

**Ways & Means Committee
Regular Meeting Minutes**

DATE & TIME: September 20, 2022 – 5:00 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building
PRESIDING OFFICER: Chairman Gavaris
LEGISLATIVE STAFF: Natalie Kelder, Legislative Financial Analyst
PRESENT: Legislators Bartels, Cahill, Fabiano, Ronk, & Walter
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Erner, Greene, Hansut, Maloney, Nolan, Petit & Uchitelle, Legislative Counsel Ragucci & Pascale, Deputy Feaster – Clerk of the UC Legislature, Deputy County Executives Kelly & Rider, Comptroller Gallagher & Alicia DeMarco – UC Comptroller’s Office, Director Litwin – UC Recovery and Resilience, Director Doyle – UC Planning, Director Weidemann – UC Economic Development,

Chairman Gavaris called the meeting to order at 5:01 PM

Resolutions for the September 20, 2022 Session of the Legislature

Resolution No. 189: Establishing A Policy Prohibiting The Housing Of Incarcerated Individuals Transferred From Facilities Outside Of Ulster County, The “No More Incarceration For Profit Policy”

Resolution Summary: This Resolution directs the Ulster County Sheriff to deliver a report to the Clerk of the Legislature within 30 days of any transfer of an incarcerated individual from a county or federal correctional facility located outside of Ulster County to the Ulster County Jail and prohibits the transfer of incarcerated individuals with the exception of several specific exemptions.

Motion No. 1: MOTION TO DISCUSS Resolution No. 189
Motion By: Legislator Walter
Motion Seconded By: Legislator Cahill

Discussion: Legislator Cahill noted that board-in revenue has reduced dramatically over the last several years.

Legislator Maloney stated that the difference in board-in revenue is due to the different practices of the current sheriff compared to the previous sheriff and that the construction of the jail was built to encourage board-ins.

Legislative Chair Bartels expressed concern with the amendment before the committee, specifically the striking of the wording ‘*Ulster County Sheriff*’ as someone will be required to make the determination of the subjective board-ins and reiterated her support of the reporting aspects of the resolution.

Legislator Uchitelle stated that he wanted a compromise that allows the Sheriff’s Office the flexibility to perform their public safety duties as well as the responsibilities that they have to the incarcerated individuals. While Legislator Uchitelle expressed respect for Legislator Maloney for making the

proposed changes, Legislator Uchitelle will not remain a cosponsor if the proposed language is adopted.

Legislator Cahill requested additional backup regarding the whereas that states *'the fee generated from board-ins does not cover transportation, feeding, and accrued overtime costs'*. Legislator Cahill also expressed that he could not support a resolution that takes away power of the Ulster County Sheriff to use their discretion regarding board-ins.

Legislator Walter noted that the revised title still suggests that the policy prohibits the practice of board-ins, which is not accurate as there are several allowable exceptions. In addition, Legislator Walter stated she could support this resolution only if it was amended to only read about the reporting requirements.

Legislator Maloney stated that this resolution is reiterating that our county does not want to take in federal inmates, requests data, and requires reporting of the Sheriff's Office.

Legislator Ronk stated that several policy items need to be finalized and the proper place for that to happen is in the Law Enforcement & Public Safety Committee.

Motion No. 2: **MOTION TO REFER Resolution No. 189 BACK TO LAW ENFORCEMENT & PUBLIC SAFETY COMMITTEE**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Fabiano

Discussion: Legislator Erner questioned if the proposed amendment altered the powers of the Sheriff to a point in which a referendum is needed.

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution REFERRED BACK TO LAW ENFORCEMENT & PUBLIC SAFETY**

Resolution No. 400: Amending The 2022 Budget To Establish And Fund The Ulster County Agricultural Crisis Relief Program - Department Of Finance, Division Of Recovery And Resilience

Resolution Summary: This Resolution establishes and funds the Ulster County Agricultural Crisis Relief program, in the amount of \$2,000,000, to provide assistance to income eligible farmers while protecting farmlands and promoting improved soil health and climate resiliency.

Motion No. 3: **MOTION TO DISCUSS Resolution No. 400**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Walter

Discussion: Legislative Chair Bartels expressed support for this project and would like \$2,000,000 to serve as a base number, not a final number, but requested time to work through the details of concern with the various Agricultural groups.

Legislator Nolan stated that when this is finalized it will be something important for the farmers in Ulster County and will be used a model elsewhere. Legislator Nolan consented to the request for postponement and stated that this will allow for everyone to work together collaboratively.

Motion No. 4: **MOTION TO POSTPONE Resolution No. 400**
Motion By: Legislator Bartels
Motion Seconded By: Legislator Cahill

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolution No. 435: Dedicating Funding To Implement The Boost For Main Streets Program – ARPA - Economic Recovery – Department Of Economic Development

Resolution Summary: This Resolution dedicates \$2,000,000 in American Rescue Plan funds to the Boost for Main Streets Program for capital investments such as rehabilitation of commercial properties, storefront improvements, and façade improvements.

Motion No. 5: **MOTION TO DISCUSS Resolution No. 435**
Motion By: Legislator Walter
Motion Seconded By: Legislator Ronk

Discussion: Legislative Chair Bartels stated that Director Weidemann has been working on the municipal component of the resolution that was previously discussed but more time is needed.

Director Weidemann explained to the committee that they are still trying to figure out the best way to include the municipalities and a postponement would give them the time they need to finalize the details.

Legislator Walter requested the timeline for the small business allocations and selecting those recipients.

Motion No. 6: **MOTION TO POSTPONE Resolution No. 435**
Motion By: Legislator Cahill
Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolution No. 436: Approving The Execution Of A Contract For \$2,000,000.00 Entered Into By The County – Ulster County Economic Development Alliance – Department Of Finance

Resolution Summary: This Resolution approves the execution of a contract with the Ulster County Economic Development Alliance in the amount of \$2,000,000 of American Rescue Plan funds for the Boost for Main Streets Program.

Motion No. 7: **MOTION TO DISCUSS Resolution No. 436**
Motion By: Legislator Walter
Motion Seconded By: Legislator Ronk

Discussion: None

Motion No. 8: **MOTION TO POSTPONE Resolution No. 436**
Motion By: Legislator Walter
Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolution No. 456: Authorizing The Financing Of The Construction Of The Kingston Rail Trail Project, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$2,957,000.00, And Authorizing The Issuance Of \$2,957,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes bonding for the construction of the Kingston Rail Trail Project in the amount of \$2,957,000.

Motion No. 9: **MOTION TO APPROVE Resolution No. 456**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0

Disposition: **Resolution APPROVED**

Resolution No. 461: Adopting Revised Ulster County Fund Balance Policy To Dedicate Funding To Housing Justice

Resolution Summary: This Resolution revises the Ulster County Fund Balance Policy to assign 25% of the monies over the maximum allowable fund balance to affordable housing and moves \$10 Million of the Fiscal Year ended 2021 excess fund balance to a newly established assigned fund balance for the purposes of affordable housing.

Motion No. 10: **MOTION TO DISCUSS Resolution No. 461**
Motion By: Legislator Bartels
Motion Seconded By: Legislator Walter

Discussion: Legislator Uchitelle explained that there have been several conversations regarding this resolution but would like more time to finalize the name of the fund and other details to allow everyone to be on the same page.

Legislative Chair Bartels thanked Legislator Uchitelle for taking the time to make the necessary changes and expressed how important this work is.

Legislator Walter expressed appreciation of the resolution to fund the desired housing initiatives.

Motion No. 11: **MOTION TO POSTPONE Resolution No. 461**
Motion By: Legislator Bartels
Motion Seconded By: Legislator Walter

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolution No. 470: Authorizing The Reuse Innovation Center Planning Study, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$73,570.00, And Authorizing The Issuance Of \$73,570.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes bonding for the Reuse Innovation Center Planning Study in the amount of \$73,570.

Motion No. 12: **MOTION TO APPROVE Resolution No. 470**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution APPROVED**

Resolution No. 476: Authorizing The Issuance Of An Additional \$1,832,059.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of Wilbur Bridge In The Town Of Wawarsing, In And For Said County

Resolution Summary: This Resolution authorizes bonding for the Replacement of Wilbur Bridge in the Town of Wawarsing in the amount of \$1,832,059.

Motion No. 13: **MOTION TO APPROVE Resolution No. 476**
Motion By: Legislator Ronk
Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution APPROVED**

Chairman Gavaris moved on to the Forthcoming Local Laws portion of the agenda.

Resolution No. 11 - Requesting Enactment Of A Senate Bill And Assembly Bill In The New York State Legislature For A Special Law In Relation To The Hotel And Motel Room Occupancy Tax Rates In Ulster County
(Postponed for one month in Ways & Means Committee on September 13, 2022)

Resolution No. 308 – Declaring Ulster County’s Intent To Act As Lead Agency Under New York State Environmental Quality Review Act (SEQRA) For The Purpose Of Constructing A Government Operations Center And Appurtenances To Be Located At Paradies Lane In New Paltz – Department Of Emergency Services
(Postponed for one month in Ways & Means Committee on September 13, 2022)

Resolution No. 309 – Amending Capital Project 607- Government Operations Center And Authorizing The Acquisition Of Real Property Located At Paradies Lane In The Town Of New Paltz For Purpose Of Siting A Government Operations Center And Authorizing The Chair Of The Ulster County Legislature To Execute Any And All Documents Required For Said Acquisition – Department Of Public Works (Buildings And Grounds)
(Postponed for one month in Ways & Means Committee on September 13, 2022)

Resolution No. 310 – Authorizing The Acquisition Of Parcels Of Land For A New Multi-Use Government Operations Center, In And For The County Of Ulster, New York, At A Maximum Estimated

Cost Of \$3,750,000, And Authorizing The Issuance Of \$3,750,000 Bonds Of Said County To Pay The Cost Thereof

(Postponed for one month in Ways & Means Committee on September 13, 2022)

Resolution No. 432 – Establishing A Policy To Dedicate The Surplus Revenue Received From Ulster County Real Property Public Auctions

(Postponed in Health, Human Services, & Housing Committee on September 7th, 2022)

Resolution No. 486 - Adopting The Ulster County Information Services/ Information Technology Security Policy – Department Of Information Services

(Postponed for one month in Ways & Means Committee on September 13, 2022)

Chairman Gavaris asked if there was any old or new business.

Comptroller Gallagher gave several updates to the committee including sales tax collected year to date is 69% of the budgeted value, noting that the increase over last years payment amount declines each month, indicating a leveling out of sales tax. Occupancy tax is currently 60% of the budgeted value and does not include some of the paper submissions.

Comptroller Gallagher also shared that \$123,000 was made since the publication of the investment audit and subsequent investment changes. However, an additional \$121,000 could have been earned if the county had invested in NYCLASS.

Comptroller Gallagher also noted that the journal entries that were previously blocked for her department to view, have since been released. The Ulster County Resource Recovery Agency audit was released and the real property tax audit is in process with about 51 properties being reviewed and approximately 30 on the hazardous list.

Legislator Ronk asked if the journal entry block was intentional or coincidence. Comptroller Gallagher stated that she had no way to tell if the block was intentional or not.

Legislator Cahill questioned what is stopping the investment of county funds in NYCLASS. Comptroller Gallagher explained that the current language of the investment policy states that the county investments must be within a depository institution within Ulster County and the Commissioner of Finance feels that limits the investments to the Bank of Greene County.

Legislator Maloney questioned the ‘missing million dollars’ that was reported in the local newspaper and asked if it was actually hidden, as reported.

Council suggested the committee enter execution session.

Motion No. 14: **MOTION TO ENTER INTO EXECUTIVE SESSION at 5:35 PM for the purpose of discussing claims that are part of current litigation.**

Motion By: Legislator Ronk

Motion Seconded By: Legislator Bartels

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: APPROVED

Motion No. 15: MOTION TO EXIT OUT OF EXECUTIVE SESSION at 5:48 PM
Motion By: Legislator Ronk
Motion Seconded By: Legislator Cahill

Discussion: None

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, Ronk, Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: APPROVED

Legislator Ronk noted that no action was taken during executive session.

Adjournment

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Cahill

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

TIME: 5:48 PM

Respectfully submitted: Natalie Kelder
Minutes Approved: October 11, 2022