

Ways & Means Committee Regular Meeting Minutes

DATE & TIME: July 16, 2019 – 5:30
LOCATION: KL Binder Library, 6th Floor, County Office Building,
244 Fair Street, Kingston, NY
PRESIDING OFFICER: Lynn Archer, Chairwoman
LEGISLATIVE STAFF: Natalie Kelder
PRESENT: Legislators Richard Gerentine, Mary Beth Maio, Joseph
Maloney, Laura Petit, and Hector Rodriguez, Legislative
Chairwoman Tracy Bartels
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Dave Donaldson, Manna Jo Greene, Jonathan
Heppner, Kathy Nolan, Herbert Litts, Legislative Counsel; David
Gordon, Nick Pascale, Deputy County Executive; Marc Rider,
Ulster County Sheriff; Jon Becker, Jerome John, Securus
Representative; Daniel McGuinn, Daily Freeman; Pat Doxy,
Resident; Betty Dioroi,

- **Chairwoman Archer called the meeting to order at 5:30 PM**

Motion No. 1: To discuss Resolution No. 15 – Setting A Public Hearing On Proposed Local Law No. 1 Of 2019, A Local Law Amending The Code Of The County Of Ulster In Relation To Local Law No. 5 Of 1991 (A Local Law Adopting A Hotel And Motel Room Occupancy Tax) To Clarify The Tax Law’s Application To Short-term And Vacation Rentals, To Be Held On Tuesday, August 13, 2019 At 6:00 PM

Resolution Summary: This resolution sets a public hearing on Proposed Local Law No. 1 Of 2019, A Local Law Amending The Code Of The County Of Ulster In Relation To Local Law No. 5 Of 1991 (A Local Law Adopting A Hotel And Motel Room Occupancy Tax) To Clarify The Tax Law’s Application To Short-term And Vacation Rentals, To Be Held On Tuesday, August 13, 2019 At 6:00 PM in the Legislative Chambers, Ulster County Office Building, 6th Floor, 244 Fair Street, Kingston, NY.

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Maloney

Discussion: Legislator Maloney requested that the committee postpone for one month in order to speak with the County Executive.

Motion No. 2: To postpone Resolution No. 15 – Setting A Public Hearing On Proposed Local Law No. 1 Of 2019, A Local Law Amending The Code Of The County Of Ulster In Relation To Local Law No. 5 Of 1991 (A Local Law Adopting A Hotel And Motel Room Occupancy Tax)

To Clarify The Tax Law’s Application To Short-term And Vacation Rentals, To Be Held On Tuesday, August 13, 2019 At 6:00 PM

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Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Rodriguez

Voting In Favor: Legislators Archer, Gerentine, Maio, and Rodriguez
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Approved

Chairwoman Archer put Resolution No. 301 before Resolution No. 295 to give the Legislative Chairwoman, Tracey Bartels, a chance to join the discussion.

Motion No. 3: To approve Resolution No. 301 – Creating One Full-Time Position And Amending The 2019 Ulster County Budget – Office For The Aging

Resolution Summary: This resolution creates one new position in the Office for the Aging and amends the 2019 Ulster County Budget.

Motion Made By: Legislator Maio
Motion Seconded By: Legislator Rodriguez

Discussion: Legislator Maloney requested the list of employees that are funded by outside sources. Burt Gulnick, Commission of Finance, is working with Personnel to try to create a report. Legislator Maloney expressed that Finance should have a list ready to go if they are tracking it.

Legislator Rodriguez pointed out that there are different funding sources that can end at different points during the year. Legislator Rodriguez suggested that a position may not get cut mid-year, but the legislature would need to be notified for the following budget year. Legislative Chairwoman Bartels asked for the legislative staff to begin tracking this going forward. Chairwoman Archer requested some time to work with Finance and to create an internal process.

Legislator Maloney pointed out that the position would not be created without grant money and creating a policy to eliminate the position when the funding disappears puts the County in a position of re-hiring someone and creating a position instead of firing and eliminating their position. It was determined that the standard sunset language had no effect as it is overridden by the budget process.

Voting In Favor: Legislators Archer, Bartels, Gerentine, Maio, and Rodriguez
Voting Against: Legislators Maloney and Petit
No. of Votes in Favor: 5
No. of Votes Against: 2
Disposition: Approved

Motion No. 4: To approve Resolution No. 295 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Securus Technologies, Inc. – Ulster County Sheriff

Resolution Summary: This resolution approves the execution of a contract with Securus Technologies, Inc. at a minimum of \$750,000 (\$250,000 annually) for August 20, 2019 – August 19, 2022 to provide inmate communication services.

Motion Made By: Legislator Maio
Motion Seconded By: Legislator Gerentine

Discussion: Legislative Chairwoman Bartels wanted to clarify the cost to the inmate is \$0.14 per minute for phone calls and \$5.00 per month for tablet use. Undersheriff, Jon Becker, confirmed that the price per minute is being reduced from \$0.22 to \$0.14. The \$5.00 tablet charge is for the expanded use of the table, the educational information is free, and every inmate receives a tablet.

The Securus representative, Daniel McGuinn, explained that the free tablet is set up to help the inmates. The content includes a law library, GED prep, plus local college and trade school programs. It also includes messaging capabilities, but a fee will apply. The inmate will purchase “stamps” which are sold in books of 5. One text message is equal to one stamp or \$0.50.

Legislator Petit questioned the security of the tablet. Daniel McGuinn explained that everything is saved and available to perform key word searches for language or terms.

Legislative Chairwoman Bartels asked about the book content. Daniel McGuinn explained that there are Religious materials, mental health, and drug addiction materials as well as public domain books.

Legislator Maloney stated that the County is expected to profit approximately \$300,000 from this contract. Legislator Maloney asked Daniel McGuinn how this compares to other municipalities of similar size. Daniel McGuinn explained that it is a proposal to maintain or expand the current revenue base while reducing costs to inmates and increasing the availability of services. The tablet and voicemail services are functions not available today. The addition of these will likely be an added source of revenue. The movie and game features will fund the free applications. The purchased content will also remain on their account if they do end up returning to the facility, apart from movies, they are equivalent to two-day rentals.

Legislator Maloney questioned the ability to make the services more affordable and to decrease the profit made on the contract. Undersheriff, Jon Becker, explained that this contract passes on some of the savings to the inmate by dropping their call price from \$0.22 to \$0.14 per minute. Legislator Rodriguez asked if there was a way to bring calls all the way down to free for the inmates. Jon Becker explained that, today, most of the revenue is expected to come from phone calls. Legislator Maio asked what inmates in other Counties pay. Undersheriff Becker explained that most inmates pay \$0.22 and Ulster County would be one of the lowest in the state with the \$0.14 per minute contract. For reference, Albany County is at \$0.23 per minute.

Legislative Chairwoman Bartels expressed concern over profiting from inmates as well as the equity of prisoner's where one may have the ability to afford a movie, and another may not. Legislative Chairwoman Bartels was also concerned about the quality of the law library.

Legislator Gerentine clarified that it is a 3-year contract with two extensions. Legislator Gerentine also questioned the decrease of inmates over the last year and if that was considered for the annual revenue calculations. Discussion continued regarding how Securus is taking less profit than the previous contract, therefore increasing Ulster County's percentage of the profit per call. Legislative Chairwoman Bartels also reminded the committee of the new revenue source; movies and games. Legislative Chairwoman Bartels asked if there would be an annual report with a breakdown

of movies rented etc. Daniel McGuinn explained that there will be a monthly extract with this information.

Legislator Rodriguez questioned if the extensions were able to be renegotiated. Daniel McGuinn stated that he had no problem negotiating throughout the term of a contract and would write that in the current contract. There was no need to wait three years to renegotiate.

The group tabled the discussion to verify if there was an escape clause in the contract.

Legislator Rodriguez explained to the committee that under article 28 the County can terminate the contract.

Voting In Favor:	Legislators Archer, Gerentine, Maio, Maloney, Petit and Rodriguez
Voting Against:	Legislator Bartels
No. of Votes in Favor:	6
No. of Votes Against:	1
Disposition:	Approved

Motion No. 5: To approve Resolution No. 302 – Approving The Work Order With The Dormitory Authority Of The State Of New York (DASNY) For Design and Construction Phase Services For Phase 2 Of Campus Roof Project For Hardenburgh Hall Related To The Campus Roofs Capital Project No. 489 – Campus Roofs And Amending the 2019 Ulster County Capital Fund – SUNY Ulster

Resolution Summary: This resolution approves a work order with the Dormitory Authority of the State of NY (DASNY), Phase 2 design and construction for Campus Roofs Project - Hardenburgh Hall roof replacement, including hazardous materials testing, DASNY's in-house design, and DASNY construction phase services. \$1,600,000.00 50% County, 50% DASNY. A Bond Resolution will be required.

Motion Made By:	Legislator Maio
Motion Seconded By:	Legislator Rodriguez

Discussion:	None
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Voting In Favor:	Legislators Archer, Bartels, Gerentine, Maio, Maloney, Petit and Rodriguez
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Voting Against:	None
No. of Votes in Favor:	7
No. of Votes Against:	0

Disposition: Approved

Motion No. 6: To approve Resolution No. 303 – Authorizing Roof Reconstruction Of The Hardenburgh Hall At The Ulster County Community College Campus At SUNY Ulster Stone Ridge, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$1,600,000, And Authorizing The Issuance Of \$1,600,000 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This resolution authorizes the issuance of \$1,600,000.00 bonds for the roof reconstruction at Hardenburgh Hall at Ulster County Community College Campus.

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Petit

Discussion: None

Voting In Favor: Legislators Archer, Bartels, Gerentine, Maio, Maloney, Petit and Rodriguez

Voting Against: None

No. of Votes in Favor: 7

No. of Votes Against: 0

Disposition: Approved

Motion No. 7: To approve Resolution No. 305 – Authorizing The Chair Of The Ulster County Legislature To Execute A Lease With Ulster Savings Bank For Space To Be Used By The Board Of Elections – Department Of Public Works (Buildings And Grounds)

Resolution Summary: This resolution authorizes the Chair of the UC Legislature to execute a lease agreement with the Ulster Savings Bank for space (3,566 SF), to be used by the UC Board of Elections Offices located at 284 Wall Street, Kingston. \$49,920.00, 1-Year Term 8/14/2019 – 8/13/2020.

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Gerentine

Discussion: Legislator Maloney requested a list of all rented properties for the County. Legislative Chairwoman Bartels felt more comfortable with the contract after getting several items clarified as well as the fact it is only a one-year contract. An alternative, appropriate space, needs to be found for next year. In addition, to add onto the request from Legislator Maloney, Legislative Chairwoman Bartels would like a list of all County owned properties.

Voting In Favor: Legislators Archer, Bartels, Gerentine, Maio, Maloney, Petit and Rodriguez
Voting Against: None
No. of Votes in Favor: 7
No. of Votes Against: 0
Disposition: Approved

Motion No. 8: To approve Resolution No. 307 – Authorizing The Issuance Of An Additional \$42,000 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Construction Of A Service Shelter And Other Improvements At The Veterans Cemetery, In And For Said County

Resolution Summary: This resolution authorizes the issuance of \$42,000.00 bonds for the Veterans Cemetery.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Archer, Bartels, Gerentine, Maio, Maloney, Petit and Rodriguez
Voting Against: None
No. of Votes in Favor: 7
No. of Votes Against: 0
Disposition: Approved

New Business: Legislator Gerentine asked Marc Rider about the dismissal of Lisa Cutten, as he has received several phone calls from constituents. Marc Rider explained that there were no politics involved and it was a personnel matter. He offered to go into Executive Session to briefly explain more.

Motion No. 9: To enter executive session for the purposes of discussing a personnel matter

Motion Made By: Legislator Gerentine
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Archer, Bartels, Gerentine, Maio, Maloney, Petit and Rodriguez
Voting Against: None

No. of Votes in Favor: 7
No. of Votes Against: 0
Disposition: Approved

Motion No. 10: To exit executive session

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Archer, Bartels, Gerentine, Maio, Maloney, Petit and Rodriguez

Voting Against: None

No. of Votes in Favor: 7

No. of Votes Against: 0

Disposition: Approved

Chairman Archer disclosed that no decision was made during executive session.

Old Business: None

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

Adjournment

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Maio

No. of Votes in Favor: 7

No. of Votes Against: 0

Time: 6:34 PM

Respectfully submitted: Natalie Kelder

Minutes Approved: August 13, 2019