

**Ways &
Means Committee
Special Meeting Minutes**

DATE & TIME: November 19, 2020 – 1:00
LOCATION: Powered by Zoom Meeting by dialing 1-646-558-8656,
Meeting ID 912 0964 7055
PRESIDING OFFICER: Lynn Archer, Chairwoman
LEGISLATIVE STAFF: Natalie Kelder, and Amber Feaster
PRESENT: Legislators Kenneth J. Ronk, Jr. (arrived at 1:05 PM), Tracey
Bartels (out at 3:55 PM), John Gavaris (out at 2:57 PM),
Heidi Haynes, Mary Beth Maio, and Eve Walter; and
Legislative Chairman Donaldson (arrived at 1:02 PM)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Cahill, Corcoran, Criswell, Delaune, and Petit;
Commissioner of Finance, Burt Gulnick; Deputy Budget
Director Christopher Kelly; Clerk of the Legislature
Victoria Fabella; Comptroller, March Gallagher; Sheriff
Juan Figueroa; Randy Boughton, Senior Auditor; Beth
Weredyk, Senior Auditor; Patricia Doxsey, Daily Freeman;
Michael Berg, Family of Woodstock; Sabrina, Family of
Woodstock; Joan Crawford, Family Services; Brian Doyle,
Family Services; 1 unidentified caller

- **Chairwoman Archer called the meeting to order at 1:03 PM**

Legislator Cahill spoke from 1:03 PM to 1:11 PM to request an allocation of funding for Sawkill Fire Company in the amount of \$16,527.00, providing an overview of the Fire Company's financial needs. Legislator Gavaris suggested several considerations for potential changes to the Legislature's Policy on Funding Non-County Contract Agencies. Legislative Chairman Donaldson responded to concerns over outreach throughout the community, speaking to variances in services from Sawkill to previously funded Fire Districts.

Legislator Criswell spoke from 1:12 PM to 1:33 PM to request restoration of funding for the Domestic Violence – Title XX contract and the Family Violence Option contract with Family of Woodstock. Mr. Michael Berg, Executive Director of Family of Woodstock, explained the County Executive's proposed contractual reductions and terminations, what the affected programs do, how they serve the County, and what the demand for the services has been recently. The Committee expressed interest in hearing from the Department of Social Services on their plan regarding the services in discussion. Commissioner of Finance Gulnick pointed out the offset to the increase in services is reducing maintenance funding for the Enterprise Drive property. Discussion pursued on the Supervised Visitation contract with Family of Woodstock.

Legislators Criswell and Walter spoke from 1:33 PM to 2:05 PM to request restoration of funding for several contracts within the Family Assistance Department including Liberty Resources' MTS contract, Family Services' Family Educational Services contract, Youth Advocacy Program's YAP contract, and YWCA's Families Now contract. Mr. Brian Doyle, Executive Director of Family Services, informed Committee members of the reductions communicated to the Organization, the impact the reduction would have on the Organization, and what services are included and how they affect the community. Mr. Doyle stressed that a reduction in funding the Family Educational Services contract directly relates to a reduction in the quantity of individuals the Organization is able to serve. Legislator Walter described what the Budget Amendment proposes, emphasizing the potential negative affects of moving the affected services in-house and the demand for services being higher now with COVID. Further discussion pursued on the affects the execution of the contract with AirBnB will have on Hotel/Motel Occupancy Tax in 2021. Commissioner of Finance Burt Gulnick agreed to follow up on whether there is a cap on State or Federal Revenues pertaining to these services. Legislative Chairman Donaldson cautioned against increasing budgeted revenues as revenue shortfalls will result in an increased need for fund balance.

Legislator Walter spoke from 2:05 PM to 2:18 PM to request the establishment of the Department of Assigned Counsel, explaining what Assigned Counsel does, that it is 100% reimbursable, that Conflict Defenders are required by law, and that there are several different models utilized to achieve the mission of the Department but that the proposed budget amendment is the ideal model per the New York State Office of Indigent Services. Discussion pursued on the logistics of creating a new Department, the duties of Assigned Counsel, and the purpose of the Department.

Legislators Walter and Haynes spoke from 2:18 PM to 2:32 PM to request amendment to the Capital Improvement Program for the inclusion of Black Creek for the Sheriff's Department, explaining what the Black Creek system does and when the last upgrade was, emphasizing how antiquated the current system is and what issues have incurred as a result. Further, Legislator Walter informed Committee members that the Sheriff's Office has reduced its expenditures from 2020 to 2021 by a value in excess of the cost of the new Black Creek system and that the project would result in a savings in annual maintenance costs. Discussion pursued on the proposed Capital Project in comparison to a complete system overhaul. Legislator Haynes stressed the difficulty in obtaining replacement parts in the current system. Sheriff Figueroa explained the current system was put in place in 2007 and has not been updated since 2011, that the system is constantly breaking down, detailing the facilities covered by the system. Further, Sheriff Figueroa explained that current maintenance costs are around \$50,000 a year, that the proposed upgrade would reduce that to around \$20,000 a year, acknowledging the role that COVID plays in his request for the proposed upgrade versus a complete system overhaul. Discussion pursued on the role that current employees play in the daily maintenance of the current system, the long-term costs of the system, and the timeline of the system's end of life.

Legislator Walter spoke from 2:32 PM to 2:38 PM explaining a proposal to reclassify the Chief Diversity Officer, explaining that this position title was initially housed in the Sheriff's Office in response to Police Reform efforts to increase recruitment of individuals not typically represented in law enforcement and to aid in implicit bias training, and that when the budget amendment was created by Legislators Walter and Haynes the position was vacant but that it was filled two days prior to the meeting on November 16th. Legislative Chairman Donaldson expressed interest in having the Chief Diversity Officer come before the Law Enforcement Committee for discussion. Legislators Walter and Haynes agreed to withdrawal the Budget Amendment in lieu of the recent hire as successful reclassification of the position would require law enforcement training.

Legislator Ronk spoke from 2:38 PM to 3:03 PM request a Director of COVID Operations, explaining that an Ulster County employee with the title Deputy Director of Information Services has been heading the County's COVID response from the onset of the pandemic, stating that it is now necessary to hire a Deputy Director of Information Services and to move the Director of COVID Response into the Health Department. Further, Legislator Ronk explained that the position would be for one year and would not be renewed after the year, stressing the amount of work required to keep residents in the County healthy. Legislator Haynes emphasized the unique skillset that this particular employee has, stating she believes the role the Director of COVID Operations is critical. Discussion pursued on the logistics of what the Budget Amendment proposes, the loss of a Public Health Nurse position, the potential loss of revenue that may incur due to the proposed change, what duties the new position will be charged with, the involvement with the County in the COVID-19 vaccine distribution, and required changes to County services in lieu of COVID-19. Committee members requested a job description for the position. Legislator Bartels confirmed that the Director of COVID Operations proposed annual salary is equal to the Deputy Director of Information Services' salary and asked if the proposed position could be contracted. Legislator Walter requested supporting evidence as to how the salary for the position was decided.

Legislator Ronk spoke from 3:03 PM to 3:06 PM to request a Discovery Coordinator in response to Criminal Procurement Law, article 245. Discussion pursued on Discovery Reform, and whether the position has been created within the County. Sheriff Figueroa explained what this individual will be responsible for and how other police departments are involved, stressing that the timeline for such duties has been shortened thus increasing the importance of the position.

Legislator Ronk spoke from 3:06 PM to 3:09 PM on behalf of the Sheriff to request four (4) new positions in response to the COSSAP grant. Commissioner of Finance Gulnick noted that a copy of the grant has been provided within the Budget Amendment backup and that the grant has already been approved by the Legislature. Sheriff Figueroa stated that this grant was completed in conjunction with the Department of Health, emphasizing the importance of hiring these individuals and detailing how their duties will affect the Sheriff's office and the community, and how the need has increased during COVID.

Legislator Ronk spoke from 3:09 PM to 3:12 PM to request a Part Time Fire Coordinator for the purpose of ensuring fire training takes place properly, explaining the need for the position now that the Fire Training Center is complete. Legislator Ronk encouraged Committee members to visit the center and confirmed that the salary is equal to those of current employees in the Fire Coordinator Department.

Chairwoman Archer spoke from 3:12 PM to 3:17 PM to propose an amendment to the Capital Improvement Program which would delay work on the Enterprise West property for a period of one year. Chairwoman Archer expressed concern that further expenditures and improvements would be requested beyond the scope of the recently approved Capital Project, asking for time for significant conversation to take place. Legislator Walter expressed discomfort in moving forward with the Capital Project until the next steps are fully understood. Legislator Criswell asked for better understanding and communication of the expenditures incurred on this property.

Chairwoman Archer spoke from 3:17 PM to 4:12 PM to request the reclassification of funding for vacancies resulting from the retirement incentive. Chairwoman Archer provided an overview of the status of all positions affected by the retirement incentive, clarified that funding would be housed within the Contingent Account so that more conversation could take place before hiring, and specified the intent of achieving a process for communication in the fulfillment of these positions. Legislator Ronk expressed concern over the understanding that other elected officials have on the intent of the amendment, the Sheriff's Department being short staffed, and the Legislature overstepping the ability of other elected officials to manage their offices. Discussion pursued on the timeline for obtaining funding if held in Contingency, other mechanisms to achieve the intent of the amendment, the County Executive's recommendation to fill the positions in discussion, the timing of the proposal, and the role and duties of the Legislature. Legislative Chairman Donaldson emphasized concern in delaying hiring and overstepping the authority of other elected officials. Sheriff Figueroa explained that he is managing staffing levels that are required by the State Office of Corrections, that he agreed to reduce personnel with the County Executive during budget discussions, and that the pandemic is affecting crime and opioid use in Ulster County, stressing that reducing personnel further may affect public safety. Chairwoman Archer emphasized that the intent is not to remove the positions but that it is to have a conversation before they are filled. Legislator Maio suggested working with the affected elected officials to ask if there was a position or two that could be negotiated but expressed discomfort in approving the budget amendment as a whole.

Chairwoman Archer spoke from 4:12 PM to 4:13 PM explaining a budget amendment proposing to defund two positions which were vacated due to the retirement incentive and communicated to the Legislature as not requiring backfill. Commissioner of Finance Gulnick answered that these two positions were funded as a result of last-minute budgetary discussions and were ultimately decided to be filled to cover services that would require external contract if not filled. Legislator Walter requested a description of what the two positions do. Discussion pursued on the cost to contract the services versus offering them in-house.

Legislative Chairman Donaldson spoke from 4:13 PM to 4:16 PM to request removal of the Confidential Secretary of Insurance, explaining that this position was created by the Legislature during the 2020 budget process as a CSEA Accountant but was changed out of cycle at the County Executive's discretion without Legislative approval during the year. Legislator Ronk further explained the history of the position and the actions that took place between the position's creation and today's date. Legislator Bartels informed Committee Members that a part-time individual worked within the Insurance Department performing many of these duties for an excess of 20 years. Legislator Ronk stated that he would be more comfortable if the amendment proposed to reclassify the position back to a CSEA Accountant. Legislative Chairman Donaldson agreed to the change.

Old Business: None

New Business: None

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

Adjournment

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Ronk
No. of Votes in Favor: 6
No. of Votes Against: 0

Time: 4:18 PM

Respectfully submitted: Amber Feaster
Minutes Approved: December 8, 2020