

**Ways &
Means Committee
Regular Meeting Minutes**

DATE & TIME: September 8, 2020 – 5:00
LOCATION: Powered by Zoom Meeting by dialing 1-646-558-8656,
Meeting ID 950 7776 4372
PRESIDING OFFICER: Lynn Archer, Chairwoman
LEGISLATIVE STAFF: Natalie Kelder, Amber Feaster, and Jay Mahler
PRESENT: Legislators Kenneth J. Ronk, Jr., Tracey Bartels, John Gavaris, Heidi Haynes; Mary Beth Maio, and Eve Walter, and Legislative Chairman David B. Donaldson (arrived at 5:02 PM)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Brian Cahill, Jonathan Heppner, and Abe Uchitelle; Legislative Counsel Christopher Ragucci; Minority Counsel Nicholas Pascale; Clerk of the Legislature, Victoria Fabella; Deputy County Executives Marc Rider, John Milgrim; Commissioner of Finance, Burt Gulnick; Comptroller, March Gallagher; Deputy Comptroller Chris Quirk

- **Chairwoman Archer called the meeting to order at 5:00 PM**

Motion No. 1: To approve the minutes of the August 11, 2020 Regular Meeting, the August 13, 2020 Special Meeting, and the August 18, 2020 Regular Meeting

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

Discussion: None

Voting In Favor: Legislators Archer, Ronk, Bartels, Gavaris, Haynes, Maio, and Walter
Voting Against: None
No. of Votes in Favor: 7
No. of Votes Against: 0
Disposition: Approved

Motion No. 2: To approve Resolution No. 298 – Authorizing The Chair Of The Ulster County Legislature To Execute An Extension Of The Sales Tax Agreement With The City Of Kingston

Resolution Summary: This Resolution approves the agreement between the County of Ulster and the City of Kingston providing for the distribution and allocation of sales tax to the municipalities for a term of five years, commencing March 1, 2021 and ending February 28, 2026.

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

Discussion: Legislator Cahill informed the Committee that he discussed this agreement with the Mayor of Kingston and the County Executive and he believes there should be some consideration given to the allocation of sales tax revenue as it relates to the Town or Village's relative proportion of sales tax earned. Legislator Walter agreed with Legislator Cahill's points, stating she will not support the agreement. Chairman Donaldson said the City of Kingston isn't supported by the County proportionately compared to the Towns and Villages, providing a brief history of past discussions relating to the agreement. Legislator Bartels agreed with Legislator Walter's approach in asking for a one-year agreement to allow time for deeper discussions and negotiations, stating that she is disappointed this wasn't able to move forward when it was proposed.

Voting In Favor: Legislators Archer, Ronk, Bartels, Gavaris, Haynes, and Maio; and Legislative Chairman Donaldson
Voting Against: Legislator Walter
No. of Votes in Favor: 7
No. of Votes Against: 1
Disposition: Approved

Motion No. 3: To discuss Resolution No. 299 – Authorizing The Use Of The Tax Stabilization Reserve Fund For COVID-19 Related Expenses

Resolution Summary: This Resolution authorizes the Commissioner of Finance to make any and all 2020 budget amendments necessary to transfer and appropriate the necessary funds up to the recommended amount of \$1,476,084.28 into the appropriate budget lines from which COVID-19 related expenditures were made, and requires a list of any and all such transfers be provided at the first Ways & Means Regular Committee meeting following said transfer.

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

Discussion: Legislator Bartels stated she does not support the use of the tax stabilization fund at this time, that she would like to see the 2021 budget, and that after seeing the budget is a more appropriate time

for this discussion. Chairman Donaldson agreed with Legislator Bartels, saying he would like to see this postponed until better numbers are available. Legislator Ronk noted that the use of the account is subject to a permissive referendum which would then consequently be postponed. Burt Gulnick, Commissioner of Finance stated the reserve can only be used for “unknown expenses” and therefore may not be appropriated via the budget, and that the funds will impact fund balance. Discussion pursued on the incidences in which the tax stabilization fund may be utilized.

Motion No. 4: To postpone Resolution No. 299 – Authorizing The Use Of The Tax Stabilization Reserve Fund For COVID-19 Related Expenses

Resolution Summary: This Resolution authorizes the Commissioner of Finance to make any and all 2020 budget amendments necessary to transfer and appropriate the necessary funds up to the recommended amount of \$1,476,084.28 into the appropriate budget lines from which COVID-19 related expenditures were made, and requires a list of any and all such transfers be provided at the first Ways & Means Regular Committee meeting following said transfer.

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Gavaris

Discussion: Legislator Ronk stated, upon considering the timeline of the permissive referendum, he cannot support the Resolution’s postponement. Legislator Bartels questioned if there are any other accounts with funding available for use such as Contingency. Commissioner of Finance Gulnick stated that each account is approved by the Legislature for an intended use and therefore no other funding is available. Comptroller Gallagher informed Committee members that she has reached out to the New York State Office of the Comptroller to question legislation passed on the State level to allow for the use of this fund which requires repayment within 5 years, and also to question if fund balance or contingency are available, whether these funds should be used first. Further, Comptroller Gallagher pointed out that it may currently feel like this is the worst the pandemic is going to get, but it may very well not be. Commissioner of Finance Gulnick argued that he needs to be able to estimate what fund balance will be for the creation of the 2021 budget and that he cannot do so if this Resolution is held up. Legislator Gavaris questioned if FEMA and other reimbursement funds have been taken into consideration in covering these unforeseen expenses. Commissioner of Finance Gulnick answered no because FEMA reimbursement may take years to receive. Legislator Bartels questioned whether budgeted overtime has been accounted for. Commissioner of Finance

Gulnick agreed to follow up with Committee members after discussing with legal counsel.

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

Motion No. 5: To approve Resolution No. 301 – Amending The 2020 Ulster County Budget To Include Additional Funding From The New York State Office For The Aging - Office For The Aging

Resolution Summary: This Resolution amends the 2020 Budget to increase Federal Aid and Professional Services - Food Services within the Office of the Aging in the amount of \$170,000.00 for the purpose of requesting reimbursement for food service expenditures from The New York State Office for the Aging for federal stimulus funding provided through the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid, Relief, and Economic Security Act (CARES).

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

Discussion: None

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

Motion No. 6: To approve Resolution No. 302 – Authorizing The Chair Of The Ulster County Legislature To Execute Grant Agreements And Documents With The Dormitory Authority Of The State Of New York (DASNY) For The Funding And Construction Of A Rooftop Solar Installation At UCAT And Amending The 2020-2025 Capital Program And Establishing Capital Project 574 -Department Of Environment

Resolution Summary: This Resolution amends the 2020-2025 Capital Improvement Program to establish Capital Project No. 574-UCAT Rooftop Solar Installation in the amount of \$100,000, amends the 2020 Capital Fund Budget accordingly, and authorizes the Chair of the Legislature to execute any grant agreements or amendments thereto with DASNY.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 7: To approve Resolution No. 304 – Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With Town Of Hardenburgh For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)

Resolution Summary: This Resolution authorizes the Chair of the Legislature to enter an agreement with the Town of Hardenburgh for the performance of summer light maintenance, snow plowing, sanding, and salting for the period from October 1, 2020 through September 30, 2023.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 8: To approve Resolution No. 305 – Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With Town Of Shandaken For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)

Resolution Summary: This Resolution authorizes the Chair of the Legislature to enter an agreement with the Town of Shandaken for the performance of snow plowing, sanding, and salting for the period from October 1, 2020 through September 30, 2023.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 9: To approve Resolution No. 306 – Authorizing A Grant Application To The Federal Transit Administration To Apply, Accept and Administer 5307 Funds Transferred from the Rural Transportation Assistance Program-Section 5311(b)(3) For Operating Assistance And Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements to Accept Funding- Ulster County Area Transit (UCAT)

Resolution Summary: This Resolution supports a grant application to the FTA for Rural Transportation Assistance Program-Section 5311(b)(3), which were transferred to Urbanized Area Formula Grants-Section 5307 funds, and authorizes the County Executive or designee thereof to execute any required applications or agreements, and any amendments to any documents, to accept the funding agreement with FTA.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 10: To approve Resolution No. 308 – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Homeland Security And Emergency Services For Participation In The Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) Program For Federal Fiscal Year 2020 And Amending The 2020 Ulster County Budget – Emergency Communications/Emergency Management

Resolution Summary: This Resolution authorizes the Chair of the Legislature to execute a Participation Agreement and any amendments thereto, with the New York State Division of

Homeland Security and Emergency Services for participation in the Emergency Management Performance Grant COVID-19 Supplemental program for Federal Fiscal Year 2020, with an allocation of \$39,895.00, and amends the 2020 Budget accordingly.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 11: To approve Resolution No. 309 – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement And Any Amendments Thereto, With The New York State Division Of Homeland Security And Emergency Services For FY20 State Homeland Security Program (SHSP) – Emergency Communications / Emergency Management

Resolution Summary: This Resolution authorizes the Chair of the Legislature to execute an agreement, and any amendments thereto, with the New York State Division of Homeland Security and Emergency Services for the State Homeland Security Program (SHSP) FY20, in the amount of \$257,748.00, and amends the 2020 Budget accordingly.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 12: To approve Resolution No. 310 – Authorizing The Conveyance Of County-Owned Properties To The Original Owners – Department Of Finance

Resolution Summary: This Resolution authorizes the Commissioner of Finance to accept payment as set forth therein with respect to the included parcels, and that upon receipt of such

payment, authorizes the Chair of the Legislature to make, execute, and deliver to the owner making payment, a quitclaim deed conveying the interest of the County in the parcel.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 13: To approve Resolution No. 311 – Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2018 In Rem Foreclosure Proceeding

Resolution Summary: This Resolution authorizes the Commissioner of Finance to accept said payments as a late redemption fee up to the date the County takes title to said properties. Further, this Resolution authorizes the Commissioner of Finance to accept monies equal to the amount due, plus interest to the date of payment, plus fees, from the date the County takes title until 5:00 PM EST on the Friday before the Ulster County Public Auction.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 14: To approve Resolution No. 312 – Accepting The Accounting Of Unpaid School Taxes For The 2020-2021 School Year, Directing Payment To The School Districts And Directing Re-Levying Pursuant To Real Property Tax Law – Department Of Finance

Resolution Summary: This Resolution authorizes the amounts of unpaid school taxes for the 2020-2021 school year to be paid by the Ulster County Commissioner of Finance to those officers charged by law with the custody of school district monies, and authorizes the monies be

re-levied via the 2021 General Tax upon the real property upon which the school taxes were originally imposed.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Bartels

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 15: To approve Resolution No. 313 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – The New Paltz Rural Cemetery Association – Veterans Services

Resolution Summary: This Resolution approves the execution of a contract with The New Paltz Rural Cemetery Association from July 1, 2020 through June 30, 2025 for burial plots and services for Veterans for rates anticipated to exceed \$50,000.00.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Ronk

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 16: To approve Resolution No. 314 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Office Of Economic Development

Resolution Summary: This Resolution approves the execution of a contract with Ulster County Economic Development Alliance, Inc. from September 1, 2020 through December 31, 2020 for economic development services including but not limited to marketing, education, the provision of resources to businesses, nonprofits, and municipalities, and program management services in the amount of \$100,000.00.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 17: To approve Resolution No. 315 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 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 and reduce the amount of print volume for copier and printer lease and maintenance from July 1, 2020 through June 30, 2021 for an additional \$162,782.91, making the contract total \$2,001,582.71.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 18: To approve Resolution No. 316 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Freer Abstract, Inc. – Department Of Finance

Resolution Summary: This Resolution approves the execution of a contract amendment with Freer Abstract, Inc. to extend the term of agreement for In-Rem title services from October 31, 2020 through October 31, 2021 for an additional \$195,000.00, making the contract total \$585,000.00.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Gavaris

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 19: To discuss Resolution No. 317 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management

Resolution Summary: This Resolution approves the execution of a contract amendment with Accucare Nursing & Homecare, Inc. from August 1, 2020 through March 10, 2021 to increase funding for on-site nursing services related to the COVID-19 pandemic for an additional \$150,000.00, making the contract total \$450,000.00.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Ronk

Discussion: Legislator Walter stated that the Law Enforcement & Public Safety Committee requested detail on what expenditures this was expected to cover and Steve Perterson, Director of Emergency Services, agreed that this was a reasonable request that could be accommodated but that no answer has been received to date.

Motion No. 20: To postpone Resolution No. 317 – Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management

Resolution Summary: This Resolution approves the execution of a contract amendment with Accucare Nursing & Homecare, Inc. from August 1, 2020 through March 10, 2021 to increase funding for on-site nursing services related to the COVID-19 pandemic for an additional \$150,000.00, making the contract total \$450,000.00.

Motion Made By: Legislator Walter

Motion Seconded By: Legislator Gavaris

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8
No. of Votes Against: 0
Disposition: Postponed

Motion No. 21: To approve Resolution No. 318 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – New York Communications Company, Inc. – District Attorney

Resolution Summary: This Resolution approves the execution of a contract with New York Communications Company, Inc. from August 1, 2020 through July 31, 2025 for lease of radio equipment in the amount of \$68,100.00.

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

Discussion: Legislator Bartels asked if this is contract is for URGENT. Deputy County Executive John Milgrim informed committee members that this contract pertains to the District Attorney’s investigator cars, that it continues a lease with NYCOM, which is the only company that provides this service, and that every one of these cars needs to have two radios inside to account for different band-widths.

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

Motion No. 22: To approve Resolution No. 319 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Otis Elevator Company – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Otis Elevator Company from October 1, 2020 through September 30, 2023 for elevator maintenance and repair for various county buildings in the amount of \$300,000.00.

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

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 8
No. of Votes Against: 0
Disposition: Approved

Motion No. 23: To approve Resolution No. 320 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Energy Management Technologies, LLC – Department Of Public Works

Resolution Summary: This Resolution approves the execution of a contract with Energy Management Technologies, LLC from October 1, 2020 through September 30, 2023 for maintenance of Metasys and automatic temperature control equipment in various buildings in the amount of \$96,000.00.

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

Discussion: None

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

Voting Against: None
No. of Votes in Favor: 8
No. of Votes Against: 0
Disposition: Approved

Motion No. 24: To approve Resolution No. 321 – Adopting Proposed Local Law No. 8 Of 2020, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For the County Of Ulster, (Local Law No. 10 Of 2008), To Clarify Budget Modification After Adoption

Resolution Summary: This Resolution adopt Proposed Local Law No. 8 of 2020, A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending The Administrative Code For the County Of Ulster, (Local Law No. 10 Of 2008), To Clarify Budget Modification After Adoption.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8
No. of Votes Against: 0
Disposition: Approved

Motion No. 25: To approve Resolution No. 322 – Adopting Proposed Local Law No. 10 Of 2020, A Local Law Amending Local Law No. 10 of 2015, A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00

Resolution Summary: This Resolution adopts Proposed Local Law No. 10 of 2020, A Local Law Amending Local Law No. 10 of 2015, A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00.

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

Discussion: None

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

Voting Against: None

No. of Votes in Favor: 8

No. of Votes Against: 0

Disposition: Approved

New Business: Chairwoman Archer requested standing committees invite Department Heads to their committee meetings to discuss departmental budgets, announcing that a Special Joint Ways & Means and Public Works & Capital Projects committee meeting has been scheduled for Wednesday, October 14th at 6:00 PM to discuss the County Executive Recommended Capital Improvement Program.

Chairman Donaldson requested the value of the contract be noted in the title of each Resolution for a contract. Clerk Fabella agreed.

Old Business: None

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

Adjournment

Motion Made By:	Legislator Gavaris
Motion Seconded By:	Legislator Donaldson
No. of Votes in Favor:	8
No. of Votes Against:	0

Time:	5:43 PM
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Respectfully submitted:	Amber Feaster
Minutes Approved:	October 20, 2020

**Ways &
Means Committee
Regular Meeting Transcript**

DATE & TIME: September 8, 2020 – 5:00
LOCATION: Powered by Zoom Meeting by dialing 1-646-558-8656,
Meeting ID 950 7776 4372
PRESIDING OFFICER: Lynn Archer, Chairwoman
LEGISLATIVE STAFF: Natalie Kelder, Amber Feaster, and Jay Mahler
PRESENT: Legislators Kenneth J. Ronk, Jr., Tracey Bartels, John Gavaris, Heidi Haynes; Mary Beth Maio, and Eve Walter, and Legislative Chairman David B. Donaldson (arrived at 5:02 PM)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Brian Cahill, Jonathan Heppner, and Abe Uchitelle; Legislative Counsel Christopher Ragucci; Minority Counsel Nicholas Pascale; Clerk of the Legislature, Victoria Fabella; Deputy County Executives Marc Rider, John Milgrim; Commissioner of Finance, Burt Gulnick; Comptroller, March Gallagher; Deputy Comptroller Chris Quirk

Chairwoman Archer: I'd like to call the September 8 meeting to order of the Ways and Means Committee. Natalie Will you take roll?

Natalie Kelder: Archer.

Chairwoman Archer: Here.

Natalie Kelder: Ronk.

Legislator Ronk: Present.

Natalie Kelder: Bartels.

Legislator Bartels: Here.

Natalie Kelder: Gavaris.

Legislator Gavaris: Present.

Natalie Kelder: Haynes.

Legislator Haynes: Here.

Natalie Kelder: Maio.

Legislator Maio: Here.

Natalie Kelder: Walter.

Legislator Walter: Here.

Chairwoman Archer: Great. I'll take a motion to approve the minutes if everyone had a chance to read from the August 11, regular meeting, the

Legislator Ronk: Moved by Ronk.

Chairwoman Archer: August 13th.

Legislator Bartels: Seconded Bartels

Chairwoman Archer: special meeting? Okay, and the 18th. And no one had any changes? Okay, all in favor?

Group: Aye.

Chairwoman Archer: Opposed?

Okay, let's get right into resolutions.

Resolution 298: Authorizing The Chair Of The Ulster County Legislature To Execute An Extension Of The Sales Tax Agreement With The City Of Kingston.

Legislator Ronk: I'll move it.

Legislator Bartels: I'll second.

Chairwoman Archer: Second?

Legislator Bartels: Second Bartels.

Chairwoman Archer: Okay. Any discussion? Any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed?

Legislator Cahill: Hey, hey Lynn? Lynn, this is Brian Cahill. Do you mind if I just chime in for one second here? I'm sorry.

Legislator Haynes: No, go ahead, Brian.

Legislator Cahill: Okay. So, I, I just want to say that, you know, I, I've discussed this with, like I said before, with the Mayor of Kingston, with the Executive, personally, and members of his staff. And I just

think that, you know, there should be some consideration to some of, some of the other towns as to the proportion of their distribution being a little bit more equal to their contribution overall to the sales tax revenue, to the county. And this is something that goes on, every time there's a sales tax agreement. It's always the next one, well, we'll take a look at something down the road. Or we'll do something after the sales tax agreement, or this, or that, or another thing. And nothing ever becomes of it, right?

And so I'm just going to tell you guys that when this comes to our caucus, and when it comes to the floor, I'm voting against it. And I'm speaking out against it because I, I reached out to several members of, of the Executive staff and administration with suggestions on how we could work, a shared service agreement between specifically Town of Ulster, City of Kingston, and the County to try and help us relieve some of, you know, our tax burden for the taxpayers of the Town of Ulster. Considering how much of the sales tax goes from the Town of Ulster into the county coffers, right?

We, we've discovered during COVID that car sales are a big, a big, big contributor, right? And where all the car dealerships? They're all in the Town of Ulster, right? Where all the major grocery stores and department stores, they're in the Town of Ulster, right? What's left them anyway, right? So, I just think that at some point here, we have to stand up and say, you know, let's be a little bit more fair about this than we're being. So, I just want to get that off my chest because it's something that I see repeating basically my entire adult life. And it seems a little bit unfair.

Chairwoman Archer: I appreciate your comments.

Legislator Walter.

Legislator Walter: So, I, I agree wholeheartedly with the intent of everything that Legislator, Legislator Cahill said, I had made an attempt to have us pass a resolution that would only allow for one year, for this particular agreement, so that we had the time and capacity to explore all of the different kinds of options that are available and are utilized in counties all around us. Again, this is never an intent to reduce the amount that the City of Kingston was getting, but potentially provide more to the towns, as Legislator Cahill said proportionate to their input. New Paltz is also one of those places. And so, I was unable to get that resolution to even be discussed, because I could not get the support for it. But I will have to say that I will not support this resolution for the same reasons.

Chairwoman Archer: Okay. Any other comments? Chairman Donaldson?

Legislative Chairman Donaldson: Yes. The, as everybody understands, the City of Kingston is the only place in the Ulster County that can also have its own sales tax. And that's what the agreement is all about.

Also, the idea is, as everybody understands, the City of Kingston has no bridges, no roads or any of that type of things being done by the county. Also a significant amount of county services are on, you know, are in the City of Kingston and being taken off the tax roll.

But actually the reason the whole sales agreement came about was because the City of Kingston had its own taxes and they decided that the best way to do this would let the county tax, and then the City of Kingston gets a, a chunk of that numbers.

I think it was 2000. I'm not sure if it was the year 2000. I don't remember what it was. I know. T.R. Gallo was the mayor in the City of Kingston. Up until that point, the counties got absolutely nothing. Zero. Nada. That actually T.R. Gallo negotiated for the towns, and the City at that time, with Dan Alfonso to increase the numbers and give the town the percentages that they have now.

Technically, there is nothing in the law that says that the town can get anything. I think they should. And I think that should be negotiated. And I think the city attempted to negotiate that in the past for more money for the towns, but it's not been successful.

But, you know, only time it was a really successful was with T.R. Gallo when he did that, and that's, you know, that's the history of all that. I will be supporting it. And that's about it.

Chairwoman Archer: Legislator Bartels.

Legislator Bartels: Thank you. Yeah, I, I have mixed feelings. I'm probably going to support it to put it to the floor, but I'm not sure that I'm going to support it on the floor.

I agreed with Legislator Walter's approach. I think that given the uncertainties of COVID and sales tax revenues, the impacts of the sales tax revenues, that we, especially in that phase, were uncertain what we were going to be seeing.

This isn't a, this isn't a year where we could really easily make radical changes. But I think we need to have the conversation that Legislator Cahill was talking about. And the only way to do that would have been to maintain the agreement as it is for another year and put off the deeper negotiations. So, I regret that that was unable to move forward when it was proposed.

Chairwoman Archer: Okay, any other comments, questions, concerns? On the resolution? All in favor?

Group: Aye.

Chairwoman Archer: Opposed?

Do we have any? Okay, just Walter.

Okay. Great. Thank you.

Resolution 299: Authorizing The Use Of The Tax Stabilization Reserve Fund For COVID-19 Related Expenses. I'll take a motion.

Legislator Ronk: So moved.

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

Chairwoman Archer: Second? Okay.

Legislator Bartels.

Legislator Bartels: I do not support the use of this at this time, I would, I'd like to at best postpone. That we propose that we postpone it. I would like to see the budget, once the budget's proposed, which is, we're less than a month out from seeing that. You know, I think that would be a more appropriate time to have this discussion. But I'm not making the proposal yet. I want to hear what everybody else has to say in terms of.

Chairwoman Archer: Okay, any other comments?

Legislative Chairman Donaldson: I mean, I

Chairwoman Archer: Chairman Donaldson.

Legislative Chairman Donaldson: I tend to agree with Legislator Bartels. I mean, I think that I'd like to, you know, see this possibly postponed until we see better numbers. I'm leery of using it at this point. Although I understand that this was part of the process of, you know, why we have such a fund. But on the other hand, you know, I would probably like to see better numbers before actually pulling the trigger on this.

Chairwoman Archer: Okay, anybody else want to make comment? Legislator Ronk.

Legislator Ronk: Thank you. You know, I've gone, you know, back and forth on this. You know, I'm not wild about the idea of using it outside of the budget process. I don't know that I would necessarily oppose a motion to postpone. The only concern I have about that is that I believe that I've heard it's the opinion of at least one counsel that this would be subject to a permissive referendum. So, if we were to postpone this a month, it would then postpone the permissive referendum schedule, by a month. You know, I, I've come closer to being able to support using it outside of the budget only because of the reasons that we can use this at all which is for unanticipated expenses which you wouldn't necessarily be incurring during the budget.

The Commissioner of Finance is here if anybody has questions for him, I, I took the liberty of speaking to him myself. And he was kind enough to send the, you know, guidance from the State Comptroller's Office on the use of tax stabilization reserve funds.

So, I, you know, I'm willing to support moving into the floor. You know, if a motion to postpone is made, we can have that discussion, but I am concerned about moving back the timeline on the permissive referendum.

Chairwoman Archer: Chairman Donaldson.

Legislative Chairman Donaldson: Yeah, could we get Burt to weigh in for us?

Commissioner Gulnick: Sure, just like Legislator Ronk says, I think you all are aware of this reserve can only be used for unknown expenses. So with that, it's not something we can appropriate via the budget. But also, this will impact our fund balance.

I estimate, you know, roughly there's \$1.7 million in this resolution, it's going to come from fund balance. This wasn't planned. There's no revenue to offset this. And that's why this resolution is, is before you now. It only can be used for cases where, you know, a pandemic, pension, unexpected pension costs during the year, or things like that. So, I think you're all aware of that. And that's why this kind of resolution is in front of you tonight.

Chairwoman Archer: Legislator Bartels.

Chairwoman Bartels: Just a question, the Commissioner Finance is saying it can only be used for unanticipated expenses in a pandemic or otherwise. Can it be used to offset a projected increase in the amount of real property tax?

Commissioner Gulnick: Legislator, Legislator Bartels, it can if you exceed the 2% in real property tax.

Legislator Bartels: Okay. And there's nothing that says the timing in terms of the unanticipated expenses, we still have the unanticipated expenses that we're talking about offsetting a month from now. So, it doesn't say we have to do it this month. We could do it next month. We just face the timeline for the permissive referendum.

Commissioner Gulnick: It was presented, it was presented this month because as Legislator Ronk had mentioned the 45-day referendum. And to be honest with you, I'll let the attorneys figure that piece out. But that's why it was presented in September. So, that way it could affect the 2020 calendar fiscal year.

Legislator Archer: And in my calculations, I, I thought even if we postpone it a month, we still could pass it in December, at the same time, we're looking at the budget. And I think this is part of just having a holistic view of all the moving parts, including where we're headed next year to have a good understanding of how we're using this money. So, according to my calculation, that 45-days would take us to the first week of December. And we still have the month of December for finalizing budget, finalizing the use of this, etc., if that word how we wanted to proceed.

Legislator Bartels.

Legislator Bartels: Well, I was going to make a motion to postpone since we can only postpone to the next meeting. I was going to make a motion to postpone to the next meeting with the intention of postponing it till the following month.

Legislator Gavaris: I'll second it.

Chairwoman Archer: Okay, on the postponement. All in favor?

Legislator Bartels: Legislator Ronk has his hand up.

Chairwoman Archer: Oh, sorry, I didn't see it. You're in the shadow there, Ken.

Legislator Ronk: Am I?

Chairwoman Archer: Your hand was. I'm sorry I didn't see.

Legislator Ronk: It's all good.

Chairwoman Archer: The other one is in the light.

Legislator Ronk: I'll do my best.

Chairwoman Archer: There you go.

Legislator Ronk: So, I, you know, after hearing, actually, Legislator Archer, this is kind of humorous. After hearing, you know, your timeline on it, which would put, you know, the, you know, timeline on a permissive referendum into, you know, into the first week in December, which is really when we usually adopt our budget, how are we going to move through our budget process?

Chairwoman Archer: No, it's within the 45 days. So, the 45th day would be the first week of December, at the end of that. So, that gives us.

Legislator Ronk: I, I understand but we wouldn't be able to, we wouldn't be able to count on the use the stabilization fund in year 2020 unless the 45 days had elapsed. Because otherwise, somebody could come in, on the 45th day, with the signatures for a permissive referendum. And we would no longer be able to use that until after said permissive referendum, which is a significant amount of time after that, as well. You know, I don't know that I can support the postponement. You know, I know, it's just until next week, technically, because it's until the next meeting, but, you know, it seems like the goal is to have it postponed until next month.

You know, I just feel like it's going to put us in a bind as we move through our budget process, not knowing if this \$1.7 million is going to be available or not. And if, you know if the end if the end result is, you know, we're all a month older in October, and, you know, we're going to pass it then. I just don't see, unless there's a significant policy argument against doing it now, which I've not heard today, you know, contrary to what the Commissioner of Finance has said to us, I don't see the utility in waiting.

Chairwoman Archer: Legislator Bartels.

Legislator Bartels: Just speaking for myself, I don't hope to be just a month older, I hope to be a month wiser in terms of actually having the budget in front of me to look at and to see what it is we're facing. Can I ask a question of the Commissioner of Finance?

Chairwoman Archer 16:25
Please, yes.

Legislator Bartels: In terms of the guidance from the from the Comptroller, it's said that monies in the fund can only be used to finance that portion of the expenditure, which cannot be financed from monies available in any other account or fund. Is there no other account in, in our, that we can use to fund any of this?

Commissioner Gulnick: Yeah. In terms of, in terms of that. I mean, the budget was adopted by the Legislature with a plan in place. With that, too, there's no other funds that I can grab from. Because the other funds have specific designations as to what you can use them for.

Legislator Bartels: But that includes contingency?

Commissioner Gulnick: Well, in terms of what you have in your budgeted contingency, there's roughly \$400,000 in there. I will say, it may be something in December. I come back and tap the \$400,000 because I know that \$1.7 is only as of July 31.

Legislator Bartels: But, But Burt, right now, right now you're trying to tap this money. And the guidance says that it can only be tapped, using your language, that it can only be tapped if there's no other fund that it can be tapped from, by law. So, is there no other fund, that by law, we can?

Commissioner Gulnick: Not by fund. No, because each of the funds have a designation as to their use.

Legislator Bartels: It says account or fund.

Commissioner Gulnick: Yeah. And the accounts have been passed by the legislature.

Legislator Bartels: Contingency account. What's the specific use designated for a contingency account?

Commissioner Gulnick: That's up to the Legislature.

Legislator Bartels: But so, it would, it would seem to me that a contingency account, by law, could be used to offset unanticipated expenses. That's what contingency accounts are for.

Commissioner Gulnick: Of the of the \$400, Yes, the \$400,000 you have in there, I'm not disagreeing with you. Again, I could amend that resolution to have \$400,000 out of contingency.

Legislator Bartels: I'm just asking if you have to because it says that as a matter of law.

Commissioner Gulnick: I can ask legal, I can ask legal that. Yep.

Chairwoman Archer: Comptroller Gallagher.

Comptroller Gallagher: I really don't want to take the conversation off track here. But I want everybody here to know that I have a question out to OSC exactly on this point. I agree with the Executive. If not now, when? Right?

But I want to point out two things. One is that there was legislation at the state level to allow using these funds, because the covid legislation would require us to have a plan to repay the fund within five years.

And then, so, I just have a request out like, okay, we're not going the emergency route. So, other municipalities who've tap their Tax Stabilization Fund, what criteria have they used, i.e., you know, is fund balance available? Is contingency available, etc.? And do we need to use those first?

And then I just want to say one last thing that's kind of come to me in the last couple of hours, which is, you know, this feels like the worst it's going to get. But that may not be true. And five years from now, when we're in the fifth year of the COVID depression, we might feel differently. So, it's just, I've just sort of come to that conclusion myself over the last, you know, few hours.

But I think we do need to think about things could get worse. On ways to avoid tax increases, and we don't know if we're going to need one right now. I'm hoping to have an answer back soon. Um, and I will report back to you guys as soon as I know something, but I do have this question out to the Office of State Comptroller. Thank you.

Chairwoman Archer: Legislator Maio.

Legislator Maio: Thanks. I have a question if I'm really on the fence here. I know we voted but I might want to change my vote. If we were to say yes to this, because I'm afraid, like Legislator Ronk, to postpone for a month because of the timeline. Any funds that came out of this, how would we know? What, what, how do we follow a dollar limit on this for anybody who wants to take any funds from here? Does everything come before us?

Burt Gulnick: In terms of the use of this fund? It has to have Legislative approval. Correct.

Legislator Maio: Okay, well then I'm going to, I want to change my vote then. Lynn, I don't know if you want to do another vote or not, because I don't want to cut off our nose to spite our face.

Chairwoman Archer: Before we do, I'm sorry.

Legislator Maio: I don't want to cut our noses to spite our face. I think if this is available, we should make it available to us, it doesn't mean we have to use it.

Burt Gulnick: Can I just say something on the timing of this, too? Legislator Ronk mentioned the budget process. Keep in mind with the Exec budget, I have to estimate what the fund balance would be, which is not a separate fund. It's just the, the bottom line of the county. With this being held up a month, it basically will impact our fund balance because there's no other place to take these funds from. So, I just wanted to make you aware of that.

Chairwoman Archer: Okay, Legislator Haynes.

Legislator Haynes: Yeah, for my understanding it was, this was for unseen, unforeseen emergencies. So, if we're moving into next year, and we all know that the COVID is, it's not unforeseen anymore. It's, so how do we, are you saying that there's going to be like a co-occurring disaster that was unforeseen next year, rather than the unforeseen one for this year. I'm a little bit confused with postponing it. In regard to that. We already know COVID was an unforeseen emergency. But as of January next year, it's not going to be unforeseen. And how would, we wouldn't be able to utilize it? Can anyone speak to that?

Commissioner Gulnick: My understanding is if we know about it, in terms of cuts, or things like that, we cannot use this fund.

Chairwoman Archer: Legislator Bartels.

Legislator Bartels: I mean, I think at the least, we need to postpone it the week, because we have outstanding questions both that the Comptroller has acknowledged asking the State Comptroller, and that that our Finance Director has said that we need to ask legal, because, so, I think at the least we need this week.

Chairwoman Archer: And one thing that I would, go ahead, Legislator Gavaris, sorry.

Legislator Gavaris: Can I just clarify what thing Burt said before in relation to what Marybeth had asked? You said it needs legislative approval, you mean to move this money or for each individual expense that you will use the money for?

Commissioner Gulnick: To use this fund but as backup to this, I did provide what would be transferred.

Legislator Gavaris: Okay, because I think that's what Marybeth was asking. I think she was concerned with how the money would be spent. So, once we give it to you, essentially, it's out of our hands, the money can be used in any fashion you want to, once you have it.

Commissioner Gulnick: That's kind of why I waited till now. So that way the departments wouldn't go ahead and spend this money. I just need to basically reimburse them for their expenses that were unplanned and unbudgeted for.

Legislator Gavaris: And what about FEMA money and all the other programs that have been out there to give, you know, money back for things that we've spent, has that all been accounted for, and we're sure we're not getting any more of it?

Commissioner Gulnick: The transfers that I've put forth are just for FEMA reimbursement, expenses or eligible expenses. Keep in mind, we're not going to get reimbursed for FEMA, I don't expect for a couple of years. I will say they we, actually, just this past August, we got reimbursed for tropical storm Lee, which was back in 2011. So, and that was FEMA. So, that took seven or eight years. And we think we got the last reimbursement from that. So, this isn't going to be a quick reimbursement from FEMA.

Chairwoman Archer: Legislator Bartels.

Legislator Bartels: One other technical question, again for Commissioner Finance. In terms of determining the amount that was eligible to use, and coming up with this number, did you minus the budgeted amount? For example, if, if you're looking at overtime lines, did you minus the amount budgeted for overtime? Or did you make the assumption that it wasn't budgeted for COVID overtime, and therefore, all COVID overtime was unanticipated.

Commissioner Gulnick: This is just COVID overtime that we're going to claim towards FEMA. That's all that is included here. It didn't have any. I did not look at the budget for overtime.

Legislator Bartels: But doesn't the guidance say that you have to minus, I mean, the guidance on unanticipated expenses? And the examples that I used, I saw used overtime. And it, it showed misusing the amount of budgeted overtime against the unanticipated expense of additional overtime. And so, that's another, that's another question I have. Is if we're applying all of the overtime related to COVID, we would have to minus the amount of budgeted overtime, in terms of what's allowed to be applied to this fund. Which is probably another question for legal.

Commissioner Gulnick: Yeah, I'll follow up. I'll reach out and see if I can get an answer.

Chairwoman Archer: Okay, so we do, Chairman Donaldson.

Legislative Chairman Donaldson: Did we actually vote on the postponement?

Chairwoman Archer: We stopped, we haven't. We have a postponement motion on the table. We have not voted on it.

Legislative Chairman Donaldson: I mean, I, I can support to postponement until next week, but you know, just to get a couple of these answers. But I'm not sure if I will support it for, you know, or for the following month.

Chairwoman Archer: Okay, so on the postponement until next week, all in favor?

Legislative Chairman Donaldson: I'll be good for that.

Chairwoman Archer: Okay, and opposed?

Legislator Ronk: Opposed, Ronk.

Chairwoman Archer: Ronk and Haynes. Okay, thank you everyone.

Resolution 301: Amending The 2020 Ulster County Budget To Include Additional Funding From The State, The New York State Office For The Aging.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: I'll second it, Bartels.

Chairwoman Archer: Bartels. Any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 302: Authorizing The Chair Of The Ulster County Legislature To Execute Grant Agreements and Documents with The Dormitory Authority of the State of New York (DASNY) For The Funding and Construction of a Rooftop Solar Installation at UCAT And Amending The 2020-2025 Capital Program And Establishing Capital Project 574.

Legislator Bartels: I'll move it, Bartels.

Legislative Chairman Donaldson: I'll second it.

Chairwoman Archer: Okay. Any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed?

Resolution 304: Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With Town Of Hardenburgh For Maintenance Of County Roads.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Okay, any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed? We don't have Legislator Ronk voting in on this one. He's not present. Okay. So, I don't know how you capture that vote. We'll come back to him when he returns.

Resolution 305: Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With Town Of Shandaken For the Maintenance Of County Roads.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Any questions? Okay. All in favor?

Group: Aye.

Chairwoman Archer: Opposed? Okay. Legislator Ronk is not present for this either. So, we'll get back to him on that one.

Resolution 306: Authorizing A Grant Application To The Federal Transit Administration To Apply, Accept and Administer 5307 Funds Transferred from the Rural Transportation Assistance Program-Section 5311(b)(3) For Operating Assistance And Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements to Accept Funding.

Legislative Chairman Donaldson: I'll move it.

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Okay. Any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed? Okay.

Legislator Ronk. We voted on 304 and 305. Would you like to

Legislator Ronk: I'm a yes on both.

Chairwoman Archer: Pardon me?

Legislator Ronk: I'm a yes on both.

Chairwoman Archer: Thank you.

Resolution 308: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Homeland Security And Emergency Services For Participation In The Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) Program For the Federal Fiscal Year 2020 And Amending The 2020 Ulster County Budget

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels

Chairwoman Archer: Any questions? Okay. All in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 309: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement And Any Amendments Thereto, With The New York State Division Of Homeland Security For full year State Homeland Security Program (SHSP).

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Okay, any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 310: Authorizing The Conveyance Of County-Owned Properties To The Original Owners.

Legislative Chairman Donaldson: I'll move it.

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Any questions? Okay, all in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 311: Authorizing Ulster County Commissioner Of Finance To Accept the Remediation Offers Relative To Payment Of Real Property Taxes In The 2018 In Rem Foreclosure Proceeding.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Any questions? Okay. All in favor?

Opposed? So moved.

Resolution 312: Accepting The Accounting Of Unpaid School Taxes For The 2020-2021 School Year, Directing Payment To The School Districts And Directing Re-Levying Pursuant To Real Property Tax Law.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels.

Chairwoman Archer: Any questions? All in favor?

Opposed? So moved.

Resolution 313: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered In By The County – The New Paltz Rural Cemetery Association for Veterans Services.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Bartels: Second, Bartels.

Legislator Ronk: Second.

Chairwoman Archer: Okay, any questions? All in favor?

Opposed? Okay, so, all in favor. So moved.

Resolution 315: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into The County – National Business Equipment, LLC – Information Services.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Ronk: Second.

Chairwoman Archer: Okay. Any questions? Okay. All in favor?

Group: Aye.

Chairwoman Archer: Opposed. So moved.

Resolution 316: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 with Freer Abstract, Inc. – Department Of Finance

Legislative Chairman Donaldson: Move it.

Chairwoman Archer: Second? May I have a second?

Legislator Bartels: Second.

Legislator Ronk: Second.

Chairwoman Archer: All in favor?

Opposed? So moved.

Resolution 317: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00, Accucare Nursing & Homecare, Inc. Emergency Management.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Ronk: Second.

Chairwoman Archer: All in favor?

Legislator Walter: Wait, wait, I have a.

Chairwoman Archer: Oh, I'm sorry. You have a quest, I, I don't ask that and you have a question!
Legislator Walter.

Legislator Walter: So this came up both in the public health subcommittee and in the law enforcement subcommittee. Just a question of documentation of the increase since the, this is wasn't do not exceed \$300,000, just a couple months ago, moving to \$150K. This is hopefully, FEMA reimbursed, but again, that's 75% and it's not guaranteed. And so, all the request was, that there's documentation showing specifically what, what this is expected to cover. Steve Peterson had said that that was a reasonable request and that he would provide it. But we haven't gotten it yet. I don't know if we want to postpone it till just the next Ways and Means. I mean, I, I imagine it'll be all okay. But it does raised some concerns because it's \$450,000. And just having that documentation of where that increase came from was, again, discussed in both meetings.

Legislator Archer: And you're waiting on answers?

Legislator Walter: Yeah.

Legislator Archer: Okay. So, are you making a proposal to postpone till next meeting?

Legislator Walter: I guess I am. I mean, I would you know, if they're support of that.

Legislator Gavaris: I'll second it.

Chairwoman Archer: Okay. All in favor of postponement till next week.

Group: Aye.

Chairwoman Archer: Opposed? Okay, all in favor of postponement. So moved.

Resolution 318: Approving The Execution Of A Contract In Excess Of \$50,000.00, New York Communication Company, Inc. – District Attorney

Legislative Chairman Donaldson: Move it.

Legislator Ronk: I'll move it.

Chairwoman Archer: Second?

Legislator Ronk: Second.

Chairwoman Archer: Okay. Any questions? Legislator Bartels.

Legislator Bartels: Because I wasn't able to attend the law enforcement meeting. Is this for URGENT? I know it's in the DA, but

Legislator Walter: I'll let John answer that.

Chairwoman Archer: John. Go ahead.

Deputy Executive Milgrim: I did talk to Dave Clegg about this. And I also talked to Bill Weishaupt, these are all for the DE investigator cars. This is for 10 radios, is to continue at lease with NYCOM. Apparently, NYCOM is the only company that provides this service. And, frankly the way the systems are working between our police departments, every one of these cars has to have two police radios for two different types of bandwidth. One's a digital radio and one's a VHF-type radio. So, this is simply to continue a contract that they've had for police radios in DA's investigators cars. Not URGENT. So.

Legislator Archer: Legislator Ronk did I see your hand up?

Legislator Ronk: Yeah. I mean, I'll leave it alone unless anybody has any further questions on the radio stuff because I actually have some knowledge here. But if no one has any further questions further than that, I'll leave well enough alone

Legislator Bartels: Do you want to just share your knowledge?

Legislator Ronk: I mean, you know, just in, in different areas of the county, you know, different agencies use either VHF or UHF frequencies. And, you know, in order to be able to communicate with all of the emergency services units around the county, you need to have both in all vehicles. You know, most of our fire departments, ambulance corps, police departments have both VHF and UHF radio in their cars and in their emergency vehicles. So, if you're going, if you're going to put radios in the DA investigators cars and dispatch them to emergencies, they'll need to have both. I think that that's one major reason why the radio upgrade is so important because once that happens, everyone should be working off the same equipment.

Chairwoman Archer: Okay, on the resolution, all in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 319: Approving The Execution Of A Contract In Excess Of \$50,000.00 with Otis Elevator Company.

Chairwoman Archer: Move?

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Ronk: Second.

Chairwoman Archer: Any questions? All in favor?

Opposed? So moved.

Resolution 320: Approving The Execution Of A Contract In Excess Of \$50,000.00 Energy Management Technologies, LLC – Department Of Public Works.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Legislator Ronk: Second.

Chairwoman Archer: Do we have a second?

Legislator Ronk: Second.

Legislator Walter: Second.

Chairwoman Archer: Oh Okay. Legislator Ronk. Any questions? Okay, all in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 321, Adopting the Proposed Local Law No. 8 Of 2020, A Local Law Amending The Ulster County Charter, And Amending The Administrative Code For the County Of Ulster, To Clarify Budget Modification After Adoption.

Legislative Chairman Donaldson: I'll move it.

Legislator Ronk: Second.

Chairwoman Archer: Any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed? So moved.

Resolution 322: Adopting the Proposed Local Law No. 10 Of 2020, A Local Law Amending Local Law No. 10 of 2015, and A Local Law Amending Local Law No. 10 Of 2008 Adopting An Administrative Code For The County Of Ulster, State Of New York, Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00.

Legislative Chairman Donaldson: I'll move it.

Chairwoman Archer: Second?

Second, Bartels.

Okay, any questions? All in favor?

Group: Aye.

Chairwoman Archer: Opposed? Okay, so moved.

Everyone just we've sent out the budget calendar for standing committees meeting with their department heads to discuss 2021 budget. And we have scheduled a joint Ways and Means, Public Works with the

executive staff to discuss the 2021-2026 Capital Improvement Program, on Wednesday, October 14, at 6pm. So just let everyone know.

Chairman Donaldson.

Legislative Chairman Donaldson: Oh, yeah. I requested in the past and I thought we were going to start doing that. And all these things, but they talk about the excess of, you know, the contract the amendment in excess of \$50,000. I think when we do this, the number should also be on, the exact number that we're actually spending, not just the excess \$50,000. So, in words, it helps, you know, spark, you know, people memory exactly what it is.

Chairwoman Archer: Are you referring to the prior resolution?

Legislative Chairman Donaldson: Yes.

Chairwoman Archer: Okay.

Legislative Chairman Donaldson: I mean, I brought that up before I thought we were going to start doing that.

Chairwoman Archer: I'm sorry, I don't recall that conversation. So.

Legislative Chairman Donaldson: Yeah, well, it's been a while. But I mean, the idea, in other words, we even have it on our resolutions, would you read the resolution, it would be nice to have on the resolution, the actual number that's on there, the excess of \$50,000 and maybe in parenthesis, the actual number. And, you know, just so it's, it's readily available. That'd be also good for the public. So, they know exactly what is being spent instead of them running through the entire resolution to find that out.

Chairwoman Archer: Okay. Clerk Fabella. Is that something we can add in parentheses when we're putting resolutions together?

Clerk Fabella: Yeah, I was typing, sorry.

Chairwoman Archer: That's okay.

Clerk Fabella: Yeah, absolutely. I can change the title. You're just talking about changing the title on top right, Dave, in bold?

Legislative Chairman Donaldson: Right, right.

Clerk Fabella: Yeah

Chairwoman Archer: So the dollar amounts in there.

Clerk Fabella: I write these resolutions. They don't come from the Executive's Office. So, that's not a big deal at all.

Chairwoman Archer: Okay, so if we can include that going forward, it could be helpful.

Clerk Fabella: Yup. No problem.

Chairwoman Archer: Great. Thank you. Okay, any other new or old business?

Okay, I'll take a motion to adjourn.

Legislator Ronk: So moved.

Chairwoman Archer: Second?

Legislative Chairman Donaldson: So moved.

Chairwoman Archer: Thank you, everyone.

Legislator Bartels: Thank you.