motion and a second to postpone anyway, so let's try to wrap it up if we can because we're gonna probably rehash this next week anyway. So Legislator Bartels, go ahead.

**Legislator Bartels:** I'm okay with Leg, letting Legislator Walter

**Chairman Gavaris:** Okay, Legislator Walter

**Legislator Walter:** Thanks, I'll be brief. That this is why it's important to do percentage as opposed to raw end. And it's because we're talking about percentage. So it makes less of an impact that some counties are bigger or smaller, because we're talking about percentage. Thanks.

**Chairman Gavaris:** Thanks.

**Legislator Bartels:** Thank you. And my, my response, my, my comment is to an earlier point that Legislator Ronk made regarding the GFOA recommendations. The GFOA recommendations are, they don't recognize a range, they recognize a minimum. And so if our maximum is not meeting, what they recognize as a minimum, that's my concern, and that's why I think we should seriously consider the compromised minimum.

**Chairman Gavaris:** All right. Thank you. All right. All those in favor of the postponement?

**Group:** Aye.

**Chairman Gavaris:** So carried.

Resolution 239: Replenishing the tax stabilization fund. Could I have a motion? Chair Donaldson, Archer.

**Legislator Ronk:** I'll move it for discussion. Second.

**Chairman Gavaris:** Any discussion? Legislator Archer. Legislator Archer, discussion?

**Legislator Archer:** I think, you were, it was broken up. So I didn't hear saying.

**Chairman Gavaris:** Yeah.

**Legislator Archer:** Sorry.

**Chairman Gavaris:** You're freezing up sometimes. I don't know if you had a discussion or not.

**Legislator Archer:** No, I didn't have a question. We, we voted on

**Chairman Gavaris:** Okay. Chair Chair Donaldson.

**Legislative Chairman Donaldson:** Yeah, was asking, this is coming out of the fund balanced as a rather than the American rescue funds. Is that correct? Wouldn't it, I mean, since the, the money we use for COVID wouldn't, shouldn't come out of the American Rescue funds? Burt? Maybe I get a response from the Finance Director?

**Commissioner Gulnick:** We could make a case to, to do that, Dave. There are limitations as to what we can use. But I believe we can make the case to, to re, do it from the American Rescue funds. Yes.

**Chairman Gavaris:** Legislator Ronk.

**Legislator Ronk:** Thanks. Yeah, just to follow up on Dave's point. I, I don't support the the resolution as written. Um, I don't think it's wise in the middle of a budget to take monies that are in a unrestricted fund balance and put them into a hyper restricted fund balance. I'm not opposed per se to replenishing the fund. But I think it should be happened during budget time, the same time that the money that was used from the fund. I, I just don't, I don't agree with taking unrestricted funds and making them restricted in the middle of the year.

**Chairman Gavaris:** Legislator Archer.

**Legislator Archer:** Well we weren't anticipating a surplus either. And we have a surplus. And, you know, the whole reason we used it was there was an anticipation that we were going to have a huge deficit which did not materialize. And so we were able to put the additional money in the general fund and to me, it makes sense to move, at least cover what we took out in this Tax Stabilization Fund. So we're protecting, we're protecting the taxpayers from any future potential of an increase. We used it for what we thought was an emergency because of the pandemic, it didn't materialize, we ended up with an \$11 million surplus. So to just replenish Tax Stabilization and keep that piece whole, I think is reasonable on behalf of the taxpayers.

**Chairman Gavaris:** Donaldson then Ronk.

**Legislative Chairman Donaldson:** Yeah, what the problem is, I know we have a fund balance, but we don't know what we're going to be facing in the coming months and we don't really know, you know, with the coming up with the eviction notice is going to be changing. There's going to be things that nature, that it may affect us in a way that we may need to spend some money to protect people. And I mean, I'm looking at that at this very moment. And I've been discussing that with people in reference to the, you know, the various foreclosures and various eviction notices that will be showing up, in, come September. And we may need to, you know, put things money aside out of the budget that we are, you know, the fund balance that we're using right now. And I also would, in other words, I kind of agree with Ken, that, you know, did I believe, that I, I do believe that this should be, you know, refunded. But I don't believe it should be done at this point, I believe that should be done really with American Rescue money,



because that's what the money was used for. So therefore, we can replenish that with the money that we have coming in, rather than taking a chance and using money that is in the middle of a budget that we have no idea what may come be coming up in the, in the not too distant future. And I'll give you one example, just before, so.

**Chairman Gavaris:** Legislator Ronk.

**Legislator Ronk:** Thanks. Um, you know, due respect to Legislator Archers point. I, you know, to be technical, the reason that we used the funds were because they were an unanticipated cost, and not because we were expecting that, you know, it was going to be more of an emergency this year, or was an emergency situation, because I, I don't believe that those qualified. What, what qualified were unanticipated costs, which, you know, these obviously, were. I, I understand that part of the reason that we used these for the unexpected cost was, you know, because of the expectation of, you know, a loss of revenue or whatnot. Which we did see, we just didn't see as big of a loss of revenue as was expected. Um, you know, the, the one other thing that I'll say is that perhaps the best way to protect the taxpayers overall is to not use this money to replenish it, because there are so few expenditures that the Tax Stabilization Fund can be used for that we're actually protecting the taxpayers by keeping it in an unassigned fund balance, if something you know, catastrophic comes up, we can use it from that, rather than having it stuck in an account that we can't use if the expenditures don't qualify.

**Chairman Gavaris:** Comptroller Gallagher.

**Comptroller Gallagher:** I wanted to note that sales tax this year, coming in is substantially higher than last year, as well as 2019 for the same period. So we're, you know, 26.73% of last, ahead of last year. I anticipate that you will exceed your sales tax, your budgeted sales tax revenues this year.

**Chairman Gavaris:** Legislator Walter.

**Legislator Walter:** Thanks. So through the Chair, back to the Comptroller, just your thoughts on this resolution?

**Comptroller Gallagher:** I like the Taxpayer Stabilization Fund. I personally want to see it replenished. But I will tell you, there's a split in judgment here in this office, we're not in consensus. And because of its restrictive nature, there is some thought that keeping it as unassigned is more helpful. I think it's a time that we're flush and that we should invest in this

particular, you know, opportunity to protect taxpayers in the future, that's my opinion. And I think also when we went into using the fund, many of us and, and many of the taxpayers that I talked to anticipated that it would be refunded when possible, and it is possible now.

**Chairman Gavaris:** Legislator Bartels then Deputy Executive Milgrim.

**Legislator Bartels:** I didn't have my hand up.

**Chairman Gavaris:** Oh, I'm sorry. Deputy Executive Milgrim.

You're on mute.

**Legislative Chairman Donaldson:** Yeah, I have to give a full disclosure. I voted against this when it was created. Just so you know.

**Deputy Executive Milgrim:** Just, just to reiterate the the, the flushness we're in right now. Aside from the retirements, there were significant cost savings just from the services that weren't being delivered. You know our bus system was brought to a standstill, we spent nothing, well, not nothing but significant reduction last year in fuel across the county. Those expenses will be coming back, surpluses quickly turned to deficits. And I do advise that we get a full picture in the budget process or you know, a little bit in the future, before we start committing funds to essentially a locked box. So.

**Chairman Gavaris:** Legislator Archer.

**Legislator Archer:** I think it goes to without saying, then that, you know, leaving it unrestricted means that it will not be used or could not be used potentially down the road for tax stabilization, and what and that was the intent here to protect the taxpayers. So by replenishing it we do secure that we are protecting the future of a potential increase with this money. So while we have it, while we have the surplus, I think that well spent in the future, and it goes back to conversations we've been trying to have, which is better long term planning, which would be extremely helpful as we go forward. We have these conversations, and they're hurried at the budgetary time. We don't spend anywhere near the amount of time we should be spending on long term [inaudible].

**Chairman Gavaris:** We lost you, Legislator Archer. Deputy Exec Milgrim.

**Deputy Executive Milgrim:** If I may, I just want to be clear that I'm not saying the Executives Office is against replenishing the Tax Payer Stabilization Fund. It's, again, it goes to planning and doing a little spending item now without getting a fuller picture of what the spending is going to look like for next year. I think is a move is that ration is a one off. So that's all.

**Chairman Gavaris:** Thank you. All right, any other discussion? Legislator Walter.

**Legislator Walter:** Yeah, I'm just concerned about us moving on this if Legislator Archer is frozen, so yeah.

**Chairman Gavaris:** Legislator Cahill.

**Legislator Cahill:** Thank you. I appreciate your letting me have a comment, even though I'm not on this committee. So I just read the resolution. And it, it clearly states that the money for that fund was to be used specifically for COVID. And that any expenditure would be given to the Ways and Means Committee after it was allocated. I was wondering if that ever happened? And did you actually use it for COVID related expenses? Because I'm of the mind that when, when this first came about, I recall, the discussion being that if we don't use it, we'll replace it? Right? That, that was one of the things Oh, yeah, of course, if we don't use it, we'll replace it right? Well, we didn't use it, right. Or if we did use it, we didn't have to use it, we have the ability to restore that money. And so you know, I'm of the mind that says, you know, if we knew that we were going to have that money, now, we would have never went in there, right? But we didn't know that. But we do have the money now. So I think that we should either use the, the, the government, the federal money, or the surplus, one of the two, and put that money back in there. It's in there and makes, it it's difficult to use for a reason, right? And that's why it took us three months to pass it the last time. And I believe that we should put it back in there. Because who knows what's gonna happen, we got lucky this year, we got very, very lucky. And the fact that our revenue is going to be up, you know, 30% is, is a miracle in my mind, right? And, you know, we don't know what next year is going to bring or two years down the road. And if we do, in fact, at some point need to dip into this fund to stabilize a tax increase. That's what I think we should do. That's all I have to say. Thanks.

**Chairman Gavaris:** Legislator Ronk.

**Legislator Ronk:** Thanks. I, I, I do believe that this was used for COVID related expenses, there was a specific set of COVID related expenses, which partially included the purchase of proper PPE for all of our emergency first responders, law enforcement, etc. You know, just

because we had the surplus that's been discussed, doesn't also, doesn't mean that we didn't need to use this because, you know, it was used for a very specific purpose. And I understand it's tough to use, but I'm not even worried about the, the process and the fact that we need two thirds of the legislature and things like that. Excuse me, there are so few things that we can use it for that, you know, even if, you know, even if we came to a scenario where you know, we were going to have a tax increase, we might not be able to use that unless we've exhausted all the other options that we have to not raise taxes if, if I'm correct. You know, the Finance Commissioner can correct me if I'm wrong on that. So I understand I'm not and again, I'm not necessarily opposed to using the American Rescue funds for this. I'm, I'm 100% opposed to taking, you know, undesignated fund balance and turn it into a restricted fund balance. I, I, I just don't think that that's, I don't think that that's a proper way for us to serve the taxpayers. I, I'm open to the fact that other people may disagree with me, but I just, that's the way I feel.

**Chairman Gavaris:** Legislator Archer, you want anything else to say or?

**Legislator Archer:** I don't know where we left off with or what's, what's been said since so I'm, I'm a little at a disadvantage. I don't know if I got cut off.

**Legislator Ronk:** We were almost ready to call the question and then Legislator, I believe, Walter had brought up that it would be a, you know, bad form to vote on the question without you being able to be unfrozen.

**Legislator Archer:** Well, I appreciate that.

**Chairman Gavaris:** Nobody else then, all those in favor?

**Legislative Chairman Donaldson:** Call the question.

**Chairman Gavaris:** All those in favor? Opposed? It looks like, it's hard to see everybody, it looks like defeated. 1,2,3,4.

**Legislator Archer:** I, I

**Amber Feaster:** Five to four, passes.

**Legislator Ronk:** [inaudible] I don't know if Legislator Parete voted.

**Chairman Gavaris:** I can't see Parete.

**Legislator Parete:** I did, I voted yes. I've listened to the debate, it's very interesting. A lot of 'what if' scenarios, it's not conclusive, really, in my mind, very conflicting. But I have no problem voting yes to move forward to the next level.

**Chairman Gavaris:** Okay, so then it passes five to four. Thank you.

Resolution 245: Setting a public hearing for tentative budget, Ulster County Community College. Motion?

**Legislative Chairman Donaldson:** I'll move it.

**Legislator Bartels:** Move it.

**Chairman Gavaris:** Donaldson. Second, Bartels. Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

249: Amending the 2021 budget to fund Environmental Compliance Manager position, as amended.

**Legislative Chairman Donaldson:** I'll move it.

**Legislator Ronk:** Second.

**Legislator Bartels:** Second.

**Chairman Gavaris:** Second, Ronk. Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

250: Authorizing the Chair of the Legislature to execute an MOA with Kingston City School District for operation of a point of dispensing site. Motion?

**Legislator Bartels:** I'll move it.

**Legislative Chairman Donaldson:** Move it.

**Legislator Ronk:** Second.

**Chairman Gavaris:** Chair Donaldson. Second, Bartels. Discussion? All those in favor? Opposed?

**Legislator Archer:** Can I ask a question?

**Chairman Gavaris:** Yes.

**Legislator Archer:** I just wanted to understand is this now we're going back to Kingston in, in place of Best Buy, is that correct?

**Deputy Executive Rider:** No. This, this is a, a contract that's looking backwards. We initially, Kingston High School or the Kingston City School District was going to submit their own FEMA reimbursement for IS assistance, janitorial, they clean during the night and a few other they also provided security for us. The FEMA rep said that because it's our County Health Department POD. We have to submit to FEMA for reimbursement. So in order to get the school district reimbursed for their expenses, we have to put together this MOU and then we'll seek FEMA reimbursement.

**Legislator Archer:** Thank you.

**Chairman Gavaris:** Any other discussion? All those in favor? Opposed? So carried.

251: Authorizing the Chair of the Legislature to execute an agreement with New York State Office.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Ronk. All those in? Any discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

252: Approve the execution of a contract for 73, \$73,000.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Chair Donaldson. Second? Legislator Walter. Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed?

253: Approving the execution of a contract for \$200,000.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second?

**Legislator Ronk:** Second.

**Chairman Gavaris:** Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed?

254: Approving the execution of a contract for \$200,000 with Unlimited Care.

**Legislator Ronk:** I'll move it.

**Chairman Gavaris:** Second?

**Legislative Chairman Donaldson:** Second.

**Chairman Gavaris:** Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

255

**Legislator Ronk:** I'll move it.

**Chairman Gavaris:** Second? Donaldson.

**Legislative Chairman Donaldson:** Second.

**Chairman Gavaris:** All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed?

256

**Legislative Chairman Donaldson:** I'll move it.

**Legislator Ronk:** Second.

**Chairman Gavaris:** I lost my place, I apologize. 255 or 256?

**Legislator Ronk:** 256.

**Chairman Gavaris:** 256, thanks. Chair Donaldson motioned. Second, Ronk. Discussion? All those in favor?

**Group:** Aye.



**Chairman Gavaris:** Opposed? So carried.

257

**Legislator Ronk:** I'll move it.

**Chairman Gavaris:** Second? Donaldson.

**Legislative Chairman Donaldson:** Second.

**Chairman Gavaris:** All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed?

258: Supporting the findings and recommendations of the 2020 final report.

**Legislative Chairman Donaldson:** I'll move it.

**Legislator Ronk:** I'll second it.

**Chairman Gavaris:** Any discussion?

**Legislator Ronk:** I, I have some discussion if I could, Mr. Chairman.

**Chairman Gavaris:** Leader Ronk.

**Legislator Ronk:** I, I, I'm gonna support this moving to the floor, my vote next week may not be reflective of my vote tonight. You know, whether or not I agree with everything in the 2040 working group plan, I don't I don't know if I fully agree with why the legislature is weighing in on this because we don't have to. You know, I, I respect where everyone's coming from. I just, you know, I don't know that I see the same utility. We don't need to relitigate it now, because I'm just have to do some soul searching for myself. And I'll probably be the only one to vote no, if I vote no, but I just I have concern about when we start weighing in, and, and then having supporting resolutions of things that we don't need to.

**Chairman Gavaris:** Legislator Walt, Bartels.

**Legislator Bartels:** Thank you. I'm going to support this as well, you know, I, I reread the report. And I'm going to probably echo some of what Legislator Ronk said, you know, while I may not agree with every aspect, I you know, I applaud, I applaud the work. I'm not so sure that that we need to weigh in either in some, some of the language in terms of directing the executive resources, or encouraging the direction of the executive resources concerns me. You know, I think that most of my concerns, and I'm going to do some soul searching too, have more to do, and we'll talk about it in the next resolution with the interface with UCIDA and really understanding that delineation. I do not feel that that's been properly laid out to the, to the Legislature not, not through this report, or through the Office of Economic Development. And I think it's, it's somewhere where we can do more work, whether it's through a presentation on this report as part of a, a larger picture of economic development in Ulster County, or if it's just a discussion on that, that interface, which again, I know, I'm kind of flowing over into the next resolution, but I am going to support this resolution. But, but I also, I also have some hesitation.

**Chairman Gavaris:** Anybody else have discussion? All those in favor? Opposed? So carried.

259: Approving the execution of a contract for \$75,000, UCEDA.

**Legislator Ronk:** I'll move it.

**Chairman Gavaris:** Motion. Second?

**Legislative Chairman Donaldson:** Seconded.

**Chairman Gavaris:** Discussion on this? Legislator Bartels.

**Legislator Bartels:** So this I mean, I know that this is not 10 years ago, or 15 years ago, and I but I you know, I today I looked back and tried to find something in the you know, in the enabling legislation of UCEDA, and in later documents that would provide a clearer picture for me on what UCEDA is, and is meant to do in relation to what now the Department of Economic Development is and is meant to do. And I realized I, I was there and I played a role in advocating for the creation of a Department of Economic Development. And when I read the Schedule A in this, in the scope of services in this, in this resolution, many of the things that are laid out are things that I thought that the Department of Economic Development would or

should be doing. So again, I struggle with contracting for services, That, to me are, are things that our own Department of Economic Development should be doing. And it may be that I can get to a place where I understand that, but I don't currently.

**Chairman Gavaris:** Anybody else? Legislator Walter.

**Legislator Walter:** Can't, is it, is Tim still on the call?

**Chairman Gavaris:** He is.

**Legislator Walter:** Can he speak to that?

**Director Tim Weidemann:** Yup, I'm here. Sorry Legislator Walter, you're asking if I can respond to that?

**Legislator Walter:** Yeah.

**Director Tim Weidemann:** So I can. I, I think that this is a, a topic that warrants you know, ongoing discussion. This is about designing our economic development system here in Ulster County. And it's something that I think we've struggled with for as long as I've been paying attention for at least a decade or two. And, and I think that it's also worth pointing out that this situation and conditions continue to evolve in the world and so that the Ulster 2040 report was designed to try to take a snapshot of where we are, and to at the highest level, align our work. The simplest way, I think we talked about this in the Economic Development Committee meeting, to describe what we're trying to do with UCEDA, what its purpose is, is the part of our toolbox that's really flexible in implementing our strategic direction is determined by this body in the Legislature in consultation with the Executive and with input from businesses and community leaders. Which really, I think is why we set up and wanted to have your input and approval on the Ulster 2040 plan. And as we talked about, in the last Economic Development Committee meeting, see that as a living document too and would like to continue to engage with you on it. But you know, I think that the reality here is that we need to have a, a toolbox of, of economic development tools that responds to all of the various challenges that it takes to build a healthier, more resilient economy. And we know that there's a role for an organization like the IDA in, in certain ways. There's a role for the organization like the EDA in other ways, which is to be nimble, to be able to enter into the kinds of projects and initiatives that our response to our, our discussions together with the Legislature about strategic direction for economic development. And that's what I think we've got in this scope of work, it's stuff that quite frankly,

I would, I would love to do with the kind of day to day operations of our county department. And I think we try to get as much of that done as we can, but having the flexibility of an organization that can enter into contract with folks that can have, you know, volunteers even and raise funds from other sources gives us more opportunity to pursue those, those items.

**Chairman Gavaris:** Legislator Archer.

**Legislator Archer:** Yeah, and I said this in Economic Development, so there's going to be no surprises here. Um, I have been asking for a, a clear delineation of roles and responsibility, who does what with regards to the IDA, with regards to UCEDA, with regards to economic development, and we have this conversation every time money gets put on the table, and yet, the conversation really doesn't happen. And so I was a no on this, I will be a no on this tonight. Again, you know, we have transferred one of our greatest assets, which is the Enterprise West, and we have not flushed out. We've got a document that a lot of local business folks had input in, and I think it's valuable, but it still was happening at the time of the pandemic, without really understanding where we're coming out on this. There are so many unknowns, and I'm not suggesting we stop, we need to evolve. But to me, that should be at the front and center of the Office of Economic Development, and again, to speak to and I said this at the meeting as well, you'll look at Schedule A, to me, that's the job description for the Office of Economic Development. Why we're transferring it now to UCEDA, along with taxpayer money, makes me scratch my head, because we still haven't sat down and sorted out all of these opportunities, and to your point, the tools that are available to us to advance economic development in this county.

**Chairman Gavaris:** Chair Donaldson.

**Legislative Chairman Donaldson:** Well, we're talking about this thing I've been here for a little bit of a time and shall we say, I'm, I'm closing in on finishing three decades, almost, on the legislative body and economic development has always been a, something that's in flux all the time. From the almost the County development corporation that we dealt with at one point that would have been heavily employees, and then it also had business people on it. And from today, now, we created an office of Economic Development. UCEDA is not that and nor should they be that and I, I believe that this is exactly what UCEDA should be doing because it creates the flexibility. The flexibility is not in the Office of Economic Development, that's a more of an outreach to get people in. UCEDA is much more of something that is there for to be able to, as you pointed out, leverage money from other places to you know, work, appeal to get somebody to come here. That's something that the Office of Economic Development cannot do. They do not have that kind of flexibility because they are a basically a government agency. This sort of

works hand in hand with that. You know, just so to me, this is exactly what it should be doing. We made the changes or they're making the changes to UCEDA so they're not all employees that they're actually people from the business world is being involved in this. And to me, I believe that for the first time that I've seen in quite some time that it looks like we're actually beginning to develop an economic development structure that is working better than it has in the past. And not that it's where it should be yet. But hopefully, it's getting there. And it seems we have people that are willing to work with the legislative body, as well as working with the, you know the, department. So I will support this and, and hopefully, it's the right thing to do. It seems like it is to me.

**Chairman Gavaris:** All right, Deputy Executive Rider, then Walter and then Legislator Archer.

**Deputy Executive Rider:** I want to respond to the fact that the Schedule A, Scope of Services, seems to align with things that the Economic Development Department should do. We just passed five, or you all, just passed five pieces of, of legislation, contracts through DSS. If you were to look at those scope of services, it would look like those scope of services are things that the Department of Social Services should be providing. And, and that's because it is. I mean, I, I would say that if there was any scope of services in a, that a department had a contract for that weren't in its mission, that there would be an issue with that. And sometimes there's other agencies, the LDC, UCEDA, in this instance, can provide other services that our department can't. And it's just another tool in the toolbox for economic development to use.

**Chairman Gavaris:** Legislator Walter

**Legislator Walter:** Thank you. Actually, so that's, that's my point was kind of supported even more by what, what was just said. You know, if, if services are being passed on, then I would assume that you wouldn't see the cost in the DSS budget. Specifically, unless it's a pass through, you know, if it's operating costs should be lower if it's not providing the service, it's hiring another organization to provide the services. So I guess what I wonder, and by way of the Chair to either Marc or Tim, is, are we then, will we expect to see the in the 2020, from the next budget, the Economic Development Departments cost to be lower like, well, they have a lower budget, because several of these tasks will be handed to UCEDA?

**Director Tim Weidemann:** So, I'll take that first, Marc, but I think, you know, the the point Marc made I think is worth reiterating. And I think it addresses that question Legislator Walter, these are things that we, as outlined in the Ulster 2040 report that this committee just advanced, feel are important to do on our economic development work. They take resources to do and we

are asking the legislature to allow us to take allocated resources for the Department of Economic Development and fund that work to be done through a partner organization. That, you know, I think is, is the same thing as what Marc was just describing and, and basically what you'd be suggesting, would be saying that just because DSS needs services from a third party, that somehow that means we can reduce that out of the budget next year. So my simple answer is no, this is, this is a reflection of the scope of work that we feel needs to be done in economic development, and the best way to do it.

**Chairman Gavaris:** Deputy Executive Rider.

**Deputy Executive Rider:** If I could just add on to that. You're a member, Legislator Walter, you and Legislator Criswell actually went back into the 2021 budget, and added operating funds for the Department of Social Services for four contracts that were provided to other agencies to provide similar services. They were in the operating budget of DSS. It's not outside of, all of these contracts for these departments live within the operating funds of these departments. In fact, the contract that is in front of you right now, was budgeted for in 2021. So it's part of the operating budget of the Department of Economic Development.

**Chairman Gavaris:** Legislator Archer.

**Legislator Archer:** At the time of the budget, it was never identified that that money was to be specifically transferred to UCEDA and that's what it was for. It was articulated, that it was for the various analysis etc. that's in Scope A. So it was never, but it was never identified as a line item of money being transferred to UCEDA. Again, I feel like we just haven't had sufficient conversation, to sort through all of these things, as it pertains to economic development. And I hear what your argument is, it's paying for services. Who is going to do the services in UCEDA? You have, you know, we've now taken some of the resources out. So are they going to hire an executive director? Are they going to hire staff to do some of these things? So what are they going to do? Instead of having county employees sitting in UCEDA doing this work anyway? So it can, it's, it's not clear to me the delineation of roles and responsibilities. And this has always been the bone of contention about money going from, taxpayer money coming from the, the county into a, into UCEDA. At which point there's, you know, there isn't oversight. So it's a question that has not been answered to my satisfaction.

**Chairman Gavaris:** All right, Chair Donaldson, then Bartels, then Legislator Uchitelle.

**Legislative Chairman Donaldson:** When we put the money in the budget for these things, we were not sure, exactly sure where and how it would be spent at that point, but the point was that we were putting money in the budget for anticipation. And what we're doing right now, is, to me, and this is exactly what UCEDA's supposed to be doing. And when you, and you want to hamstring them, then not do it, I guess. I mean, I, look, I mean, we could ask questions in the very end. And, you know, to the point where, what is what is, is, as Bill Clinton once pointed out. I mean, the thing is, is that we need to deal with economic development. And we need to have some flexibility. And there's a great deal of money that we're putting into this, that, in this into this at this point. And so I mean I'd like to call the question.

**Legislator Parete:** Aye.

**Chairman Gavaris:** Legislator Bartels.

**Legislator Bartels:** Thank you. Yeah, I mean, my I was gonna raise the question that Legislator Archer raised, and that's to try to understand who exactly is going to provide these services. I mean, they're, they're pretty expansive services for \$75,000, including investing and tailored real estate and infrastructure. But knowing that, you know, we've just changed the some of the board members, which I'm, I'm happy about. That, you know, we're following the Legislature's request and the Comptroller, previous Comptroller's report, which, you know, noticed the conflicts with so many, so many members of the executive staff on the board. I just want to understand again, so who, who is going to, is that, is UCEDA going to con, take the 75 \$75,000 and contract out to someone else? Or are UCEDA employees going to facilitate all these things that are under the services, including what I mentioned, investing in tailored real estate and holding these meetings. And I mean, it's it's, it's an expansive list.

**Director Tim Weidemann:** So if I might, the, I think part of what is envisioned here, that there are no staff at UCEDA, as you know, that the administrative capacity is provided through the agreement that we have for county staff to provide that support. The, the tool itself allows for one: the flexibility to enter into contracts with other agencies to provide some of these services and two: to seek out funds from other sources to help augment what is kind of a seed investment in, in the organization with these funds that allows us to pursue these projects and initiatives, so allows us to bring other resources to bear in order to do this work.

**Chairman Gavaris:** Legislator Uchitelle

**Legislator Uchitelle:** Yeah, I just wanted to, to just kind of highlight that, like we, we have, I think that I think some of us are hungry for that conversation to Legislators point about the economic development tools of the county. But we have, it's not as though the current state of this particular tool is not the product of hard fought arguments. We have two seats on the legislative, you know, that our legislative de facto legislative seats from the Economic Development Committee, you know, then because of the way we structure our committees right now, or, or you know, please legislators, they're bipartisan the seats. So, you know, we have representation there. I don't think, with that in mind, I don't think it's appropriate for us at this level to ask for such a deep level of specificity that it would almost, you know, preempt the, the oversight from that, that entity, right, that entity, despite having a relationship with the, the economic development office. It's obviously a very close relationship, is intended to be an entity that brings in the oversight from private industry, that, that also brings in oversight from the legislative branch and that's where that oversight is supposed to happen. You know, we're appropriating here and, you know, I would just, you know, urge us all to consider that we have fought some of these battles, we should explore them more, because we need to have them in the fuller context of the IDA and, and some of the other economic development tools that are, you know, at play in the county. But it's not as though this is getting out ahead of, you know, having never had the structural conversation. We have had those conversations and this appropriation, you know, tasks that we have, that's before Ways and Means tonight, I think we should be mindful of the, the swim lanes on this.

**Legislator Gavaris:** Okay, Unless there's something, Legislator Parete.

**Legislator Parete:** Yeah, if I just might, you know, the last 30 or 40 years I've been involved in things around Ulster County. There's basically been no economic development except the building of a jail. And we're going to be paying for that monstrosity for the next 20 years. Now, this idea seems to be kind of a little imaginative, a little flexible. The 'what if' questions, the what, 'what should we do' questions, they can go on at infinitum. But nothing's forever. If it doesn't work, somebody else can change it. But I think right now, is not a day goes by anywhere in this county, where anybody can be satisfied with the economic development up until now.

**Chairman Gavaris:** Thank you. All right. If there's nothing new, then just, I'm going to call for a vote. All those in favor? Opposed? Motion is carried.

260: Authorizing Chair of the Legislature to enter an intermunicipal agreement with Town of New Paltz for public transport. Motion?



**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Ronk. Any discussion? All those in favor? Opposed?  
So carried.

261: Approving the execution of a contract \$48,600

**Legislative Chairman Donaldson:** Move it.

**Chairman Gavaris:** Second? Legislator Bartels. Discussion? All those in favor? Opposed. So carried.

262: Approving the execution of a contract.

**Legislative Chairman Donaldson:** Move it.

**Chairman Gavaris:** Second?

**Legislator Ronk:** Second.

**Chairman Gavaris:** Second, Ronk. Discussion? All those in favor? Opposed? So carried.

263: Approving the execution of a contract amendment.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Bartels. Discussion? In favor? Opposed? So carried.

263: Authorizing Chairman of the Legislature enter into an agreement.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Chair Donaldson, seconded by Bartels. Discussion? All those in favor?  
Opposed? So carried.

265: Approving the execution of a contract.

**Legislative Chairman Donaldson:** I'll move that.

**Chairman Gavaris:** Second? Can I get a second? Second Bartels? Discussion? All those in favor? Opposed? So carried.

266: Approving the execution of a contract

**Legislative Chairman Donaldson:** I'll move that.

**Chairman Gavaris:** Second? Legislator Bartels. Any discussion? All those in favor? Opposed? So carried.

267: Authorizing the Chair to [inaudible] terminate

**Legislative Chairman Donaldson:** I'll move that.

**Chairman Gavaris:** Second? Legislator Ronk. Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

268: Establishing Capital Project 594.

**Legislative Chairman Donaldson:** I'll move that.

**Legislator Ronk:** Second.

**Chairman Gavaris:** Second, Walter. Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

270: Approving the execution of a contract amendment.

**Legislator Ronk:** I'll move it.

**Legislative Chairman Donaldson:** I'll second it.

**Chairman Gavaris:** Second, Chair Donaldson. Any discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

271: Approving the execution of a contract.

**Legislative Chairman Donaldson:** I'll move that.

**Chairman Gavaris:** Second?

**Legislator Ronk:** Second.

**Chairman Gavaris:** Ronk. Discussion? All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed?

272: Amending

**Legislative Chairman Donaldson:** I'll move that.

**Chairman Gavaris:** Second?

**Legislator Ronk:** I'll second it.

**Chairman Gavaris:** Donaldson, discussion? All those in, Legislator Ronk.

**Legislator Ronk:** Thanks. Um, you know, I'm gonna be voting no on this tonight. I respect the need for staff at the District Attorney's office. It's actually something that I respect since you know, long before Mr. Clegg became our district attorney. Every single year our former District Attorney, Holly Cartwright, would come to the Legislature during budget time, when things like this are supposed to be discussed, and asked for more staff, asked for better wages for his

ADA's. And every year he was turned away. Except for one year when some salary increases were given to some of his ADA's. This year in the budget, we increase the staff of the District Attorney's office which I did not support, and now we are here in June, and we're about to add half a million dollars to the District Attorney's office in, in, in, in costs that are going to continue for years to come. I could support this resolution, if it had a sunset, when the grant money runs out, then we will have another discussion about this. I understand that it's great to use shiny grant money. But when this is going to turn into, you know, three quarters of a percent on our property tax levy, I think that we need to have a much longer discussion about the future costs of this particular issue. Also, I, I just want to bring up that back in 2019, I believe it was, the Republican caucus in the legislature sponsored memorializing resolution opposed to the bail reform and discovery reform, because among other things, it was going to increase costs. And here we are two years later, and we're looking at dropping a half a million dollars into just one offices compliance with the discovery reform. So for those reasons, I'll be voting no, tonight unless we put a sunset in.

**Chairman Gavaris:** Legislator Walter then Chair Donaldson.

**Legislator Walter:** Thank you, for probably the same reasons as why I'm voting yes, for this. I have been, as Chair of Law Enforcement Public Safety, hearing the need, the desperate need that the District Attorney's office has had all this time. To me, the very idea that our District Attorney's been asking for this for years and years and years and has been turned down does not endorse saying no, again, it endorses saying yes, as far as I'm concerned. I feel compelled to the public safety piece of this, that this is this is really, you know, has has the potential being highly detrimental to public safety. I think it's already just on the precipice of, of that. I've also spoken to law enforcement, and they are desperate for not only the revenue that will be coming down from DCJS, but the continued support the IT support, you know, I had to look up what a terabyte was, and the idea that 13 terabytes since I don't remember what it was maybe January, you know, that's the equivalent of what I figured like 85 billion pages, I mean, the, the it's an intense amount. And and I know law enforcement is asking for this support, probation, as well as the DA, but this is something that creates a much better system. I think it's just the cherry that the DCJS came up with that money to help cover in the back, you know, the back costs, we didn't expect to have that and they are giving us that revenue. I would support this even if there was no grants. I this is something that's clearly needed, desperately needed. And for us to postpone this any further and supporting this department, I think, is problematic. And I think that that's probably why Law Enforcement Public Safety was unanimously supportive of this.

**Chairman Gavaris:** Chair Donaldson.

**Legislative Chairman Donaldson:** I mean, when you talk about coming before us in the past, with all due respect, but Leader Ronk, you opposed those in the past. I supported those changes then, because I felt that they were needed then. And I knew very well that even when the prior DA, Holly Cartwright, was there. I respected his need. And I voted for his needs. And in fact, I think it was Joe Maloney and I, sponsored the resolution to increase some salary for some of the, the ADA's. And right now I find that the salary for the ADA's, I find it absurd what we pay that, it's, it really, these people are doing yeoman's work and we don't want to pay them for that, that's for sure, because it doesn't show up in that manner. And at this point, it has become more of a crisis and more of a safety issue than what it was before. And because of the new discoveries. So I'm in full support of this. And safety reasons. If that, if that's the only thing. I'll do it for that. But I really think there's a, we need to look at the DA's Office and the pay scales that are there for the work that they do and for the degrees they have to have in order to do it. If you take a look at, in some cases, starting teachers make more than an ADA. So I mean, I'm looking at the, and nothing against teachers I taught for almost 30 years and my daughter's a teacher at KHS. So the point is I support this full heartedly and I think we should call the vote.

**Chairman Gavaris:** Legislator Ronk, if you don't mind, let me just go to Legislator Haynes first and then we'll go back to you. Legislator Haynes.

**Legislator Haynes:** I have to say that I'm really not happy having to take this vote, I think that we have not even fully realized the impact of both bail and discovery reform. This is yet another unfunded mandate that's passed down to the state. But I will be voting in favor of this, because of the compelling statements from the DA's Office and the need to have additional staff to make sure that our communities are safe. And like I said, you know, here again, this is just the beginning of what we're going to see come out of this, you know, quite honestly, were there some reforms that needed to take place? Yes, but this is one of the ones that, you know, we haven't even fully realized it yet. And so like, like, with that being said, and due to public safety, I'm going to be voting in favor of this.

**Chairman Gavaris:** Legislator Ronk.

You're on mute.

**Legislator Ronk:** Thanks. Sorry about that, um, eventually, I'll get, I'll get the hang of it. Um, you know, I, I

**Legislative Chairman Donaldson:** We'll be back in person, it'll be too late.

**Legislator Ronk:** What's that?

**Chairman Gavaris:** We're back in person [inaudible] too late

**Legislative Chairman Donaldson:** too late.

**Legislator Ronk:** Well, I'm, I'm very happy about that, Mr. Chairman, but it we're still gonna be on zoom for some of these committee meetings. So I still have a little bit of time. Um, you know, and, and with all due respect to, you know, what my colleagues have said, you know, you know, after I, I spoke the first time, you know, I understand the need at the DA's office. And I, I also believe that as we move forward, we're going to be seeing resolutions for extra staff or monies to comply with discovery reform from the Sheriff's Department and from the Public Defender's [inaudible] office and from Probation. And it goes on and on and on. And my, one of my problems is here, we're solving the problem in front of us and not looking at the holistic picture. So if we have a, a data problem at the county, you know, we talked about I think, I think the slide was 13 terabytes is that, you know, is that roughly accurate of, of information, you know, that that's, you know, that's information that the DA's office is going to need, it's also information the Public Defender's Office could need, it's also information that is that is maintained by the Sheriff's Department and Probation, you know, so is this person in the records management office of the DA's, office going to be working with the Sheriff's Department and Probation and the Public Defender's Office? Or we're going to, or we're gonna need a records management person for each of those offices? I mean, these are questions maybe they maybe they've been answered, I just haven't been at the meetings. But I, I have concern about this half a million dollars, you know, tripling or quadrupling, you know, over time as we try and, and handle bail reform. And with respect to the case, loads, I understand the case loads right now are extremely high. But until we get past this COVID bubble, where everything was shut down, and then everything opened back up, again, I'm not sure that we can say that the case loads are going to be you know, as high now, I'm sorry, as high as in, in six months and 12 months and 18 months as they are right now. Which is again, why I don't think that we make snap decisions in the middle of a budget year to to add half a million dollars annually to one department. That's why these conversations happen at budget time and not in June. That's, I'll I'll stop there.

**Chairman Gavaris:** Thank you. Any other discussion? Legislator Walter.

**Legislator Walter:** Thank you. So I will reiterate that these conversations did start in budget time, but unfortunately, because of COVID and hiring freezes, we were really limited in our capacity. We didn't know that we'd be as okay, as we are now. I will also add that the, this, this ask is a collaborative effort, including law enforcement, Probation and the Sheriff. That the fortunate revenue that we're going to get from the Manhattan DA will cover the primary costs to the law enforcement, which includes software and hardware, which they won't need to be repeated but absolutely this position in the, in the District Attorney's Office will support all of those departments. But and the biggest issue is that the onus of discovery falls solely on the DA. They all are part of that act. The, the law enforcement. I mean, less so the Public Defender's office who is more of the recipient. But it is solely the responsible of the DA's Office to make sure that that information is gathered. If they don't do it successfully, they cannot successfully try somebody who may have done something that's harmful and, and may continue to do something that's harmful. It lies right on the DA's shoulders. And, and, but we had in Law Enforcement and Public Safety, law enforcement presence, and they spoke to how important those positions that are in the DA's office is to all of them.

**Chairman Gavaris:** Thank you. Legislator Ronk.

**Legislator Ronk:** Thanks. Can I ask one question of the DA?

**Chairman Gavaris:** Sure.

**Legislator Ronk:** Um, you know, when when these when these bills were being, you know, discussed in Albany, you know, did you, did you lodge an opinion on those? I know that our, our former District Attorney Holley Carnright, you know, was one of the ones who came to the Law Enforcement Committee at that time, and opposed the discovery reform changes, even more than the bail reform changes, the discovery reform changes, because of the costs and onus they would put on the District Attorney's office. I was just curious if at that time, you had had a public position on that.

**District Attorney Dave Clegg:** Since I became DA, I went both before the Speaker and the Head of the Senate in New York State and explained how these bills were unnecessarily broad, that it'd cause consequential damages that they may not have realized. The points that I made were that, and I've made this before, 80% of the cases in, over the last 40 years had to deal with in a, in a criminal court are resolved without complete discovery. So 20% of the cases required that and in the old days, you didn't have to serve that until a few days before trial. In the old days, you could show up at arraignment, and the DA could say ready for trial. And you wouldn't

have to worry about speedy trial. All those things have changed and with the time constraints that we had. So I along with the Sheriff of this county went up and spoke to both the Assembly and the Senate, and explained to them the consequences that are occurring to both of our offices from this. And I lobbied and as part of that lobbying got the second reform on bail reform, which didn't go as far as we requested. I made public the whole time and we're not really talking about bail reform right now. But in my position on bail reform was that we needed an exemption or an exception for public safety issues. So when there was an issue of dangerousness, we should be able to request bail and have a hearing for that and have due process. But yes, I have been supportive the changes of reform, which were needed. But as I said, to both the Assembly and the Senate, these went too far. And there are consequences you didn't see coming. And those consequences now are burdening the office at a level that we need additional help.

**Chairman Gavaris:** Thank you. Legislator Ronk.

**Legislator Ronk:** Thanks. I just want to say that I, I you know, and I appreciate that. Dave, I really do. Um, you know, I, I don't necessarily think that the folks who pass these laws didn't see them coming. I can tell you that, you know, from, from working in the, in the State Assembly. I know that my, my, the members of the conference that I work for at the State Assembly brought up many of these issues at, at that point, they were just not headed. But you know, that having been said, you know, it's, it's where we're at, thanks.

**Chairman Gavaris:** Legislator Parete.

**Legislator Parete:** You know, what is, is. We have to do something, pretty evident. What sort of drives me sideways sometimes is a year and a half ago, in the Public Safety and Criminal Justice Committee, we wanted to bring in and ask to come in our elected representatives and those involved in law enforcement to talk about this. Talk about the effects, didn't work. And now where are we?

**Chairman Gavaris:** All right, Legislator Ronk. Let's, let's try to wrap up.

**Legislator Ronk:** I'll, I'll make this my last comment. Fair enough?

**Chairman Gavaris:** Fair enough.

**Legislator Ronk:** Um, you know, I just heard five of the most dangerous words when put all together in government, 'we have to do something'. Almost nothing good ever comes from the



phrase 'we have to do something'. That's one of, that's one of my issues with this happening in the middle of a budget year.

**Legislator Parete:** Oh, nevermind. Nevermind. They built a big reservoir up here for New York City. Back in 1885, somebody said, we have to do something we need water.

**Chairman Gavaris:** All right.

**Legislator Ronk:** And look how that turned out.

**Legislator Parete:** Look at it [inaudible].

**Legislator Walter:** Call the question.

**Legislative Chairman Donaldson:** They got water. All right, call the question.

**Chairman Gavaris:** All those in favor? Opposed? All right, so carried. Thank you. Can I get a motion to block 273, 274, and 275?

**Legislative Chairman Donaldson:** I'll make that motion.

**Legislator Ronk:** Second.

**Chairman Gavaris:** All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Alright. Alright. On the block, can I get a motion?

**Group:** Aye.

**Chairman Gavaris:** Any discussion? All those in favor? Opposed? So carried.

276: Establishing Capital Project 593. Motion?

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Bartels. Any discussion? All those in favor? Opposed?  
So carried. You're opposed Legislator Ronk? No.

278: Approving the execution of contract 145.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Walter. Any discussion? All those in favor? Opposed?  
So carried.

279: Approving the execution of a contract amendment.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Walter. Any discussion? All those in favor? Opposed?  
So carried.

280: Approving the execution of a contract.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Walter. Any discussion? All those in favor? Opposed?  
So carried.

283: Authorizing the Chair of the Legislature to enter into an agreement.

**Legislative Chairman Donaldson:** Move it.

**Chairman Gavaris:** Second?

**Legislative Chairman Donaldson:** Did you skip 281?

**Chairman Gavaris:** 280

**Legislative Chairman Donaldson:** Did you do 281 and 282?

**Chairman Gavaris:** I did skip those somehow.

281: Approving the execution of a contract for \$69,872.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Walter. Any discussion? All those in favor? Opposed?  
So carried.

282: Approving the execution

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Discussion? All those in favor? Opposed?

283: Authorizing the Chair to enter into an agreement with Higginsville Station. Motion?  
Legislator Walter. Second, Bartels.

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Any discussion? All those in favor? Opposed? Carried.

285: Authorize the issuance of issuance pursuant to Section 90.

**Legislative Chairman Donaldson:** I'll move that.

**Chairman Gavaris:** Second? Legislator Ronk. Any discussion? All those in favor? Opposed?  
So carried.

286: Authorizing distribution of mortgage tax receipts. Motion?

**Legislative Chairman Donaldson:** I'll move it.

**Chairman Gavaris:** Second? Legislator Walter. Any discussion? All those in favor? Opposed.  
So carried.

287: Authorizing Chair of the Legislature to enter into an agreement with the New York State  
Department - DCJS. Motion?

**Legislative Chairman Donaldson:** Move it.

**Chairman Gavaris:** Second, Walter. Discussion? Legislator Bartels, you have discussion? No. All those in favor? Opposed? So carried.

289: Establishing ban the box. Can I have a motion? Legislator Bartels. Second Walter. Discussion? Legislator Bartels.

**Legislator Bartels:** Just provide, I mean, it's, it's self-explanatory, but just to provide a little background in, as it states in 2014 and into 2015. There was an Executive Order in Ulster County establishing a ban the box policy, that policy is, is still being followed today. There's been no change with the new Executive. But I thought it important to, to codify the policy which would be for county employees, county hires only and as the policy exists currently.

**Chairman Gavaris:** Thank you, any other discussion? Oh, Legislator Walter.

**Legislator Walter:** Yeah, I just wanted to say that I completely support this. I think Ban The Box has been found to be highly problematic and contributed to racial inequality in many ways. And I, I think it's an extremely important thing for us to do, to codify this.

**Chairman Gavaris:** Legislator Parete.

**Legislator Parete:** My granddaughter just came to see me, I move the question.

**Legislative Chairman Donaldson:** There you go.

**Chairman Gavaris:** All those in favor?

**Group:** Aye.

**Chairman Gavaris:** Opposed? So carried.

Is there any new business?

Any old business?

Before we adjourn, just that our next meeting, next week is in person. If you have been vaccinated, and you're not planning on wearing a mask, please give your vaccination records over to the Clerk. Can I get a motion to adjourn?

**Legislative Chairman Donaldson:** I'll make a motion to adjourn.

**Chairman Gavaris:** Chair Donaldson. All those in favor. Alrighty. Thank you all.