

ULSTER COUNTY LEGISLATURE

TERRY L. BERNARDO, Chairman
KENNETH J. RONK, JR., Majority Leader
DAVID B. DONALDSON, Minority Leader
KAREN L. BINDER, Clerk



P.O. Box 1800
KINGSTON, NEW YORK 12402
Telephone: 845 340-3900
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AGENDA

MARCH 20, 2012

REGULAR MEETING

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:10 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Chairman Terry Bernardo

MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

CELL PHONES

Please silence cell phones for the duration of Session.

MICROPHONES

Please be reminded to use your microphones when speaking so that you are recorded for the official record.

ROLL CALL: Present: 21 Absent: 2
(Legislator Roberts)
(Legislator Richard Parete arrived at 7:13 PM)

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING

COMMUNICATIONS FROM:

Terry Bernardo, Chair	Order of Succession for Deputy Clerks
Richard Gerentine, Chairman, Ways & Means	Letter re: LDC Appointment
	Recommendations
David B. Donaldson, Minority Leader	Appointment to LDC Board
	Independent Board Member
	Recommendation
Ulster County Transportation Council	Public Notice - UCTC TIP
	Amendments and Draft Final 2012
	UPWP
Ulster County Department of Planning	Environmental Review Record – UC
	Housing Rehabilitation Program Phase
	III – Community Development Block
	Grant (Fiscal Year 2011)
	Spring Planning Seminar Series
City Sourced, Inc.	Custom Civic Reporting Application
NYS Office of Children & Family Services	Transition to New Statewide Financial
	System
NaCo	<i>County News</i> , Vol. 44, No. 3,
	February 13, 2012
	<i>County News</i> , Vol. 44, No. 4,
	February 27, 2012
	<i>County News</i> , Vol. 44, No. 5,
	March 12, 2012
Epilepsy Foundation, Northeastern New York	<i>Epilepsy Awareness</i> , Vol. 7, Issue 1,
	Winter 2012
UC Community Services Board	Meeting Minutes, January 9, 2012
Town of Rochester Community Center	Calendar of Events, Feb., March &
	April 2012

COMMUNICATIONS (continued):

Town of Shandaken	Resolution #65: Supporting Reopening of Phoenicia Bridge Street Bridge
NYC Environmental Protection	Emergency Action Plans for Merriman Dam and Olive Bridge Dam and the Ashokan Dikes
UC Soil & Water Conservation	Newsletter, Volume XIV, Issue 1, Winter/ Spring 2012
Girl Scouts of the Hudson	Heart of the Hudson's 2012 Gold Award Ceremony, March 31, 2012
State of New York Public Service Commission	Joint Petition of Aqua Utilities, Inc., Aqua New York, Inc. and American Waterworks Company, Inc For Approval of a Stock Purchase Agreement
Ulster County Resource Recovery Agency	UCRRA Reports, February 2012
Anonymous	Letter on Behalf of Taxpayers
Miriam Villchur Berg	Thank You Letter
Saugerties Historical Society	<i>Newsletter</i> , Winter 2012
Ulster County Tourism Department	Uniquely Ulster, March 2012
Ulster County Industrial Development Agency	Proposed Stavo Industries, Inc., Project
	Proposed Wolftec, Inc., Project
	March 13, 2012 Letter re: Proposed Stavo Industries, Inc. Project –
	March 13, 2012 Letter re: Proposed Wolftec, Inc. Project
Coalition of Watershed Towns	Executive Committee Meeting Minutes November 21, 2011 & December 19, 2011
Ulster County Development Corporation	Submission of Invoice & Supporting Documentation for Incentive Compensation for Economic Development Services for 1 st thru 4 th Quarters 2011
Family Robert A. Gillen	Thank You Note

COMMUNICATIONS (continued):

Hudson Valley Pattern for Progress	Recognition of 2012 Membership Renewal
Robert DiBella, Director UC Transportation	Federal Drawdown- UCAT Grant #NY-90-X654-00
New Horizons Resources, Inc.	Winter 2012 Newsletter
Town of Wawarsing	Resolution in Support of NYS Program Bill #26 Authorizing Casino Gambling Within the State
	Resolution #10 in Support of Allocating Portions of the NYC Land Acquisition Program Funds for Flood Mitigation Watershed Affairs
Catskill Watershed Corporation	Notice of Preliminary Decisions, March 7, 2012
Ancient Order of Hibernians	2012 St. Patrick's Day Parade Brochure
Ulster County Department of Finance	County of Ulster Public Auction 2012 Energy Bulletin, March 2012
Central Hudson	Monthly Usage/Savings Report, February 2012
ProAct, Inc.	Meeting Minutes, December 12, 2011
Ulster County Workforce Investment Board	Appointment to the UC Legislative Housing Consortium
Michael Berg, Executive Director, FAMILY of Woodstock	Resolution No. 73, Calling on All Counties to Unite to Bring Real and Meaningful Mandate Relief in NYS
Essex County Board of Supervisors	12 Letters of Opposition Regarding Recent Hires
	Letter in Support of Recent New Hire
Various Taxpayers and Residents of Ulster County	County Action Report, Month of February, 2012
Mr. and Mrs. Gerry and Cindy Fornino	Legislative Update Spring 2012
Beatrice Havranek, County Attorney	Invitation to Grand Re-Opening Celebration
Cornell Cooperative Extension, Ulster County	February 22, 2012 Meeting Minutes
	Supporters of Resolution No. 71
Ulster County Fire Advisory Board	
Concerned Citizens	

COUNTY EXECUTIVE COMMUNICATIONS:

Minutes of the January 25, 2012 and February 1, 2012 Meetings of the UC Corporate Compliance Committee
State Approval of M. Iapocce as Commissioner of UC Social Services
Recommendations for Independent Member of LDC Board of Directors
Board of Ethics Meeting Minutes, November 3, 2011
Appointment to the UC Community Services Board: A. Flanagan
Appointment of Evelyn Clarke as Commissioner of Human Rights/
Director of Youth Bureau
Annual Statement of Financial Disclosure Form For Year 2011
Budgetary Transfers Month of February 2012
Statement of Expenditures, Encumbrances & Unencumbered Balance as of February 29, 2012
Ulster County Board of Ethics Meeting Minutes, February 14, 2012

COMMITTEE REPORTS:

DATE:

Economic Development & Tourism	February 8, 2012
Environmental, Energy & Technology	February 9, 2012
Health & Personnel	February 6, 2012
Law Enforcement & Public Safety	February 7, 2012
Laws & Rules, Governmental Services	February 21, 2012
Legislative Programs, Education & Community Services	February 7, 2012
Public Works & Capital Projects	February 8, 2012
Social Services	February 6, 2012
Ways and Means	February 21, 2012
	March 13, 2012

ANNUAL REPORTS:

DATE:

Ulster County Board of Ethics	2011 Annual Report
Ulster County Purchasing Department	2011 Annual Report
Ulster County Board of Elections	2011 Annual Report
Ulster County Planning Board	2011 Annual Report
Ulster County Sheriff	2011 Annual Report
Ulster County Executive's Office; Executive Departments	2011 Annual Reports

PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo will grant privilege of the floor to Legislator Wayne Harris, Chairman of the Legislative Programs, Education and Community Services Committee to introduce Eve Madalengoitia, Director of Programs and Art Services, Dutchess County Arts Council. Eve will speak about the Ulster County Cultural Services and Promotion Fund, and will update the Legislature about the other programs that the Dutchess County Arts Council administers for Ulster County organizations and artists.

Chairman Terry L. Bernardo will grant privilege of the floor to Paul O'Neill, Ulster County Commissioner of Jurors, to discuss the 200th Anniversary of Governor George Clinton. A tribute to celebrate the Governor's life and achievements will be held on April 20, 2012.

Chairman Terry L. Bernardo will call upon Majority Whip and District 10 Legislator Mary Beth Maio to read and present to Mr. O'Neill the Ulster County Legislature's Proclamation declaring April 20, 2012 George Clinton Recognition Day.

PRESENTATIONS:

Chairman Terry L. Bernardo will call upon District No. 15 Legislator T.J. Briggs and District No. 16 Legislator Craig Lopez to present a Pride of Ulster County Award to Steven Kelley, President and CEO of Ellenville Regional Hospital, in recognition of Physicians' Reciprocal Insurers naming the Hospital winner of the Risk Management and Patient Safety Best Practices Award. This statewide win marks Ellenville Regional Hospital's 4th major award in little over 3 years.

SPEAKERS

Hon. Kenneth J. Ronk, Jr. – Majority Address

Hon. David B. Donaldson – Minority Address

PUBLIC COMMENT: See minutes.

RESOLUTION NOS: 31, 40, 45, 47 – 74, and 76 - 80

- 31 Supporting Submission Of Grant Application To The New York State Department Of State For A 2011-2012 Local Government Efficiency (LGE) Project Grant For Implementation Of Tourism Shared Services With The City Of Kingston And Authorizing The Chairman Of The Ulster County Legislature Or The County Executive To Execute The Grant Application – Department Of Tourism
ADOPTED: 22 – 0 (Approved by the County Executive)**

- 40 Establishing A Salary Range For The Position Of Deputy Comptroller – Amending The 2012 Ulster County Budget - Ulster County Comptroller
DEFEATED: 9 – 13**

- 45 A Resolution Authorizing The Issuance Pursuant To Section 90.10 Of The Local Finance Law Of Refunding Bonds Of The County Of Ulster, New York, To Be Designated Substantially “Public Improvement Refunding (Serial) Bonds”, And Providing For Other Matters In Relation Thereto And The Payment Of The Bonds To Be Refunded Thereby
ADOPTED: 22 – 0 (Approved by the County Executive)**

- 47 Confirmation Of Appointment Of Alvin Goren - Member Of The Ulster County Youth Board
ADOPTED: 22 – 0 (Approved by the County Executive)**

- 48 **Confirming Reappointment Of Cindy Lanzetta - Member Of The Environmental Management Council**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 49 **Approving The Execution Of Various Contracts And Change Orders In The Amount Of \$50,000.00 Or In Excess Of \$50,000.00 Entered Into By The County**
DIVIDE ON DEMAND:
Res. No. 49/Abstract L38-1 ADOPTED: 22 – 0
Res. No. 49/Abstract L38-2 ADOPTED: 22 – 0
Res. No. 49/Abstract L38-3 REFERRED BACK TO COMMITTEE
Res. No. 49/Abstract L38-4 ADOPTED: 22 – 0
Res. No. 49/Abstract L38-5 ADOPTED: 21 – 1
Res. No. 49/Abstract L38-6 ADOPTED: 17 – 5
(Approved by the County Executive)
- 50 **Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Board Of Elections To Receive Allocated Funds For The New York State Voting Access For Individuals With Disabilities – Polling Place Access Improvement Grant, And Amending The 2012 Ulster County Budget – Board Of Elections**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 51 **Establishing Capital Project No. 358 - Purchase Of Highway Equipment – Department of Public Works (Highways And Bridges)**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 52 **Authorizing The Purchase Of Highway Equipment Of And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$620,000.00, And Authorizing The Issuance Of \$620,000.00 Bonds Of Said County To Pay The Cost Thereof**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 53 **Amending The 2012 Ulster County Budget For National Emergency Grant Funding – Department Of Employment And Training**
WITHDRAWN
- 54 **Confirming County Executive’s Appointment Of Evelyn J. Clarke As Commissioner Of Human Rights And Director Of The Youth Bureau**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 55 **Establishing An Ulster County Lyme Disease Advisory Committee**
ADOPTED: 22 – 0 (Approved by the County Executive)

- 56 **Appointing Member To The Ulster County Planning Board For The Town Of Marlborough – Department Of Planning**
ADOPTED: 22 – 0
- 57 **Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With The City Of Kingston To Implement Shared Tourism Services**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 58 **Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With The Ulster County Soil And Water Conservation District Granting The Use Of County Property For The Operation Of A Plant Materials Center – Department Of Public Works**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 59 **Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Division of Criminal Justice Services For The Ignition Interlock Device Monitoring Program - STOP DWI**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 60 **The Greater Catskills Flood Remediation Program – Approval Of The Environmental Review Under The State Environmental Review Act, 6 NYCRR Part 617 (SEQRA), Classification Of The Project As An Unlisted Action, And Approval Of A Negative Declaration For The Purchase And Demolition Of Residential Properties Damaged By Seepage And/Or Floods, In Areas Within Two Miles Of The New York City Aqueducts In The Town Of Wawarsing In Ulster County – Funding By The Housing Trust Fund Corporation, A Subsidiary Of The New York State Housing Finance Agency Renewal And/Or The City Of New York Department Of Environmental Protection**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 61 **Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement, And Any Amendments Thereto, With The City Of New York By And Through The New York City Department Of Environmental Protection, To Purchase And Remediate Flood Damaged And Water Infiltrated Residential Properties – Establishing Capital Project No. 355 - Amending The 2012 Ulster County Capital Project Fund – Emergency Communications/Emergency Management**
ADOPTED: 22 – 0 (Approved by the County Executive)

- 62 **Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement, And Any Amendments Thereto, With The Housing Trust Fund Corporation, A Subsidiary of the New York State Housing Finance Agency, To Extend The Greater Catskills Flood Remediation Program To Allow For The Purchase And Remediation Of Flood Damaged and Water Infiltrated Residential Properties – Establishing Capital Project No. 356 - Amending The 2012 Ulster County Capital Project Fund - Emergency Communications/ Emergency Management**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 63 **Authorizing The Acquisition Of Land For Flood Remediation, Open Space, Wetlands Or Recreational Purposes, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$3,800,000.00, And Authorizing The Issuance Of \$3,800,000.00 Bonds Of Said County To Pay The Cost Thereof**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 64 **Confirming Appointment Of Member To The Ulster County Community Services Board**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 65 **Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement For The Maintenance Of Facilities For The Ulster Performing Arts Center For The 2012 Appropriation – Legislature**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 66 **Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With Family Of Woodstock, Inc., For The Supervised Visitation Program For The 2012 Appropriation – Legislature**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 67 **Appropriation For The Cooperative Extension Association Of Ulster County And Authorizing The Chairman Of The Ulster County Legislature To Execute The Agreement Related Thereto**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 68 **Appropriation For The Ulster County Soil And Water Conservation District**
ADOPTED: 22 – 0 (Approved by the County Executive)
- 69 **Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With Ulster County Community Action Committee, Inc.**
ADOPTED: 22 – 0 (Approved by the County Executive)

- 70 Authorizing The Chairman Of The Legislature To Execute An Agreement With Court Appointed Special Advocates (CASA) For The 2012 Appropriation – Legislature
ADOPTED: 22 – 0 (Approved by the County Executive)**

Late Resolutions

- 71 Setting A Public Hearing On Proposed Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York Known As The “Hydraulic Fracturing Brine Prohibition Act”), To Be Held On Tuesday, April 17, 2012 At 7:05 PM
ADOPTED: 22 – 0**
- 72 Approving Ulster County Community College Budget Amendment For The Year 2010-2011
ADOPTED: 22 – 0 (Approved by the County Executive)**
- 73 Recommending Approval Of Collective Bargaining Agreement Between The County Of Ulster And The UCCC Organization Of Professional And Administrative Personnel
ADOPTED: 22 – 0 (Approved by the County Executive)**
- 74 Confirming Appointment To The Ulster County Resource Recovery Agency
ADOPTED: 22 – 0**
- 76 Appointing And Reappointing Members To the Ulster County Community Action Committee, Inc., Board Of Directors
ADOPTED: 22 – 0**
- 77 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Dutchess County Arts Council For The 2012 Appropriation – Legislature
ADOPTED: 22 – 0 (Approved by the County Executive)**
- 78 Amending The 2012 Ulster County Budget To Include An Additional Award To Ulster County For Funding Of Community Development Block Grants With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal (OCR) – Department Of Planning
ADOPTED: 22 – 0 (Approved by the County Executive)**

- 79 Authorizing The Ulster County Executive To Execute Contracts And Agreements To Accept And Implement Community Development Block Grants With The New York State Housing Trust Fund Corporation, Represented By The Office Of Community Renewal (OCR) New York State Agricultural and Community Recovery Fund – Amending The 2012 Ulster County Budget – Department Of Planning
ADOPTED: 22 – 0 (Approved by the County Executive)**
- 80 Authorizing The County Executive To Execute Contracts And Agreements To Accept And Implement New York State Main Street (NYSMS) Grants, With The New York State Housing Trust Fund Corporation, Represented By The Office Of Community Renewal (OCR), In Relation To The New York State Agricultural and Community Recovery Fund – Amending The 2012 Ulster County Budget – Department Of Planning
ADOPTED: 22 – 0 (Approved by the County Executive)**

MEETING ADJOURNED IN MEMORY OF:

Meta Martin, Saugerties, NY
Robert Michko, Mt. Tremper, NY
Cary B. Cook, Saugerties, NY
James A. Hall, Malden-on-Hudson, NY
Camilla J. DeWitt, Hurley, NY
Hilda C. Krum, Port Ewen, NY
Richard Graf, Saugerties, NY
Richard J. Varnum, Kingston, NY
Erma G. Putman, New Paltz, NY
George Svirsky, Ulster Park, NY
Carmella Esposito, Kingston, NY
Michael Battaglino, Binghamton, NY

Emanuel Drescher, Saugerties, NY
Jack K. Campbell, New Paltz, NY
Rose M. Lawrence, Kerhonkson, NY
Michael E. Smedes, Kingston, NY
Gerard J. Sauer Jr., Kingston, NY
Marie Cooney, Hurley, NY
Ruth E. Silverman, New Paltz, NY
Nora J. Wolff, Rosendale, NY
Bananas, Woodstock, NY
Cassia Berman, Woodstock, NY
Joan VanWagner, Lake Katrine, NY
Joyce Nace, Clintondale, NY

MEETING ADJOURNED: 9:50 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, April 17, 2012 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, March 28, 2012 at 12 Noon.**