Ways & Means Committee Regular Meeting Minutes

DATE & TIME: September 10, 2019 – 5:00

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 (5:07), Joseph Maloney,

Laura Petit, and Hector Rodriguez, Kenneth J. Ronk, Jr.

(5:18)

ABSENT: Legislator Mary Beth Maio

QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Manna Jo Greene, Kathy Nolan, Herbert Litts,

Legislative Counsel; David Gordon, Deputy County Executive; Marc Rider, Commission of Finance; Burt Gulnick, Dept of Planning; Dennis Doyle and Chris White, Deputy Comptroller; Evan Gallo, Woodstock Land Conservancy; Maxanne Resnick, Friends of Catskill Mountain Rail Trail; Ralph Durham, City of

Kingston; John Grossbohlin, Citizen; Nick Mercurio

• Chairwoman Archer called the meeting to order at 5:06 PM

Motion No. 1: To approve the Minutes of August 13, 2019 and August 20, 2019

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0

Disposition: Approved

Motion No. 2: To approve 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 Thursday, October 10, 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 Thursday, October 10, 2019 At 6:00 PM in the Legislative Chambers, Ulster County Office Building, 6th Floor, 244 Fair Street, Kingston, NY.

Motion Made By: Legislator Petit
Motion Seconded By: Legislator Maloney

Discussion: Legislator Maloney urged that Resolution No. 15 be moved along

for public hearing.

Legislator Rodriguez asked about the work currently being done on this subject. Legislator Maloney suggested that there may be

another method of accomplishing the same result.

Discussion ensued regarding the history of this resolution.

Legislator Petit commented that she would like to see this

Resolution move on or be modified.

Voting In Favor: Legislators Maloney, Petit and Rodriguez

Voting Against: Legislators Archer and Gerentine

No. of Votes in Favor: 3 No. of Votes Against: 2

Disposition: Defeated

Motion No. 3: To approve Resolution No. 383 – Authorizing The Chair Of The Ulster County Legislature To Execute A Contract With The New York State Governor's Traffic Safety Committee For Overtime Reimbursement – Sheriff's Office

Resolution Summary: This resolution authorizes the chair of the legislature to execute a contract with the New York State Governor's Traffic Safety Committee to accept State Revenue Dollars for Overtime Reimbursement.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

Voting Against:NoneNo. of Votes in Favor:5No. of Votes Against:0

Disposition: Approved

Motion No. 4: To approve Resolution No. 384 – Amending The 2019 – 2024 Capital Improvement Program To Establish Capital Project No. 548 – Department Of Social Services Basement Restoration, And Amending The 2019 Capital Fund Budget – Department Of Public Works

Resolution Summary: This resolution establishes Capital Project No. 548 and amends the Capital Improvement Program to fix foundation problems in the D.S.S. Basement located at Development Ct, Kingston, NY 12401.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: Legislator Rodriguez requested that Marc Rider, Deputy County

Executive, provide more details regarding this resolution. Marc Rider explained this is for engineering work. In 2004, there was a problem with the water table and work was completed to rectify the issue. However, it appears they are experiencing a similar

problem today.

Legislator Petit commented that the space was intended to be used for offices and conference rooms. Those spaces are no longer being used for the intended purpose due to the water.

Legislator Archer asked if there was mold due to the water. Marc Rider did not think there was a mold issue, only a water seepage issue.

Legislator Maloney asked if the building had been tested for Radon. Dennis Doyle, Director of Planning said that the building was tested for Radon when they moved into the building.

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

Voting Against:
No. of Votes in Favor:
No. of Votes Against:

0

Disposition: Approved

Motion No. 5: To discuss Resolution No. 386 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Catholic Charities Of Orange, Sullivan & Ulster – Department Of Social Services

Resolution Summary: This resolution approves the Execution of a contract with Catholic Charities for the operation of a warming center for individuals without shelter. 100% State Funded, \$1,622,000 10/1/19-9/30/22.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Gerentine

Discussion: Chairwoman Archer asked Marc Rider, Deputy County Executive,

why the price is so much greater than previous years. Marc Rider explained that the Department of Social Services initially thought it would try to open the warming center 24/7. However, it has come to their attention that this will not be approved and reimbursed by the State. They will have revised expense and revenue numbers next week. Marc Rider added that the County will get reimbursed by the state every day the warming center is

open, and the temperature is below 32 degrees.

Motion No. 6: To postpone Resolution No. 386 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Catholic Charities Of Orange, Sullivan & Ulster – Department Of Social Services

Resolution Summary: This resolution approves the Execution of a contract with Catholic Charities for the operation of a warming center for individuals without shelter. 100% State Funded, \$1,622,000 10/1/19-9/30/22.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

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

Voting Against:NoneNo. of Votes in Favor:5No. of Votes Against:0

Disposition: Approved

Motion No. 7: To approve Resolution No. 387 – Approving The Execution Of A Work Order With The Dormitory Authority Of The State Of New York (DASNY) To Provide Design And Construction Management Services Related To Capital Project No. 486 – Window Replacement Project – Amending Capital Project No. 486 – Window Replacement Project For Jacob Hardenbergh Hall – Amending The Capital Fund Budget – SUNY Ulster

Resolution Summary: This resolution approves the execution of a Work Order with the Dormitory Authority of the State of New York to provide design and construction management services related to Capital Project No. 486, window replacement at Hardenbergh Hall. A bond resolution will be required.

Motion Made By: Legislator Petit
Motion Seconded By: Legislator Rodriguez

Discussion: Marc Rider, Deputy County Executive, stated that Jamie Capuano

attended the Public Works meeting to explain the price increase. The original Capital Project was for half of the windows to be replaced. However, the additional cost is for all the windows to be

replaced.

Legislator Petit added that testing was done for Asbestos and other contaminants and the building will now have to be encapsulated when they replace the windows. The last time the windows were replaced was in the 1960's. Classes will not be able to be held in the building while this work is being done. The windows will be completed all at once to avoid losing the building, for classes, two

summers in a row.

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

Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0

Disposition: Approved

Motion No. 8: To approve Resolution No. 389 – Authorizing The Chair Of The Ulster County Legislature To Execute A Grant Agreement With The Community Foundations Of The Hudson Valley For The Ulster County Midtown Linear Park Project – Department Of Planning

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute a grant agreement with the Community Foundations of the Hudson Valley for the Midtown Linear Park Project to accept funding of \$1,000,000.00 to offset the County's local share of the Project and to fund enhancements.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

Voting Against:NoneNo. of Votes in Favor:5No. of Votes Against:0

Motion No. 9: To discuss Resolution No. 390 – Amending Capital Project No. 479 To Provide For Additional Engineering And Right-of-Way Incidental Services For The Ulster County Midtown Linear Park (PIN 8761.82) – Department Of Planning

Resolution Summary: This resolution amends Capital Project No. 479 to provide additional engineering and right-of-way incidentals, the cost of which will be covered by grant funding from the Community Foundations of the Hudson Valley in the amount of \$32,945.00

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Gerentine

Discussion: Legislator Petit explained that this was postponed in Public Works

and there will be a special meeting with proposed amendments.

Legislator Litts commented that he spoke with the Legislative Chairwoman and there will be amendments to the Resolution.

Motion No. 10: To postpone Resolution No. 390 – Amending Capital Project No. 479 To Provide For Additional Engineering And Right-of-Way Incidental Services For The Ulster County Midtown Linear Park (PIN 8761.82) – Department Of Planning

Resolution Summary: This resolution amends Capital Project No. 479 to provide additional engineering and right-of-way incidentals, the cost of which will be covered by grand funding from the Community Foundations of the Hudson Valley in the amount of \$32,945.00

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk

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

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

Disposition: Approved

Motion No. 11: To approve Resolution No. 392 – Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The New York State Energy Research And Development Authority (NYSERDA) – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute an Intermunicipal agreement with the New York State Energy Research and Development Authority (NYSERDA) to fund a transit fleet electrification feasibility study for a cost of \$40,000.00.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0

Disposition: Approved

Motion No. 12: To approve Resolution No. 393 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – BAE Systems Controls Inc. – UCAT

Resolution Summary: This resolution approves the execution of a contract with BAE Systems Controls to extend the warranty plan for Orion buses. \$154,620.00-80% Federal, 10% State, 10% County, for a term of 9/1/19-9/30/20.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0

Disposition: Approved

Motion No. 13: To approve Resolution No. 394 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Cambridge Systematics, Inc. – Department Of Planning

Resolution Summary: This resolution approves the execution of a contract with Cambridge Systematics, Inc. for the creation of a comprehensive Transportation Safety Action Plan for \$92,829.00 - 100% Federal, with a term of 10/1/19-9/30/20.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

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

Disposition: Approved

Motion No. 14: To approve Resolution No. 395 – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New England Interstate Water Pollution Control Commission (NEIWPCC) To Accept Grant Funds And Amending The 2019 Ulster County Adopted Budget – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute an agreement with the New England Interstate Water Pollution Control Commission to accept grant funds of \$106,590.00 and amend the 2019 Budget for stormwater management and resilience planning.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: Legislator Rodriguez asked Marc Rider, Deputy County Executive,

to explain the purpose of the New England Interstate Water

Pollution Control Commission. Marc Rider explained that this is a grant to allow the Department of Environment to do culvert work

outside of the watershed for the local municipalities.

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

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

Disposition: Approved

Motion No. 15: To approve Resolution No. 396 – Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Completion Of A Geothermal Clean Energy Challenge Stage 3 Design Study – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute an agreement with the New York Power Authority for the completion of a Geothermal Clean Energy Challenge Stage 3 Design and Procurement service at the Ulster County Office Building.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk

Discussion: None

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

Voting Against: None **No. of Votes in Favor:** 6

No. of Votes Against: 0

Disposition: Approved

Motion No. 16: To approve Resolution No. 397 – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Environmental Conservation (NYSDEC) To Accept Grant Funds Under The 2018 Municipal Zero-Emission Vehicle (ZEV) And ZEV Infrastructure Rebate Program – Department Of Public Works

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute an agreement with the New York State Department of Environmental Conservation to accept grant funds under the 2018 Municipal Zero-Emission Vehicle and ZEV Infrastructure Rebate Program, in the amount of \$27,500.00.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

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

Disposition: Approved

Motion No. 17: To approve Resolution No. 398 – Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The New York Power Authority (NYPA) For Solar Advisory Services At The Quarryville Site And Declaring Intent To Act As Lead Agency Under SEQRA – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute an Intermunicipal agreement with the New York Power Authority for solar advisory services at the Quarryville site and declaring intent to act as Lead Agency.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0

Motion No. 18: To approve Resolution No. 399 – Amending Resolution No. 160 Of 2019, Establishing Capital Project No. 540 – For The Samsonville Road Culvert In The Town of Rochester (PIN 8762.35) – Bridge NY Program – Authorizing The Chair Of The Ulster County Legislature To Execute Agreements, Certifications Or Reimbursement Requests For Federal Aid On Behalf Of Ulster County With The New York State Department Of Transportation—Department Of Public Works (Highways And Bridges)

Resolution Summary: This resolution amends Resolution No. 160 of 2019, establishing Capital Project No. 540 – for the Samsonville Road culvert in the Town of Rochester. Professional Services \$10K, Highway Materials \$460K, Serial Bond Revenue \$550K.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion: None

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

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

Disposition: Approved

Motion No. 19: To approve Resolution No. 400 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Sealcoat USA, Inc. – Department Of Public Works

Resolution Summary: This resolution approves the execution of a contract with Sealcoat USA for crack sealing of various County roads with rates expected to exceed \$50,000.00 from 10/1/19-3/31/21.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0

Motion No. 20: To discuss Resolution No. 401 – Setting A Public Hearing On Proposed Local Law No. 9 Of 2019, A Local Law Amending Local Law 6 of 2014, To Improve And Strengthen The Sustainable Energy Loan Program, To Be Held On Thursday, October 10, 2019 At 6:30 PM

Resolution Summary: This resolution sets a Public Hearing on Proposed Local Law No. 9 of 2019 to improve and strengthen the Sustainable Energy Loan Program, to be held on Thursday October 10, 2019.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: Legislator Ronk raised concerns that the previous LDC had

dissolved and did not want to make any changes without all the

information.

Motion No. 21: To postpone Resolution No. 401 – Setting A Public Hearing On Proposed Local Law No. 9 Of 2019, A Local Law Amending Local Law 6 of 2014, To Improve And Strengthen The Sustainable Energy Loan Program, To Be Held On Thursday, October 10, 2019 At 6:30 PM

Resolution Summary: This resolution sets a Public Hearing on Proposed Local Law No. 9 of 2019 to improve and strengthen the Sustainable Energy Loan Program, to be held on Thursday October 10, 2019.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Ronk

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

Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0

Disposition: Approved

Motion No. 22: To block Resolutions No. 402-404

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

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

Motion No. 23: To approve the following Resolutions:

Resolution No. 402 – Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With ELP Myer Solar, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487 – Department Of Finance

Resolution No. 403 – Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Landau Solar, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487 – Department Of Finance

Resolution No. 404 – Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Landau Solar II, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487 – Department Of Finance

Resolution Summary: This resolution authorizes the Chair of the Legislature to execute a Payment in Lieu of Taxes agreement with Landau Solar II, LLC for a Solar Energy System.

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Petit

Discussion: None

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

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

Disposition: Approved

Motion No. 24: To approve Resolution No. 405 – Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2017 Article 11 In Rem Foreclosure Proceeding – Department Of Finance

Resolution Summary: This resolution authorizes the Commissioner of Finance to accept payment for properties within foreclosure proceedings.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez

Discussion: Burt Gulnick, Commissioner of Finance, explained this is the start

of the foreclosure process. Legislator Maloney asked if there was ever discretion used or if it was automatic after three years. Marc Rider, Deputy County Executive, explained that there are certain properties that the County does not want to be in the chain of Title

for, due to environmental reasons.

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

Voting Against: None No. of Votes in Favor: 6 No. of Votes Against: 0

Disposition: Approved

Motion No. 25: To approve Resolution No. 406 – Accepting The Accounting Of Unpaid School Taxes For The 2019-2020 School Year, Directing Payment To The School Districts, And Directing Relevying Pursuant To New York Real Property Tax Law – Department Of Finance

Resolution Summary: This resolution accepts the accounting of unpaid school taxes for the 2019-2020 school year and allows payment to the School Districts.

Motion Made By: Legislator Rodriguez **Motion Seconded By:** Legislator Petit / Ronk

Discussion: None

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

Voting Against: None No. of Votes in Favor: 6 No. of Votes Against: 0

Disposition: Approved

New Business: Legislator Ronk asked who is currently running The Office of

Veterans Affairs and the Office of Employment and Training, as a

letter was never submitted to the Legislature.

Marc Rider, Deputy County Executive, explained that Frank Reggero is the Interim Director for the office of Veterans Affairs

and assured a letter would be sent right away.

Marc Rider also stated that the Charter allows for one individual to oversee multiple agencies. Lisa Berger will be the Director of Economic Development as well as the Director of Employment and Training. These departments already work closely with one another. Legislator Ronk pointed out that historically a dual role

has still been filed with the Legislature.

Legislators Maloney and Rodriguez also questioned Dennis Doyle, Director of Planning, and confirmed that he has the authority to appoint Lisa Berger as the Planning Department oversees the Department of Economic Development.

Old Business: None

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

Adjournment

Motion Made By:Legislator RonkMotion Seconded By:Legislator Rodriguez

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

Time: 5:36 PM

Respectfully submitted: Natalie Kelder **Minutes Approved:** October 10, 2019