

NAME OF COMMITTEE: Governmental Services, Environmental & Administrative Committee

DATE: April 19, 2010

TIME: 6:00 PM

PLACE: Library Conference Room, 6th Floor
County Office Building

LEGISLATORS PRESENT: Chairman Kevin A. Roberts, Deputy Chairman Hector Rodriguez, Legislators Carl Belfiglio, Dean Fabiano, Kenneth Ronk, Robert Parete and Brian Shapiro

LEGISLATORS ABSENT: Laura Petit and Richard Parete

OTHERS PRESENT: Michael Kavanagh, Counsel to the Legislature
Thomas Turco, Commissioner, Board of Elections
Kathleen C. Mihm, Commissioner, Board of Elections
Amanda LaValle, Coordinator, Department of the Environment
Mike Bemis, Executive Director, UC Resource Recovery Agency
Michelle Leggett, UC Resource Recovery Agency
Robert Sudlow, Deputy County Executive
Vic Melville, LWV Observer Corp

1. **Chairman Roberts called the meeting to order at 6:00 PM.**
2. **Approved minutes from March 15, 2010 meeting.** Motion by Legislator Rodriguez, seconded by Legislator Robert Parete. (Approved after Legislator Belfiglio read the minutes). All in favor.
3. **Departments/Agencies:**

Board of Elections

Kathleen Mihm distributed copies of the 2010 Political Calendar to everyone present. The calendars have been sent out to all municipalities. She spoke briefly about the schedule (copy attached). The BOE Polling Site consolidation is expected to be completed by May 1st. The recommendations were distributed to the entire Legislature (copy attached). Thomas Turco said this report could be requested and BOE would forward it electronically.

Thomas Turco stated that their current concern is space for the new machines which will be arriving. The BOE has been in contact with Chairman Roberts and Deputy County Executive Robert Sudlow regarding the space requirements. The CCP building can handle all of the storage; everything could be keep in one location. Regardless of the consolidation which is taking place, there is still the need to purchase new machines and store them.

Kathleen Mihm said the CCP is ready made for their needs and would meet the security required by the State. The Commissioners did a walk-thru with Jim McTague and Brian Cunningham from Buildings and Grounds.

- Legislator Robert Parete asked if they have looked at the building on VanDale Road in West Hurley? Public Works (Highways) only utilizes a small fraction of the space there.
- Legislator Fabiano asked if VanDale Road would be suitable for the machines?

Kathleen Mihm said that the machines don't require conditions other than normal working conditions but there does need to be sufficient space for training and testing.

Thomas Turco mentioned that the calls are starting to come in regarding the removal of lever machines from local firehouses. The firehouses would like the lever machines removed from their community rooms and fire halls.

- Legislator Shapiro inquired about the long term plans for the lever machines: do they have use to third world countries, school districts, etc.?

Thomas Turco stated that in New York lever machines cannot be used however, there is a bill in Albany that schools may be able to utilize lever machines for their elections. Supplies and materials for the lever machines will not be maintained after September 1st.

In the meantime, BOE is moving forward with voter education.

Turco and Mihm agreed that their first and utmost concern is having storage for the machines. Their secondary concern is the future needs of the Board itself. The machines will be arriving soon. They reminded everyone that they will be going out to all of the towns for voter machine education.

- Chairman Roberts asked what they needed from the committee. Turco and Mihm are asking the committee to support their requirement for storage area in the immediate future.

Department of the Environment

Amanda LaValle asked if anyone had any questions regarding Resolution No. 118 - Adopting Proposed Type II Actions State Environmental Quality Review Act (SEQRA) For The County Of Ulster?

Legislator Robert Parete stated that any questions that they had were answered in Caucus.

Ms. LaValle provided information regarding the progress of the Energy Efficiency and Conservation Block Grant and the status of the projects involved.

Ms. LaValle distributed a flyer regarding Earth Day Clean-Up Event at Sojourner Truth Ulster Landing County Park scheduled for Saturday, April 24, 2010 from 9 AM to 2 PM. There will be a morning clean-up and light trail maintenance. Youth groups are being encouraged to attend. Tools, materials and lunch will be provided.

Resolution No. 119 (Setting A Public Hearing On Section 1182 Of the Real Property Tax Law Of The State Of New York To Consider The Request For Cancellation Or Reduction Of Interest,

Penalties And Other Charges On Town Of Lloyd Property Owned By Thomas And Candace Rizzo, On Tuesday, May 11, 2010 At 6:05 PM) was taken out of order since Counsel to the Legislature attended to speak to the matter concerning the resolution.

Counsel Michael Kavanagh received a copy of an Order to Show Cause regarding the Rizzo property and its inclusion in the tax foreclosure Public Auction. Mrs. Rizzo has brain cancer and the taxes have not been current in three years. The Rizzos are prepared to pay the taxes but are asking the Legislature to consider their request for cancellation or reduction of interest, penalties and other charges on their property in the Town of Lloyd. By what authority can the County Legislature do this? The decision would have to be made whether or not this action would be in the County's best interest. He feels it might hard to find this kind of benefit.

- Legislator Rodriguez asked why should we spend \$300. to set a public hearing when the Rizzos could come speak to the Legislature. He recalls other resolutions to resolve property issues but not anything of this nature.

- Legislator Shapiro asked about imminent domain and creating a precedent. He agrees that the family faces visible challenges but there are many other who have circumstances that they are facing and they could request the same treatment.

Counsel Michael Kavanagh stated that this doesn't involve imminent domain. The penalties have already been assessed. He isn't sure this isn't a slippery slope and agrees there isn't anything wrong with having the Rizzos speak to the Legislature and he will convey this to Counsel David VanBenschoten.

- Legislator Belfiglio expresses concerns that the situation could repeat itself and there isn't anyway of knowing or preventing that from happening.

- Legislator Rodriguez reiterated that we shouldn't spend the money for a public hearing. In the past the Treasurer handled tax situations as the Chief Fiduciary Officer for the County.

- There was further discussion regarding addressing this issue. Most committee members agreed that the Rizzos should just come to speak to the Legislature.

Ulster County Resource Recovery Agency

Mike Bemis distributed the 2009 Ulster County Annual Recycling and Municipal Solid Waste Report Data. Their goal is to improve every year. They take pride in their measurement: 159,043 tons of trash generated and 64,735 tons of recycling took place in 2009.

There was discussion of what guidelines were used to categorize the recycling and general discussion regarding the report (copy attached). The Annual Report is prepared in accordance with State guidelines.

- Legislator Rodriguez mentioned the impact of the Mandatory Source Separation and Recycling Local Law on the amount of current recycling that is done in the County.

- Mike Bemis added that more recycling needs to occur and noted that impact that the economy has on trash; there is less construction and less disposal of building materials.

- Legislator Belfiglio asked about electronic waste. Michelle Leggett explained that there was 4 tons of electronics but the percentage (0.7%) is small based on the overall total.

Michelle Leggett spoke about a Saturday event for medical waste recycling. They coordinated the event with the Ulster County Sheriff, the State Narcotics Division, Dutchess County Resource Recovery and the NYSDEC. The collection included OTC and prescription medication.

They collected 280 pounds (6 contractor bags) of medical waste for recycling which was escorted to the Dutchess County Resource Recovery.

Mike Bemis announced that they will be doing road shows in the Town of Wawarsing and New Paltz. The permit process takes approximately 60 days.

4. Resolutions

Resolution No. 90 - Confirming Appointment Of Member To The Environmental Management Council

Legislator Fabiano motioned, seconded by Chairman Roberts to move the resolution. All in favor. (7 - 0)

Resolution No. 92 - Amending The Rules Of Order To Set Procedure For Memorializing Resolutions (1st READING)

-Legislator Shapiro agrees that often times it is frustrating to listen to debate on memorializing resolutions however, he feels if anyone wishes to oppose it, they are free to do so but it shouldn't interfere with someone else's right to bring something forward. He believes that the Legislature should police itself and make some of the decisions regarding support or opposition in Caucus.

- Legislator Belfiglio commented that there is power in debate. He believes we shouldn't consider doing this if the end product is that meetings are finished earlier. Several Legislators agreed with this statement.

- Legislator Rodriguez offered that a lot of comment period can be controlled by the Chairman. The Chairman can police the situation and make a determination whether something new is being added or whether it is germane to the topic. He also recommended since there isn't agreement in how this subject is being handled that the resolution be withdrawn and further discussion be held during an upcoming meeting.

Chairman Roberts as sponsor of this resolution agreed to withdraw the resolution.

Resolution No. 93 - Setting A Public Hearing On Introductory Local Law No. 1 Of 2010 (A Local Law Superseding Section 214(2) Of The County Law To Authorize Abstract Publication Of Local Laws) To Be Held On Tuesday, May 11, 2010 At 6:00 PM

- Legislator Ronk motioned, seconded by Legislator Rodriguez to move the resolution. All in favor. (7 -0)

5. Late Resolutions

Resolution No. 115 - Creating A Special Task Force To Study The Policy Decisions Needed To Examine The Long Term Financial Viability Of The Golden Hill Health Care Center

- Legislator Ronk mentioned that he was working on an amendment to amend the resolution to set who would sit on the Special Task Force.

- Legislator Robert Parete said that this resolution was approved by the Health and Human Services Committee. He feels there should be set criteria for the committee. He personally

doesn't want the Task Force to go through the same process that the Blue Ribbon Healthcare Commission did. They did a study in 2008. He feels strongly that this isn't the role of the Legislature but that the County Executive should be doing this. The Blue Ribbon Healthcare Commission study on Long Term Healthcare in Ulster County didn't address all of the issues: costs, retirement, etc.

- Legislator Ronk suggested that the last report be used as a starting point to move forward from rather than starting totally over...what to do next.

-Several Legislators commented on the Golden Hill issue and its impact on the community and the structure itself.

-Chairman Roberts asked if anything new will be in the report and what the financial impact will be?

- Legislator Robert Parete stated that there are funds in the amount of \$70K in the Golden Hill budget for studies.

The Special Task Force will report to the Legislature; the Legislature will make recommendations to the County Executive and then the issue will come back to the Legislature.

- Legislator Ronk motioned, seconded by Legislator Robert Parete to move the resolution. All in favor. (7 - 0)

Resolution No. 116 - Re-Establishing The Ulster County Trails Advisory Committee - Ulster County Legislature

There was brief discussion regarding this resolution.

- Legislator Ronk motioned, seconded by Legislator Robert Parete to move the resolution. All in favor. (7 - 0)

Resolution No. 117 - Eliminating Full-Time Assistant Deputy County Executive Position For Ulster County - County Executive

There was no discussion regarding this resolution.

- Legislator Fabiano motioned, seconded by Legislator Ronk to move the resolution. All in favor. (7 - 0)

Resolution No. 118 - Adopting Proposed Type II Actions State Environmental Quality Review Act (SEQRA) For The County Of Ulster

There was no discussion regarding this resolution. The SEQRA Type II Actions were reviewed at several previous committee meetings.

- Legislator Rodriguez motioned, seconded by Legislator Robert Parete to move the resolution. All in favor. (7 - 0)

Resolution No. 119 - Setting A Public Hearing On Section 1182 Of the Real Property Tax Law Of The State Of New York To Consider The Request For Cancellation Or Reduction Of Interest, Penalties And Other Charges On Town Of Lloyd Property Owned By Thomas And Candace Rizzo, On Tuesday, May 11, 2010 At 6:05 PM

This resolution is not being supported by the committee and will not appear on tomorrow's Agenda for the Legislative Session.

5. Other Business

There was brief discussion regarding the Environmental Subcommittee. Notice to all members of the Subcommittee will be sent out regarding date/time of meeting.

GOVERNMENTAL SERVICES, ENVIRONMENTAL AND ADMINISTRATIVE

To set policy and review contracts pertaining to the following County Departments: Board of Elections, Consumer Fraud Bureau (including Weights and Measures), Human Rights, Information Services, Insurance, Personnel and Safety. To review and maintain the Rules of the Legislature and to review and approve all local laws. To approve all late resolutions, considering lateness and content prior to submittal to the full Legislature. To set policy pertaining to environmental issues and to review contracts pertaining to but not limited to the activities of the Ulster County Resource Recovery Agency, Department of Environment, Environmental Management Council, Forest Practice Board, Fish and Wildlife Board, and Soil and Water Conservation District. An Environmental Subcommittee shall be formed; its duties will be determined by the Governmental Services, Environmental and Administrative Committee.

Members of the Environmental Subcommittee shall be:

Carl Belfiglio

Hector Rodriguez

Laura Petit

Brian Shapiro

Robert Parete

Legislator Robert Parete motioned, seconded by Legislator Ronk to adjourn. All in favor.

Meeting adjourned at 7:30 PM

Respectfully submitted,

Karen L. Binder, Clerk
Ulster County Legislature