

**Ways & Means Committee
Regular Meeting Minutes**

DATE & TIME: November 15, 2022 – 5:00 PM
LOCATION: Legislative Chambers, 6th Floor, County Office Building
PRESIDING OFFICER: Chair John Gavaris
LEGISLATIVE STAFF: Amber Feaster & Natalie Kelder, Legislative Financial Analyst
PRESENT: Legislators Brian Cahill (arrived 5:32), Dean Fabiano, Ken Ronk, Eve Walter and Legislative Chair Tracey Bartels
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Thomas Corcoran, Phil Erner, Manna Jo Greene, Gina Hansut, Chris Hewitt, Jonathan Heppner, Herbert Litts, Kathy Nolan, Abe Uchitelle; Clerk of the Legislature Victoria Fabella; Christopher Ragucci, David Gordon and Nick Pascale, Legislative Counsel; Deputy County Executive Kelly; Comptroller Gallagher & Deputy Comptroller DeMarco – UC Comptroller’s Office; Commissioner Gulnick, - Department of Finance; District Attorney David Clegg.

Chairman Gavaris called the meeting to order at 5:31 PM

Resolutions for November 15, 2022 Legislative Session:

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

Discussion: Legislative Chair Bartels suggested postponing the resolution at this time and handling it in the 2023 Budget discussion.

Motion No. 2: **MOTION TO POSTPONE Resolution No. 400**
Motion By: Legislator Ronk
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. 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. 3: **MOTION TO DISCUSS Resolution No. 461**
Motion By: Legislator Walter
Motion Seconded By: Legislator Ronk

Discussion: Legislator Uchitelle, sponsor of the resolution, requested the committee refer it back to the Public Health Committee. He wants to make some amendments and would like to do so in the committee of origin.

Motion No. 4: **MOTION TO REFER Resolution No. 461 BACK TO PUBLIC HEALTH COMMITTEE**

Motion By: Legislator Ronk
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 REFERRED BACK TO PUBLIC HEALTH COMMITTEE**

Resolution No. 508 – Authorizing The Purchase And Implementation Of A Real Property Tax Collection And Delinquency Enforcement System, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$550,000.00, And Authorizing The Issuance Of \$550,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: Bond resolution to fund the purchase and implementation of new tax collection and delinquency enforcement system software approved in Resolution No. 507

Motion No. 5: **MOTION TO DISCUSS Resolution No. 508**
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 APPROVED**

Resolution No. 545 – Authorizing The Preliminary Design, Environmental Review And Right Of-Way Expenses In Connection With The Ulster & Delaware Corridor Rail Trail-Shandaken, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$664,000.00, And Authorizing The Issuance Of \$664,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: Bond resolution to fund First phase of construction for the 2.5-mile trail from High Mount to Giggie Hollow in the Town of Shandaken approved in Resolution No. 544.

Motion No. 6: **MOTION TO DISCUSS Resolution No. 545**
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 APPROVED**

Resolution No. 549 – Authorizing The Preliminary Design, And Construction Inspection Services For Certain Bridge Substructures, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$278,502.00, And Authorizing The Issuance Of \$212,502.00 Bonds Of Said County To Pay Part Of The Cost Thereof

Resolution Summary: Bond resolution to fund he 2022-27 Capital Improvement Project No. 585 to authorize \$212,502.00 for substructure repairs approved in Resolution No. 548.

Motion No. 7: **MOTION TO DISCUSS Resolution No. 549**
Motion By: Legislator Ronk
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 APPROVED**

Resolution No. 555 – Authorizing The Chair Of The Ulster County Legislature To Execute A Lease Agreement With Tappen House Development LLC For Office Space For The Office Of The Ulster County District Attorney - Ulster County Department Of Public Works – Buildings And Grounds

Resolution Summary: This resolution authorizes the Chair to enter a 5-year lease agreement for office space to be used by the District Attorney’s Office from 12/1/2022 to 11/30/2027.

Motion No. 8: MOTION TO DISCUSS Resolution No. 555
Motion By: Legislator Walter
Motion Seconded By: Legislator Ronk

Discussion: Legislator Uchitelle reported on a meeting with Office of Court Administration (OCA), District Attorney Clegg, County Executive staff, judiciary staff, UC DPW. He characterized the compromise they agree upon as one that “no one was happy with”. He noted there are not a lot of options that are viable but the one they settled on would allow them to move forward with the vote on a lease agreement tonight.

District Attorney Clegg described the major disruption to his office operations and morale. He made it very clear that this move puts his staff in 3 locations and will impact how they interact with the court, the public and each other. He asked that the Legislature and Executive continue to seek a space solution that consolidates his staff into one space close to the courthouse.

Legislator discussed the District Attorney’s priorities for space and discussed “walkability”, the need to get 15 or more attorneys to and from the courthouse every day, parking issues, and being in one space together.

Legislator Walter was upset that the DA’s space issues were not addressed sooner because the county has known for some time that OCA was taking the DA’s space for incoming judges for some time. She compared it to the synergy with moving the Ulster County Board of Elections and ensuring they had a “better” space while not addressing this problem. She will not support this resolution.

Deputy Executive Kelly said this was not a situation anyone would choose. He became aware of the situation in September with OCA informed Ulster County this space was needed in anticipation of a new Supreme Court Justice being elected and requiring space in their home county. He emphasized that the OCA space needs are a mandate not an option. The County immediately engaged DHS and a realtor as part of the discussion on how to facilitate adding another chamber with very specific requirements in the existing courthouse space as well as finding a way to accommodate the DA’s office. He assured the members that the DA’s office space is a priority. In addition, they will be working with OCA next year to begin a master plan for the entire courthouse to accommodate the existing need and plan for the future.

A discussion ensued.

Voting In Favor: Legislators Bartels, Cahill, Fabiano, Gavaris, & Ronk
Voting Against: Legislator Walter
Votes in Favor: 5
Votes Against: 1

Disposition: Resolution APPROVED

Resolution No. 569 – Authorizing The Issuance Of An Additional \$1,091,873.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Upgrade To The Countywide Radio System, For Said County

Resolution Summary: Bond resolution for additional funding for Capital Project No. 482 for a County Wide Radio System in the amount of \$1,091,873.00 using 100% NYS funding approved in Resolution No. 568.

Motion No. 9: MOTION TO DISCUSS Resolution No. 569

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 APPROVED

Resolution No. 600 – Authorizing The Chair Of The Ulster County Legislature To Convey Parcels Of County-Owned Property Acquired Pursuant to Article 11 Of the Real Property Tax Law For Unpaid Taxes To Open Space Institute Land Trust, Inc. For Public Use And Benefit – Department Of Finance

Resolution Summary: Authorizes the Chair to transfer real property (SBL#: 93.1-1-34) to Open Space Institute Land trust, Inc.

Motion No. 10: MOTION TO DISCUSS Resolution No. 600

Motion By: Legislator Ronk

Motion Seconded By: Legislator Walter

Discussion: Legislative Chair Bartels wanted to ensure that language in the deed made it clear that space intended to be transferred to Open Space Institute or other agencies for public use and benefit would remain so in perpetuity.

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. 601 – Authorizing The Ulster County Commissioner Of Finance To Reject And Refund The Purchase Price On Two Parcels Of Property Previously Sold At Public Auction

Resolution Summary: Authorizes the Chair to transfer real property (SBL#:74.2-1-55 and SBL#:74.2-1-57) to Lev Hecht.

Motion No. 11: MOTION TO DISCUSS Resolution No. 601
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 APPROVED

Forthcoming Resolutions / Local Laws:

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 1 month in Ways & Means Committee on 11/9/22*)

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” The Ulster County Board-In Policy (*Postponed in Law Enforcement & Public Safety Committee on 11/3/22*)

Resolution No. 486 – Adopting The Ulster County Information Services/ Information Technology Security Policy – Department Of Information Services (*Postponed for 1 month in Ways & Means Committee on 11/9/22*)

Resolution No. 541 – Amending The 2022 - 2027 Capital Improvement Program – Amending Capital Project No. 604 – ARPA Water And Sewer Infrastructure – Amending The 2022 Capital Fund Budget – Department Of Finance (*No Action in American Rescue Plan Act Committee on 10/26/22*)

Resolution No. 546 – Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The Hudson River Drinking Water Intermunicipal Council (The “Hudson 7”) To Include Ulster County As A Member And To Provide Financial Assistance For The Hiring Of A Full Time “Protection Coordinator” – Department Of The *Environment* (*Postponed in Energy, Environment, & Sustainability Committee on 11/3/22*)

Resolution No. 547 – Approving The Execution Of A Contract For Rates Anticipated To Exceed \$50,000.00 Entered Into By The County – PlugIn Stations Online, LLC – Department Of The *Environment* (*Postponed in Energy, Environment, & Sustainability Committee on 11/3/22*)

Resolution No. 553 – Establishing A Policy To Require Public Notification Of Changes To Ulster County Area Transit Bus Routes And Schedules (*No Action in Public Works, Capital Projects & Transportation Committee on 11/7/22*)

Resolution No. 554 – Adopting Proposed Local Law No. 10 Of 2022, A Local Law Amending The Code Of The County Of Ulster In Relation To Construction Apprenticeships (*No Action in Public Works, Capital Projects & Transportation Committee on 11/7/22*)

New Business

Comptroller Gallagher noted that Ulster County currently has \$198 million at the Bank of Green County and recommended creating a committee to discuss how to diversify these funds.

Chairman Gavaris asked if there was any old or new business. Hearing none:

Adjournment

Motion Made By: Legislator Walter
Motion Seconded By: Legislator Ronk

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

TIME: 5:52 PM

Respectfully submitted: Natalie Kelder
Minutes Prepared by: Fawn Tantillo
Minutes Approved: December 13, 2022