

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Government Operations and Environmental Services

DATE: July 6, 2011

TIME: 6:00 P.M.

PLACE: UCOB, Library Conference Room, 6th Floor

LEGISLATORS PRESENT: Chairman Shapiro, Legislators Belfiglio, Maio (arr. at 6:17PM), Robert Parete, Laura Petit, and Ronk

LEGISLATOR EXCUSED: Legislators Bernardo, Richard Parete and Zimet

OTHERS ATTENDING: Legislator Jack Hayes; Amanda LaValle, UC Department of Environment; Vic Melville, LWV; Victoria Fabella, Deputy Clerk, Legislature

- The meeting was called to order by Chairman Shapiro at 6:09 PM.
- A motion was made by the Chairman, Seconded by Legislator Robert Parete, to approve the June 9, 2011 Meeting Minutes. All in favor. Carried.

- Resolutions

1. **Draft Resolution No. 0602, July 19, 2011- Climate Smart and Green Jobs Community Pledge For Ulster County**

Chairman Shapiro asked Deputy Chair Petit to explain the status of this Resolution. Legislator Petit explained that the Resolution has been worked on and improved since the Committee last saw it. She said that she has incorporated some of Emily Hauser's suggestions from the last meeting. Anything that said "electricity" was changed to "energy." Legislator Petit pulled out anything in reference to a municipal infrastructure and geared it more around the County. She said that Amanda LaValle also worked on the resolution, and everything highlighted in blue is a suggestion from Amanda. (Refer to Committee Packet)

The Committee Members decided to go page by page and examine all of Amanda's recommended changes.

Legislator Rob Parete said that he likes this back and forth with the Executive's Office, in this case via Amanda, to develop policy, but he can't help but draw conclusions based on a recent similar situation. He said that a request to the Executive's Office was made to have a representative from IS attend a legislative committee meeting to discuss a report, and that Committee was told that the report was part of procedure, not policy, and therefore, no one would be attending the Committee meeting. Legislator Parete said Legislator Petit put a lot of work into this Resolution, and when you look at the recommendations, there are large sections of the resolutions eliminated. Again, Legislator Parete said he thinks this is the right way to do it if the two bodies of government are going to work together, but he keeps going back to that recent communication received from the Executive's office denying the Legislature's request.

Amanda LaValle said that there was concern because the County already has an energy policy and this overlaps so much with it. Amanda said she is very involved with the implementation of the energy policy. She noted that the

Legislature set up the Department of Environment to do this kind of work so most of it is covered. Amanda said there are questions that the Legislature needs to answer in terms of how far it wants to reach out to the community to build this pledge beyond government operations.

Chairman Shapiro noted that Legislator Parete brought up a good point and it should be brought up under new business because the Chairman, too, has some questions which he thinks will tie into Legislator Parete's concerns.

The Chairman recommended going page by page, evaluating the marked-up resolution, having Legislator Petit and Amanda comment on all recommended changes to the original resolution.

On page one, there was a "Whereas" added to note the accomplishments the County has made to date in regards to both energy and environmental conservation.

There was some discussion as to whether a separate resolution is necessary to dissolve the Global Warming Advisory Committee and create a Climate Smart Task Force, or if that can be incorporated into this resolution. Legislator Ronk believes a separate resolution is needed. He also questioned whether or not the Legislature can appoint a Task Force that has specific members of the Executive Branch in it. Legislator Parete shares Legislator Ronk's concerns. Legislator Petit will speak to Counsel to clarify these items. She would like to move the resolution forward, as she has been working on it for months and would not like it delayed any further. Legislator Petit is, however, willing to make any necessary changes to the resolution and then present the final version before the Government Services & Administration Committee prior to July's Monthly Meeting of the Legislature.

Under "Further Resolved" #2, *...establish baselines for County government operations and community sectors...*, Amanda questioned whether or not "community sectors" should be included. She said developing a green house gas inventory for the whole County is a huge undertaking. Amanda said there is a full-time person who does just this for Kingston alone. She thinks there are certain things that can be done for government operations and certain things for the community, but she believes a full inventory for the whole County is unrealistic. Legislator Petit said that "community sector" should be removed here, as the intent was to simply to engage the community, not to create any financial impact.

Under "Further Resolved" #3, "reducing energy use by 15% from projected levels by or before 2015" was changed to "reducing energy use by 10% from the projected levels by or before 2014" to be consistent with the exiting energy policy.

Under "Further Resolved" #3 D. Fleet Management. Legislator Parete pointed out that the Legislature adopted a complete streets resolution which mandates that during the design phase of each capital project, space for non motorized forms of transportation on County roads be considered in the final adopted plan. The Committee agreed the complete streets resolution should be referenced under this section of the Climate Smart Community resolution.

Under "Further Resolved" #7, the third sentence reads, "Identify areas such as water supply and sewer infrastructures that may be at risk due to..." Amanda pointed out that the County has no water or wastewater infrastructure. Legislator Parete said that the County may not own any, but the County funds projects that help develop them. He therefore suggested reworking the language here. The Committee agreed to change the sentence to, "Identify areas such as County supported water supply and sewer infrastructures that may be at risk due to..."

Under "Further Resolved" #8 Green Innovation Strategy, Amanda said this is where she is recommending the biggest change. As everyone is aware, this resolution was modeled after the City of Kingston's Pledge. But, the City of Kingston took a unique path when they did their Climate Smart Pledge and they wrapped in green jobs. Amanda said this worked really well for them, but it is the only climate smart pledge she knows of that took this approach.

When she looked at this section, specifically how it describes the committees and their interactions, she was unsure of the value it added to the process. She is unsure what a County level committee could bring as opposed to the already established Solar Consortium who is already doing the same thing. Amanda said maybe this Committee would be in a better position to interact with the Solar Consortium and see where they can work together, rather than recreate that same kind of committee structure and duplicate the efforts. Amanda also said that Kingston has 4 very active subcommittees under their Climate Smart Committee, and one of those focuses on green jobs solely. Amanda recommends striking all the Kingston language in this section and reinserting the standard language that comes from the State. The resolution should be titled Climate Smart Community Pledge for UC. The Committee concurs with all of Amanda's recommendations.

Legislator Maio wants to ensure that there is no financial impact. Legislator Petit said that the data collection has already been done and the Task Force is made up of volunteers. If anything, there should be a recovery of costs implementing renewable and reusable policy. Legislator Parete recommended asking for some type of return on investment schedule. After discussion, the Committee agreed to add a #11 under the "Further Resolved" portion of the resolution requiring that new energy efficiency measures be funded in part with funds derived from utility savings. At the suggestion of Legislator Belfiglio, #11 will be titled "Renewable Return On Investment." Legislator Petit and Amanda will work on the specific language for #11.

Legislator Petit will ensure that the language for #11 is developed and the questions about the make-up of the Task Force and dissolving of the original committee are answered prior to the Governmental Services & Administration Committee meeting on July 18th. This will ensure the resolution adheres to the proper Committee approval process prior to the Monthly Meeting of the Legislative Body.

**Motion offered to move Draft Resolution No. 0602, July 19, 2011- Climate Smart Community Pledge For Ulster County forward as amended by Legislator Petit, Seconded by Legislator Robert Parete.
Ayes (5) Noes (1) Ronk. Motion Adopted.**

- Discussion: Mandate Report

Chairman Shapiro asked the Committee Members if they had any thoughts on the mandated services summary sheet prepared by the Executive's Office. (See handout: County Contribution For All Cost Centers- 2011 Ulster County Budget) Legislator Petit commented that she doesn't believe the information presented is what the Committee expected to get. She does not agree with the way the information is being broken down, specifically all of what is being presented as mandated services.

Legislator Belfiglio said that the biggest cost center is Social Services at 31%, but there is not that much that is optional.

Chairman Shapiro said he is pleased to have Legislator Hayes in attendance this evening. Chairman Shapiro asked Legislator Hayes if his Law Enforcement and Public Safety Committee has had any discussion about road patrol as it relates to the mandate report. Legislator Hayes said that there is a dialogue started with regards to police efficiencies, but no one has inquired about an examination of road patrol solely. Legislator Hayes said that he believes it may not be a good time to reduce road patrol since there is a reduction going on across the board. There is a freeze with the State Police which is projected for at least a couple more years. There have also been some discussions as to whether the County should be looking at consolidation and/or going to a County police force. Legislator Hayes added that a County police force would be very expensive and therefore, to him, would be going in the wrong direction. Regionalization is a potential option where you look at three police departments that all have a chief, lieutenants and a number of higher paid officers before you get down to patrol. If you have less administrative positions and more patrol people, you might realize efficiencies. With this however, it goes back to

home rule. Legislator Hayes has reached out to some town supervisors and there is no appetite from people who own police forces for the County to try to change anything. Presently, Legislator Hayes is trying to get a better handle from the County Executive and the Legislative Chairman as to what specific areas of police efficiency they would like to see investigated. Legislator Hayes also said that he spoke to Commissioner Shawn Byrne of the Department of Criminal Justice Services and there may be some grant money available for review of police efficiencies. Legislator Hayes plans to pursue this and reach out to the Sheriff who has a good grant writer.

Legislator Hayes commented that anyone can look at the Freeman and see how much activity the District Attorney has going on. There are gang problems. Legislator Hayes feels it is not a good time to eliminate a large portion of road patrol and still maintain public safety at the levels we are used to.

Legislator Ronk said that philosophically he believes that public safety is the paramount responsibility of government. He believes when looking at cuts, road patrol should be one of the last places evaluated. He also noted it is not the largest of the optional services, and Legislator Ronk believes the Sheriff runs a good shop. He actively reports to the Law Enforcement & Public Safety Committee and has done a lot of work to make things run better.

Legislator Hayes also noted that a lot of the services associated with the Sheriff's Department are fee based, such as the use of telephones at the jail.

Chairman Shapiro said that because of the charge of this Committee, he was just gauging interest in looking at something like road patrol. It's an area that everyone has "kind of" talked about around the edges, but no one has really ever just put it out on the table. He said he doesn't know if anyone will seriously put it out there. The Chairman is pleased that the Law Enforcement & Public Safety Committee will be looking at some of the broader issues.

Legislator Hayes said that to seriously evaluate road patrol, a comprehensive inventory would be necessary. He said it must be known exactly how many police officers the County has and how many are out at any given time of the day or night, what the coverage is per thousand people, and how these things compare with industry standards in police service. Legislator Hayes said that will give an indication as to whether there is any fat. A scientific study of such kind would be necessary in order to make an intelligent decision. Legislator Hayes doesn't believe a Committee could make any decisions without the proper information. He has spoken with Gerry Benjamin to look and see if there are any funding sources to aid with this.

Chairman Shapiro said that although he understands the views expressed, Social Services and the Mental Health Department are also departments that play a role in public safety. Like these two departments, the Sheriff's Department is very large, and the Chairman would hope that there would be a willingness to take a look at specific areas of these large departments.

Legislator Ronk said for the purposes of this discussion, he believes the difference is that private entities can perform mental health services, but police services cannot be contracted out.

Legislator Hayes said if the County could get a video arraignment system underway, it would reduce the trips back and forth to courts. This would be a contractual situation with regard to unions, but if a jail transport unit could be established, like in Rockland County, using retired and/or part time deputies/officers who are not on overtime or getting benefits, it could make the transportation system work at a significantly reduced cost.

Legislator Felicello commented that there are Sheriff's stations that are taking care of certain towns, and those towns are getting a free ride. He said that is, and has been, an issue of concern for a lot of people in the County. Legislator Felicello said Esopus is one example. Esopus does not have its own police department. Legislator Felicello said that this is something that has been talked about for many years and the Legislature should take a look at it.

He said it's not fair to other towns like Marlborough, Lloyd and Plattekill that have their own departments. He believes there should be money given back from the towns that are serviced by County stations to support the service they are receiving.

Legislator Hayes said that the patrol in Esopus doesn't stay in Esopus, nor does the patrol in Shawangunk stay in Shawangunk. It is a matter of decentralization versus centralization. Decentralization is shown to be an efficient deployment of forces.

Legislator Belfiglio said that there are no contracts that the Sheriff's Department has with any towns. They have a substation; that substation has a zone; and they patrol that zone. They are not necessarily dedicated to that zone either. It is not a police force for those residents only.

Legislator Parete commented that the spreadsheet prepared by the Executive's Office on mandated services is very deceiving. Mandated services mean different things to different people. To Legislator Parete, a mandated service is based on what is in the Ulster County Charter. Most, if not all, of what is on the spreadsheet is in the Charter with the exception of debit service and miscellaneous programs. However, Community Corrections is a mandated program per the Charter and it is not included on the list. Legislator Parete feels the spreadsheet should be broken out to show mandated services per the Charter and mandated services per the State. For example, the Executive and Comptroller are mandated per Charter, but the District Attorney is mandated by State Law. When looking at the \$1.4 million in the Executive's budget, Legislator Parete believes there is a lot in there that can be cut and is not mandated. Legislator Parete thinks it is awfully obvious how \$6 million was singled out in the Sheriff's Department budget for road patrol, just because that happens to be one division. Although he believes great work went into putting the spreadsheet together, Legislator Parete believes the columns are deceiving and not easy to read. He said he has to wonder why the Health Department is listed as an optional service and not as a mandated service when it is in the County Charter.

As a new Committee Member, Legislator Belfiglio asked how far the Committee has gotten on the mandates issue.

Chairman Shapiro gave a recap of the progress to date, mentioning the joint meetings with the Ways & Means Committee. The Chairman said the Committee has not gotten far, and he believes a lot of things this Committee has been charged with originates in the Executive Branch. He said the Committee can take a look at big ticket items, but it's extremely challenging. The Chairman commented that per the information sharing of Legislator Hayes, road patrol, encompassed in bigger issues, is being looked at by another Committee. The Chairman again thanked Legislator Hayes.

Legislator Ronk said that he very much disagrees with Legislator Felicello's assertion that any town with a substation has an incredibly heightened police presence. He commented that maybe there is an extra presence when they are coming in and out of the substation, but he has a clear understanding of the actual time spent around the substations, as he has done a ride-along with one of the Sheriff's Deputies in the North-end of the County.

Legislator Hayes explained the opposite to decentralization saying that everyone would come to work in Kingston and then drive all the way out to Marlborough, all the way out to Ellenville, all the way out to Shandaken, up to Saugerties, and then they all come back during the last hour of their shift. Therefore, the whole spoke around Kingston in terms of County coverage is non-existent. Whereby, if they go back to Ellenville, or Accord, or Shandaken, or Shawangunk, patrols are still available in those areas and ready to respond. In a decentralized situation, the deputy is still on post per se. However, if everyone is driving back to Kingston to finish up their day, the whole County is not getting any coverage. Legislator Hayes said the State Police have closely looked at centralized and decentralized approaches for purposes of efficiency and saving money. Decentralization is better for the people. It gives better coverage and is cost effective.

Legislator Belfiglio suggested this Committee request a copy of the Information Services Efficiency Report, as reports of this nature could be useful tools for mandate discussions.

Legislator Parete said that this Committee is asked to look at mandated vs. non-mandated services and the report is not necessarily complete. In another Committee meeting, there was discussion about Information Services and a report that was done and funded via approval from the Legislature, and the Committee couldn't obtain a copy of the report. Legislator Parete said he still has yet to hear back from his note to Deputy Exec. Marshall Beckman and County Exec. Mike Hein as to what's going on with the Department of Mental Health. Taking a step back and with all due respect, he said, how can the Legislature make important decisions without the necessary information.

Chairman Shapiro said that if this Committee is charged with evaluating mandates and a question arises, then a representative from the Executive's Office would need to attend a meeting of this Committee to provide answers and aid the process. The Chairman asked the Committee Members if they would like to look at Information Services. General consensus was yes. Deputy Clerk, Vicky Fabella, will ensure the Committee Members receive a copy of the IS Efficiency Report. The Chairman will reach out to the Executive Branch to ask that a representative participate in the Committee's discussion.

- Motion to Adjourn:

Hearing no further business, Chairman Shapiro asked for a motion to adjourn. The meeting was adjourned at 7:23 P.M. with a motion by Legislator Robert Parete, Seconded by Legislator Ronk, with all in favor, Carried.

Respectfully Submitted,

Victoria Fabella, Deputy Clerk, Ulster County Legislature