

ULSTER COUNTY LEGISLATURE

TERRY L. BERNARDO, Chairman
JAMES F. MALONEY, Vice Chairman
KENNETH J. RONK, JR., Majority Leader
DAVID B. DONALDSON, Minority Leader
VICTORIA A. FABELLA, Clerk



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

JANUARY 22, 2013

REGULAR MEETING

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:01 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by former Chairman Peter J. Savago

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. THE SHERIFF REQUESTED TO NOTE THAT THE STAIRWELLS TO EXIT WERE LOCATED AT THE ENDS OF EACH SIDE OF THE HALLWAY.

CELL PHONES

Please silence cell phones and refrain from texting for the duration of Session.

MICROPHONES

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

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ROLL CALL: Present: 21

Absent: 2
(Legislators Harris and Richard Parete)
(Richard Parete arrived at 7:13 PM)

BIRTHDAYS: Mary Beth Maio – January 15; Erica Guerin – January 23; Dean Fabiano – January 24; Richard Gerentine – January 28; Wayne Harris – February 10

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

COMMUNICATIONS FROM:

Saugerties Town Clerk
Ulster County Human Rights Commission
Ancient Order of Hibernians

Ulster County Board of Ethics

Catskill Watershed Corp.

Ulster County Attorney

NYS Comptroller
New Horizons Resources, Inc.
UC Re-Entry Task Force
Robert E. Kalb

Mental Health Assn. Ulster County, Inc.

Ulster County Comptroller

New York State DEC

Community Services Board

December 12, 2012 Resolution
December 6, 2012 Minutes
Sunday March 20, 2013 St. Patrick's Parade
Annual Report to the UC Legislature for 2012
Notice of Preliminary Decisions- Resolution Nos. 2231-2243
County Actions Report - Month of December 2012
The Update, Fall 2012
Regis Obijiski Farewell Reception
November 28, 2012 Minutes
Planning Board Alternate – 1/14/13 Letter
Fundraiser – “Bouquets of Anemones for Mental Health”
Memorandum – Report on County Bank Accounts
Fact Sheet – Brownfield Cleanup Program
December 10, 2012 Minutes

COUNTY EXECUTIVE COMMUNICATIONS:

Budgetary Transfers for December 2012

Notice of Appointment to UC Board of Health – Elizabeth Kelly

Reappointment of Board of Ethics members – Suzanne Jordan, Clayton VanKleeck, Derek Spada, Cappy Weiner and David A. Massimi

Notice of Appointment to UC Workforce Investment Board – R Michael Lamoree; Notice of Appointment to UC Workforce Investment Board's Youth Council – Matthew Green

COMMITTEE REPORTS:

DATE:

Health & Personnel
Law Enforcement & Public Safety
Laws & Rules, Governmental Services
Ways and Means

December 11, 2012
November 27, 2012
December 17, 2012
December 11, 2012

PRESENTATIONS:

Chairman Terry L. Bernardo recognized Vice Chairman, Legislator James Maloney to commemorate the 45th Anniversary of the Ulster County Legislature, and acknowledged honored guests, former Legislative Chairmen Peter J. Savago; Christina Gardner, daughter of the late Ernest J. Gardner; Louis M. Klein; Thomas W. Roach, Jr.; William R. West, Jr.; Richard B. Matthews; Gerald Benjamin; Elizabeth Alfonso, wife of the late Daniel L. Alfonso; Ward D. Todd; Richard A. Gerentine; David B. Donaldson; and Frederick J. Wadnola.

Vice Chairman Maloney announced the Chairmen in order in which they had served. Chairman Thomas W. Roach, Jr. regretfully was unable to attend. Vice Chairman Maloney read the first speech to the Ulster Legislature presented by Hon. Peter Savago in January of 1968 and noted how much had changed and how much had stayed the same. Vice Chairman Maloney then proceeded to read the contents of the Proclamation in honor of the 45th Anniversary of the formation of the Ulster

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County Legislature. The Proclamation was then presented to each of the former Chairmen of the Legislature, or their respective representative, together with a newly minted County pin in honor of the occasion.

Former Chairman Wadnola noted it was an honor to be the Chairman of the last 33-member Legislature and thanked the Legislative members that had served with him. Group photographs were taken by Deputy Fawn Tantillo.

Chairman Terry L. Bernardo recognized District No. 11 Legislator Richard A. Gerentine and District No. 10 Legislator Mary Beth Maio, to present the Pride of Ulster County Award to Vincent Mannese for 25 years of dedication and outstanding commitment to Marlboro Youth Baseball and Softball programs. Legislator Mary Beth Maio read the contents of the Ulster County Pride. Legislators Maio and Gerentine presented the Pride to Mr. Mannese on behalf of the full Legislature. Mr. Mannese stated it was a privilege to receive the Pride and acknowledged that his job was to direct the organization as President and without the volunteers over the years, they wouldn't have had level of success experienced. Mr. Mannese accepted the Pride on behalf of all involved in Marlborough Youth Baseball. Legislator Gerentine acknowledged the support of Mrs. Mannese, Mr. Mannese's mother and Mr. Mannese's mother-in-law.

PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo granted privilege of the floor to Town of Rochester Supervisor and Ulster County Association of Town Supervisors Chairman Carl Chipman, former Legislator Laura Petite and Mr. Charles Landi to share concerns about recycling.

Supervisor Chipman recounted a lively discussion that took place at the Town Supervisors & Mayors monthly meeting regarding recycling and flow control. The Association requested Supervisor Chipman e-mail a letter to the Legislative Clerk, which he read. The written letter is attached and is also part of the Agenda for the January 22, 2013 Regular Session.

Former Legislator Laura Petite read a statement dated January 22, 2013. This written statement is on file with the Clerk of the Legislature.

Mr. Charles Landi spoke to the value of recyclable materials and his support in keeping the transfer stations healthy.

PUBLIC COMMENT: There were 46 public comment speakers.

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Chairman Bernardo informed those in attendance that since there were so many speakers, the allotted time was limited to three (3) minutes. The Chairman requested that if a large amount of individuals intended on attending the Law Enforcement and Public Safety Committee meeting on February 5, 2013, they should contact the Clerk to determine if the location of the meeting would be moved to another location.

1. **Dan LeFevre:**

Written comment, "Comments on resolution 0108-2013", is attached.

2. **Joe Liuni:**

Written comment is attached.

3. **Richard Vizzini:**

Mr. Vizzini provided a statement on what it meant to be an American and the freedoms allowed for and guaranteed by the United States Constitution. He reminded all that the Constitution was written to restrict government from forcing unjust laws upon citizens. He stated the U.S. Constitution, the 2nd Amendment and NY State Constitution are very clear on the right to bear arms. Mr. Vizzini believed that any one person/politician that proposed an unjust law in contradiction is guilty of the crime of treason. Mr. Vizzini prayed that Legislature made the correct decision.

4. **Abel Garraghan:**

Mr. Garraghan reviewed the "Current Cost of Waste Disposal," "Cost Saving Opportunity With Local Landfill" and "Landfill Plan Cost Estimate" documents. Documents are attached.

5. **Charles Landi**

Mr. Landi continued the presentation upon expiration of Mr. Garraghan's time and reviewed the "Applying Annual Savings of \$3,196,943" document. Document is attached.

6. **Jeff Saffir:**

Dr. Jeff Saffir presented a statement as the father of two young boys indicating that laws to help the sick and punish the evil are necessary. He stated that the criminals don't follow laws. Mr. Saffir presented situations in which law abiding gun owners saved innocent lives by being able to defend themselves.

7. **Charles Koemin:**

Mr. Koemin began with a quote by Mira Grant, "We are a nation accustomed to being afraid..." Mr. Koemin stated that the law was unconstitutional, ineffective and hinders public safety and the focus needs to be placed on mental health issues.

8. **Ryan Hoy:**

Mr. Hoy quoted Benjamin Franklin in objection to Resolution No. 0108. He reviewed portions of the proposed Resolution to which he objected to.

9. **Jack Hayes:**

Written comment is attached.

10. **Tom Maerling:**

Mr. Maerling asked that draft Resolution No. 0108 not be sent to Washington. He suggested the Resolution be shredded and re-written.

11. **Vincent Maggiore:**

Mr. Maggiore criticized Governor Cuomo's action as hastily rushing a bill full of holes through with a desire to exploit a tragedy.

12. **Mike Leone:**

Mr. Leone stated he is a member of the Vly Sportmen's Club and a United States citizen.

Mr. Leone stated the question is not a matter of need as much as a matter of right. He urged the Legislature to send a message to Washington to reinforce the laws already on the books, to cease being soft on crime and to punish people responsible for the crimes.

13. **Attilio Contini:**

Written comment is attached.

14. **Jay Martin:**

Mr. Martin stated he is the past President of the Ulster County Federation and is presently active as its Executive Secretary. Mr. Martin stated his objection to the Governor ignoring the 3-day process. He stated there are leaders who are refusing to lead by example.

15. **Patricia DuBois:**

Ms. DuBois made a statement that the right to keep and bear arms was a right not a privilege granted by the State. She continued in saying that the right to defend ourselves was a sovereign God-given right that no man can take away or legislate nor should as these were the principles of our founding fathers.

16. **Jason Adsit:**

Mr. Adsit spoke about his feelings as a father of a young daughter and his belief that his daughter is safe because he is able to protect her. Mr. Adsit stated that education was needed and mental health treatment was necessary.

17. **Glen Carboni:**

Mr. Carboni stated his disappointment in the Governor. He printed out the new law and provided his interpretation of what he thought the law was saying.

18. **Bob Sills:**

Mr. Sills stated that his ancestors fought for the freedom of this Country. He ended with a quote from Thomas Jefferson, "When the government fears the people, its liberty; when the people fear the government, its tyranny."

19. **Supervisor Carl Chipman:**

Supervisor Chipman stated he is the former President of the Ulster Heights Rod & Gun Club. He asked that the Draft Resolution remained just that, a draft and did not make it to the Legislature.

20. **Kathy Nolan:**

Ms. Nolan presented a joint release from the Catskill Heritage Alliance, Catskill Mountainkeeper, and the Catskill Center for Conservation and Development entitled "Outdoor Recreation on Catskill Lands Brings 2.5 Million People, Thousands of Jobs, and \$115 million, Study Shows". Written statement is attached.

21. **Gerry Fornino:**

Mr. Fornino stated he is the co-founder of the Ulster County Friends of the Constitution which was recently started as a result of the newly enacted law by Governor Cuomo. Mr. Fornino gave a history of his background as a retired Special Agent for the FBI.

22. **Robert (Bob) Garrett:**

Written comment, "Assault Weapons", is attached.

23. **Eddie Aleo:**

Mr. Aleo wished to enlighten the Legislature and stated that imposition of laws issued as a result of knee-jerk reactions punished law-abiding citizens of the State. Mr. Aleo stated he wouldn't register his arms but would be moving out of State, taking the business tax base from his business with him.

24. **Robert Lippman:**

Mr. Lippman stated he is upset that gun owners were being labeled and the Resolution had nothing to do with New York State. He stated the Legislature worked for him and other law abiding citizens and they shouldn't be influenced by NYC politics.

25. **Matt TenEyck:**

Mr. TenEyck stated that, in looking at the 2nd Amendment or any rights, Americans had given up their rights to enjoy a privilege because of abuse or whatever may be. Mr. TenEyck stated as a teacher, he had personally seen a decline of responsibility in the youth of the future. He asked people to stand by their rights.

26. **Marie Ruger:**

Ms. Ruger stated she is the owner of Ruger's Custom Guns, a business in Ulster County, New York. She and her husband are looking to move to Pennsylvania or Vermont as a result of the unfriendly business environment in New York.

27. **Christine Williams (Caponero):**

Ms. Williams stated that she was a teacher and a lifelong local resident. She stated she was raised in a family that has always possessed firearms and was taught how to handle them responsibly. She stated that lives are protected by the right to bear arms and that providing adequate healthcare for mentally challenged individuals would be more beneficial. She stated the problem was the person behind the tool and their mental stability. She urged the Legislature not to make a decision based on fear.

28. **Stan Czaplak:**

Mr. Czaplak stated he is employed in an industry which weighs risk versus benefit and he sees risk when reading the last "Resolved" paragraph of the draft Resolution.

29. **Guy Blake:**

Mr. Blake stated he read the Resolution numerous times and wasn't clear as to what action was being asked of the Federal government. He objected to the draft Resolution on the basis that it was vague and didn't indicate what it was to accomplish. Mr. Blake didn't support President Obama's Gun Legislation nor Governor Cuomo's.

30. **Scott Gilbert:**

Mr. Gilbert stated he has taught gun safety for the DEC and stated that support locally was necessary before moving the issue to a State level at Albany.

31. **Richard Mugge:**

Mr. Mugge noted that although no one truly wanted to be present, many felt strong that they need to be at the meeting. State Police officer transplanted from Staten Island who recounted that he never personally had to experience the situation that was occurring in his neighborhood or residence and not have his wife have the ability to protect herself.

32. **Neil J. Watt:**

Mr. Watt is a resident from Gardiner and asked the Legislature not to vote for the Resolution. He stated that he took the oath to uphold the Constitution seriously.

33. **Bob Hutton:**

Mr. Hutton commended the wonderful turnout and stated as a law-abiding citizen and gun owner, he opposed the current legislation.

34. **Jim Cranston:**

Mr. Cranston asked the Legislature not to support draft Resolution No. 0108. He provided statistical information to support his opinion.

35. **Frank G. Ostrander, III:**

Mr. Ostrander stated he grew up in Newburgh, served in the military and went on to work for the NYS Dept. of Corrections. He begged the Legislature not to do what the State had done; not to do it fast but to do it right.

36. **John Cranston:**

Mr. Cranston stated he was a firefighter from the Town of Ulster. He thanked the sponsors for resolution but indicated he was in total disagreement with it. He asked the Legislature to consider a new resolution in support of right to bear arms.

37. **Santos Lopez:**

Mr. Lopez remarked that he was an immigrant from the Philippines and noted that history could repeat itself. He stated the right to bear arms was put into Constitution to protect ourselves from ourselves.

38. **Beth Freer, RN:**

Ms. Freer stated she had worked with the Dept. of Corrections prior to being a nurse. She stated she was upset at the attempt of government to take away the right to protect herself and urged that Legislature support that right.

39. **Donna Greco:**

Ms. Greco stated that she hoped apparent support helped Legislature make a decision. She provided statistical information that supported her stance against gun control.

40. **James Connors:**

Mr. Connors reflected that during the course of the evening, many of the bases that needed to be addressed had been covered.

41. **Michael Passow:**

Mr. Passow critiqued the draft Resolution indicating the document provided no solution.

42. **John Patane:**

Mr. Patane spoke in support of the 2nd Amendment, indicating that his father was retired from the NYPD and that his grandfather served in WWII. He stated there were guns in the family that would be passed down to him.

43. **Randy Copeman:**

Mr. Copeman stated he was a lifelong resident of Ulster County who concurred with previous commentators and asked that the Legislature not be a part of the continued pressure by government to put restrictive regulations in place.

44. **Elmer LeSeur:**

Mr. LeSeur was a board member representing the Federated Sportsmen's Clubs of Ulster County and also represented his own club, Wittenberg Sportsmen's Club. He questioned the difference between assault weapon and a defense weapon and stated the intent of the user was the actual difference. He noted that after the passage of the Safe Act, law enforcement agencies acted to allow special verbiage allowing officers to carry more than seven rounds and asked what about the rest of the people that wished to defend themselves. He stated that he had met with both caucuses and requested that the proposed resolution be dropped. He invited all legislators to a 2nd amendment rally at the Accord Firehouse on Main Street in Accord.

45. **Gene DeMaio:**

Mr. DeMaio stated he was a federal firearms dealer and noted that it had been a family business. He addressed the issue of background checks, stating that the mental health issue combined with background check would help to ensure safety for gun holders and those around them. He stated the NRA was 100% behind background checks that included mental health check.

46. **Jim Monaker:**

Mr. Monaker wanted to remind everyone that the 2nd Amendment protects the rest of the Constitution.

Chairman Bernardo informed those present that on February 5, 2013, the Law Enforcement Committee would be meeting and that based on the feedback being received, the location for the meeting may be moved. She noted the Committee would act on the Resolution and, based upon that action, the Resolution may or may not go back to the Legislative floor.

RESOLUTION NOS: 275 of 2012, 7 – 25

Resolution 275 OF 2012 – Amending The Rules Of Order Of The Ulster County Legislature To Change Legislative Meetings on Future September 11 Dates

Legislators Donaldson, Briggs, and Ronk discussed their votes. Legislator Lopez stated his reason for the Resolution. Legislator Belfiglio thanked Legislator Lopez for bringing the Resolution forth. Legislator Aiello also acknowledged Legislator Lopez for bring forth the Resolution and indicated that his vote would be made in memory of past friends.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 10
(Noes: Legs. Bartels, Donaldson, Gregorius,
Loughran, John Parete, Richard Parete,

Robert Parete, Provenzano, Rodriguez, and Wishnick)
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)

Resolution No. 7 - 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

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)
(Approved by County Executive)

Resolution No. 8 - Authorizing The County Executive To Execute An Agreement With Dutchess County For The Provision Of Reciprocal Conflict Defense - Creating One Full Time Position And Amending The 2013 Ulster County Budget – Public Defender’s Office

Legislator Gerentine motioned, Seconded by Legislator Ronk, to change the amount of the annual salary of the newly created position from “up to \$72,000.00*” to “up to \$70,000.00*”

Legislator Gerentine motioned, Seconded by Legislator Maio, to change the first RESOLVED to include the Chairman of the Legislature, as indicated above in bold font.

DISCUSSION:

Legislators Bartels, Provenzano, Ronk, Donaldson, Belfiglio and Gerentine stated the reasons for their vote on the Amendment(s).

MOTION ON AMENDMENT TO REDUCE SALARY ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 10
(Noes: Legislators Bartels, Briggs, Donaldson, Gregorius, Loughran, John Parete, Robert Parete, Provenzano, Rodriguez and Wishnick)
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)

MOTION ON AMENDMENT TO INCLUDE CHAIRMAN OF LEGISLATURE ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)

ADOPTED BY THE FOLOWING VOTE:

AYES: 22 NOES: 0
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)

Motion by Legislator Ronk to take Resolutions Nos. 9 – 13 as a block, seconded by Legislator Donaldson.

Resolutions Nos. 9-13 were adopted unanimously by the following vote:

AYES: 22 NOES: 0
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)
(Approved by County Executive)

Resolution 14 - Establishing Capital Project No. 376 For The Purchase Of Vehicles For The County Sheriff's Office – Amending The 2013 Ulster County Capital Project Fund Budget – Ulster County Sheriff's Office (Approved by County Executive)

DISCUSSION:

Legislator Bartels explained her vote.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(No: Legislator Bartels)
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)
(Approved by County Executive)

Resolution 15 - Authorizing The Purchase Of Police Vehicles In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$233,835, And Authorizing The Issuance Of \$233,835 Bonds Of Said County To Pay The Cost Thereof

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 21 NOES: 1
(No: Legislator Bartels)
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)
(Approved by County Executive)

Motion by Legislator Ronk to take Resolutions Nos. 16 – 24 as a block, seconded by Legislator Donaldson.

DISCUSSION:

Legislator Richard Parete expressed concern with the manner in which two Resolutions went to the floor. Legislator Provenzano responded to Legislator Richard Parete's remarks.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)
(Resolutions Nos. 16-17, 19, 21-24 Approved by County Executive)

Resolution No. 25 - Confirming Appointments To The Ulster County Resource Recovery Agency

DISCUSSION:

Legislator Aiello welcomed RRA Board appointee Dominic Tagliafaro. Legislator Donaldson, referring to Rule 10Q, indicated the vote containing several propositions and should be separated by Chairman, upon request of any member. Legislative Counsel Chapman addressed the proper manner in which to do this, stating that the substantive question couldn't be divided. Legislator Bartels, through Chairman Bernardo, asked Legislative Counsel Chapman to provide an example of the parliamentary break being discussed to which Legislative Counsel Chapman replied. Legislator

Rodriguez stated his desire to make clear his understanding of what was being conveyed by Legislative Counsel Chapman. Legislator Donaldson requested, through Chairman Bernardo, for an opinion from Legislative Counsel Ragucci. Legislative Counsel Ragucci provided his interpretation of Rule Q. and respectfully disagreed with Legislative Counsel Chapman's interpretation. Legislator Ronk suggested a redress with a specific manner in which to vote on the Resolution, stating which individuals were being voted against. Legislator Roberts thanked Dennis Helms for 6 years of service on the Resource Recovery Board. Legislator Wishnick explained his objection to the appointment of Mr. Smith as well as his support of Mr. Tagliafaro. He stated he had a lack of choice but to vote no to the Resolution.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 1
(No: Legislator Wishnick)
(Abstain: Legislator Wawro)
(Legislator Richard Parete arrived at 7:13 PM)
(Absent: Legislator Harris)

MEETING ADJOURNED IN MEMORY OF: Read by Chairman Maloney who acknowledged the accomplishments of Ron Marquette, the privileges of knowing him and how sorely missed Mr. Marquette would be. Legislator Donaldson concurred.

Ron Marquette, Kingston
Rev. David W. Arnold, Kingston
Jane Ann Rosselli, Lake Katrine
Dorothy Louise Dumond, Port Ewen
Christina Gallop, Kingston
Alexander Vinogradov, Kingston
Maynard Keefe
Larry Benson
Ray Whittaker

Norma Ellis, New Paltz
Natalie B. Worden, Ellenville
Leonard Helmich, Accord
Frank Briody, Sr., Stone Ridge
Teresa Nerboni, New Paltz
Laura Lee Herdman,
Alexander Watkins
Elizabeth Patience

MEETING ADJOURNED: 10:44 PM

NEXT MEETING:

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JANUARY 22, 2013

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, February 19, 2013 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, January 30, 2013 at 12 Noon.**

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JANUARY 22, 2013

- Carl Chipman -

Ulster County Association of Town Supervisors & Mayors



P.O. Box 65, Accord, NY 12404

Tel: (845)-626-3043 email: cmc102988@yahoo.com

Carl Chipman, President

James Quigley, 1st Vice President

Michael Warren, 2nd Vice President

Berndt Leifeld, Treasurer

Jeanne Walsh, Secretary

January 22, 2013

Ulster County Legislature
244 Fair Street
P.O. Box 1800
Kingston, NY 12402

Dear Honorable Legislator,

Resolution No. 278 which was recently passed by your legislative body at its December 18th, 2012 meeting was the subject of very lively discussion at our regularly held monthly meeting on January 15th, 2013. You might recall that the resolution called on the New York State Assembly to amend New York Public Authorities Law Article 8, Title 13 G, Section 2050-t (3) to include recycling materials on the list of waste items that may be subject to a flow control program by removing the following language: **"but shall not include any scrap or other material of value separated from the waste stream and held for purposes of recycling"** from that section of law. The purported purpose of passage of this resolution was to amend the current law so that recycled materials be subject to a flow control program in order to ensure the safe disposal and recycling of said materials within Ulster County. While we laud the intent of this resolution, we believe that there will be negative consequences for our communities as a result of the change in language if amended as requested by the New York State Assembly. Therefore the members of the Ulster County Association of Town Supervisors and Village Mayors have asked me by a unanimous vote to draft this letter to inform you of certain potential unforeseen (by those who voted for this resolution) consequences of actual passage of this amended legislation.

Currently normal recycling materials such as plastics, glass, paper, etc. are collected at our transfer stations and then shipped to the UCRRA with the exception of the City of Kingston which has its own single stream recycling system which they invested hundreds of thousands of dollars to establish. Certain items such as scrap metal, electronics, and compostable items are collected at our transfer stations and then sold. Ulster County towns and the City of Kingston derive substantial income from the sale of

Townships of: Denning • Esopus • Gardiner • Hardenburgh • Hurley • Kingston • Lloyd • Marletown • Marlborough
New Paltz • Olive • Plattekill • Rochester • Rosendale • Saugerties • Shandaken • Shawangunk • Ulster • Wawarsing • Woodstock
Villages of: Ellenville • New Paltz • Saugerties
City of Kingston

items such as scrap metal. The Town of New Paltz also does from compost. That income helps to offset the costs of operating our transfer stations and thus helps to keep our fees as low as possible which in turn aids in minimizing illegal dumping of waste. Including any scrap or other material of value into the flow control waste stream as per state statute would deny our towns and the City of Kingston of revenue which has been traditionally generated by the collection and sale of items such as scrap metal. Passage of the proposed amended statute could also allow the UCRRA to "cherry pick" what recyclables it wanted to take and leave the unprofitable items to the municipalities. Passage of this legislation would also negatively impact established businesses such as the various salvage yards throughout our county.

We believe that the Ulster County Legislature should rescind this resolution as written and replace it with one without verbiage potentially creating detrimental effects to our towns and the City of Kingston. It might better serve the purpose if flow control only applies to those items which are mandated to be recycled by the state. There also might be a benefit if the UCRRA and the City of Kingston worked together with handling of state mandated recyclables as it would be safe to assume that there would be a need to increase handling capacity if there was flow control of state mandated recyclables. I'm sure that together we can work to find a solution to our waste management problems.

Sincerely,

Carl Chipman
President

Hon Laura Petite

January 22, 2013
Ulster Count Legislature

The 1992 Ulster County Resource Recovery Agency's Solid Waste Management Plan and ability to bond were written based on flow control legislation. It was anticipated that Flow Control would enable the UCRRA to be an independent, self-sustaining organization. In 1994, the Carbone Decision overruled flow control based on interference of interstate commerce laws until recently when the Ulster County Legislature passed an amended flow control law, Under Resolution No 12 of 2012 long sought after solid waste management would be regulated within County borders and used as a means meet UCRRA's budgetary requirements.

In addition to municipal solid waste, the Ulster County Legislature passed Resolution No. 278 Requesting That The New York State Assembly And New York State Senate Introduce Legislation Amending New York Public Authorities Law Article 8, Title 13 G, Section 2050-t (3) To Include Recycling Material by removing: **".....but shall not include any scrap or other material of value separated from the waste stream and held for purposes of materials recycling"** from paragraph three of the Public Authorities Law. This language of ALL material of value far exceeds the range of regulated recyclable materials currently handled by the UCRRA but does include many materials handled by town transfer stations/recycling centers. Under municipal revenue lines (sale of scrap), materials of value separated for the purpose of recycling include ferrous and non-ferrous metals, waste oil, auto batteries, electronics, fluorescent lamps, textiles, diverted materials, etc. Revenues are also received from food waste, mulch and compost.

These new regulations will have a significant impact on transfer stations and their ability to operate with a balanced budget. It also leaves the possibility of "cherry picking" by UCRRA of the materials of value (i.e. scrap) and leaving the lower valued materials (i.e. styrofoam, rigid plastic and plastic film) for the municipalities to manage. Generally, quality will decline as less management of these materials will be provided since there is no revenue for the Town or the service may be eliminated all together to reduce staff handling of non-revenue generating goods.

Ulster County Municipal Recycling Coordinators/Landfill Managers are offering the following recommendations:

- Leave **".....but shall not include any scrap or other material of value separated from the waste stream and held for purposes of materials recycling"** in the existing Public Authorities Law Article 8, Title 13G, Section 2050-t(3);
- The UCRRA should be following the EPA Zero Waste or NYSDEC Beyond Waste Initiatives which include waste diversion and solid waste materials management. What is their recycling rate?

A sub-committee including representation from municipalities should be created to assist the UCRRA in preparing:

- o A financial impact statement in cooperation with the Towns including but not limited to all municipal, commercial business and hauler revenues that could be lost;
- o A study analyzing the financial impact for the taxpayer that would have to contract with a hauler if Town Transfer Stations close.

- A full materials analysis by the RRA reviewing other recycling markets such as plastic film and styrofoam to enhance its program, fully utilize its MRF operations and bring in more revenue.

Don LeFevre

1

Comments on resolution 0108-2013

For 15 years I was the president of an oil company. My comments are from a management perspective on symptoms Vs' problems.

In business you pay a manager to identify all the symptoms of the issue at hand. You then assign a group of specialists; probably a group of managers to study all the symptoms so they can correctly identify the problem. When they are positive the problem has been identified correctly they design and implement the solution that will best solve the problem within the financial constraints the business must survive in. Time is money. The longer it takes to solve the real problem the larger the loss of money. The worst scenario is when the management group mis-identifies the problem. This happens from inaccurate data collection and/or managers jumping to conclusions because of past experiences. Each problem is a new stand alone issue and education is step one.

Legislatures are managers. When I read this resolution it is obvious that you did not educate yourselves on the topic. You identified symptoms instead of exerting brain energy to work the process of identifying the problem. As managers you have allowed your emotions of some disgusting events to influence your actions. Emotions should make you act but cannot be part of decision making. My tax dollars paid for your mistake. If you were employed by me I would have to remove you from your position or decide to invest in your education on how to be a manager.

Identify the symptoms of the problem. Mental illness, gangs in Ulster County, Evil people.

Mental illness – Main streaming people that belong in hospitals, Reopen all the psychiatric hospitals, Make the doctor that prescribes the psychiatric medications responsible for accurate monitoring.

Gang growth- Our local government is greatly responsible for the bad economic conditions of this county. Poor economic conditions allow gangs to recruit new members. Young people need jobs that have a future.

Evil people – Thomas B. Reed said, One of the greatest delusions in the world is the hope that the evils in this world are to be cured by legislation.

This resolution and cuomo's new laws allow illegal activity to prosper. Think about this; drugs, murder, rape, robbery, a criminal possessing a weapon are all illegal. But they happen every day.

There are good citizens and evil people in every society. There always has been and there always will be. This resolution and cuomo's laws are allowing evil people to have more control over our good citizens. What evil people know best is intimidation. Have you heard the phrase the best physical equalizer for a female citizen over an evil male is a pistol permit.

This resolution is an uneducated attempt to make you feel better after some disgusting events in our country. Why does this resolution not find away to increase funds for the county URGENT TASK FORCE? They are really working hard on a gang problem that Ulster County allowed to happen by not acting fast enough. This resolution does not make mention of the seven prisons Cuomo has closed since he has been elected. Why does this resolution not include the comments of Sheriff VanBlarcum? He is the professional that has work for the sheriff's department since 1976. He lives criminal realities every day, making him your expert. The legislature lauded the lay off of 28 mental health employees this past fall, another decision without the full education of the issue.

Stop making knee jerk reactions that waste time and tax payers' hard earned money. Pass fewer bills and fewer resolutions so you can take the time to become educated on the issue and identify the problem and pass an effective bill or resolution.

Daniel J. Le Fever

Shokan, NY

MINUTES

PAGE 22

JANUARY 22, 2013

Joseph Livan

#7

1-Comend Sheriff VanBlarcum for his straight forward comments in the paper & supporting UC gun owners. Commend Maureen Farrell & her crew in the UC Pistol Dept. It is one of the best run departments in the state. Oh yea that Don Ryan guy is not so bad either.

2-I watched the governors speech last week & did not learn the state of our state. All I heard was a raving lunatic like his was at a union or campaign rally about guns. No hunter needs an AR or ten rounds to kill a deer. Well the 223 round in the sporting rifle is the smaller round next to 22 that we can hunt with. It is the preferred varmint round for coyote hunting. There are more coyotes than deer in NY & the hunters & trappers are the only management for them in this state. Maybe we should stop hunting them for a year because they don't what us to have them. Their attitudes have change when the coyotes run through the neighborhoods & you can go out at night to walk or let your pets out because they may not return. The governor wanted only to go after assault rifles & high capacity magazines. Then why with one wave of his pen he outlawed 90% of the handguns in the state?

3- I didn't learn from his speech how the state was going to get out of hock, reduce our property & school taxes, create jobs, opportunity, attract business or lower the 9% unemployment that has existed during his entire term. Did he explain to the UC Legislature how his was going to pay for the 2 billion dollars for his new proposed programs for special interest groups and he covered all of them? The state will mandate them to the counties & towns & they will hand them to the tax payers that is how he will pay for them. There is a ammunition background check in this law. It does not exist. It would need to be designed built, implemented & manned. Where is that money coming from, the taxpayers? More millions wasted. There is a 5 yr renewal or recertification on gun permits. The sheriff's office will have to staff up to handle it. There are I believe over 20,000 permit holders, more fingerprints, background checks, paperwork & supplies. The county ready to pay for that. Then they have to be re-filed in the county clerks office, more manpower, you ready to pay for that?

4-They rushed this through so Cuomo could get something on the books before Obama came out with that fluff job he gave us last week. All the ranting & raving about guns & magazines. Do you understand what happens when politicians talk about gun bans & confiscation? They put more guns & ammo out there. The stores sold more guns in the last 2 months than the rest of the year & the ammo has been wiped off the shelves. If that what you wanted to do put guns & ammunition out there? Or is the end result more important? Do you want to have a serious sit down about gun control then let's talk about Chicago first where they have stricter gun laws than NY. Where were the round the clock cameras & media interviews when 200 people got killed there last month. 2,300 people have been killed in Chicago with guns since 2007, the president's hometown with the nation's strictness gun laws. Address that first and then we can have that conversation.

Ended

5-Don you have 2 or 3 gun clubs in your district. Have you ever called & said let me come over to see these guns & get educated on what they are, what they do & why guys have them, I doubted. Rich you have supported the sportsmen in this county forever and we respect & thank you for that. I read your comments in the paper how it brought tears to your eyes when you heard about the tragedy. We were with we all had tears & prayers & compassion. But before those children were even buried some state & national politicians, the mayor of NY, the anti- gun groups like New Yorkers against gun violence & the

Please submit rest of Statement into Record

Thank You

Brady Bunch were all salivating. This is what they have been waiting for. Ask them read their websites. We subscribe to them just like they do ours. Where was their compassion. But we expect our elected officials to legislate on reason not emotions.

6-They forgot a few things when they stuffed this law on us without any public comment. They forgot to exempt law enforcement. Do you expect them to carry only 7 rounds to protect the public? How about their families? They train most of their spouses to use handguns because they are home along during those long night s. Do you think they will tell them to put in only 7 rounds not 10. How about a mom with kids that has a restraining order on an ex, with 7 rounds when the guy breaks through the door to get at her. Ask law enforcement when these guys are loaded up with crack or meth that don't stop when you hit them. What if she loaded up 8 instead of 7 is she now the criminal. What about the handicapped ? A couple of thugs casing their house some in a wheel chair an easy mark. Does he figure 1 or 2 or maybe 3 guys might come at him. He does the math and throws in a extra round or two. They count the hits. Is he the criminal now?

7-The governor in his speech wants to lower the offense on drug users & dealers so late in life they are not held back with an arrest record. Where is he protecting the kids now by decriminalizing drug dealers & with a swipe of his pen made us all criminals because our guns were legal last Monday but not last Weds. What about the nut up in Webster NY that beat his mother to death with a hammer. They let him out of jail so he can con a young girl into getting him a gun so he can murder his sister, light the neighborhood on fire & kill a fireman & a police officer. The state says it was the gun the gun owners say it is the state of NY for not fully prosecuting criminals and keeping them in jail. Now he killed 3 more - victims and destroyed the neighbors homes. The gun?.

8-Cahill

9-Do you want to send a resolution to congress than send it to right Harry Reid & tell him to get a budget to the floor of the US Senate because they haven't produced a budget for 4 years & that's their legal responsibility.

10-This is not about assault rifles, ammunition, high capacity magazines, 10 round mag., 7 round mags, pistol grips, th stocks, this is about freedom & rights, we will not stand by & let the federal government, the state or the county trample those freedoms or rights.

<h3>Current Cost of Waste Disposal</h3> <p>2011 Cost to Haul 140,000 Tons of Waste Based on 250 Miles to Seneca Meadows</p> <ul style="list-style-type: none">• Disposal Cost paid to Seneca Meadows \$3,602,000• Trucking cost \$2,230,994• Fuel Cost \$1,767,784• Thruway Tolls **\$397,800 <hr/> <p>Total cost of County Waste Disposal to Seneca Meadows \$7,998,578</p> <p><i>*Thruway Tolls are presently included in truck hauling fees charged to R.R.A.</i></p> <p>1. Thruway Tolls Estimate 1st method: 18 Trips per day x 5 days = 90 trips / week x 52 weeks = 4680 annual trips x \$85 thruway toll per trip = Annual Toll Cost \$397,800</p> <p>2. Thruway Tolls Estimate 2nd method: 140,000 ton divided by 28 tons per load = 5000 annual loads x \$85 thruway toll per load = Annual Toll Cost \$425,000</p>	<h3>Cost Saving Opportunity with a Local Landfill</h3> <p>Assumed Tipping Fee at Local Landfill to be the same as Seneca Meadows \$3,602,000</p> <ul style="list-style-type: none">• 70% Reduction is used because it is 250 miles (4 hours) to Seneca Meadows. Round trip 500 miles (8 hours)• 350 miles (5.6 hours) could be saved by using a Local Landfill• A local Landfill would require 30% of the average time currently required to truck waste to Seneca Falls. 150 miles (2.4 hours) round trip from anywhere in Ulster County. <hr/> <table><tr><td>Reduce Trucking Time by 70%</td><td>\$1,561,698</td></tr><tr><td>Reduce Fuel Use by 70%</td><td>\$1,237,448</td></tr><tr><td>Eliminate Thruway Tolls</td><td>\$397,800</td></tr></table> <hr/> <p>Annual Cash Flow Savings gained by having a Local Landfill \$3,196,943</p>	Reduce Trucking Time by 70%	\$1,561,698	Reduce Fuel Use by 70%	\$1,237,448	Eliminate Thruway Tolls	\$397,800	<h3>Landfill Plan Cost Estimate</h3> <table><tr><td>Acquisition of 50 Year Landfill Site</td><td>\$1,000,000</td></tr><tr><td>Engineering of site, soft costs</td><td>\$1,000,000</td></tr><tr><td>Equipment to run site</td><td>\$3,000,000</td></tr><tr><td>Build 1st 5 year Landfill cell 13.6 acres x \$500K/acre*</td><td>\$6,800,000</td></tr><tr><td>Miscellaneous/Contingent Bond Fee Expense</td><td>\$1,300,000 \$ 500,000</td></tr></table> <hr/> <p>Estimated Total Capital Cost of Local Landfill \$13,600,000</p> <p>Future expansion of Landfill cells funded by the Tipping Fee to Landfill Operation to fund debt retirement, host community benefit, expansion for the next waste disposal cell for years 6 thru 11 etc.</p>	Acquisition of 50 Year Landfill Site	\$1,000,000	Engineering of site, soft costs	\$1,000,000	Equipment to run site	\$3,000,000	Build 1st 5 year Landfill cell 13.6 acres x \$500K/acre*	\$6,800,000	Miscellaneous/Contingent Bond Fee Expense	\$1,300,000 \$ 500,000	<h3>Applying Annual Savings of \$3,196,943</h3> <p>Illustration A: \$13,600,000 at 2.5% for 5 Years = \$2,896,369 debt service Annual Savings \$3,196,943 Annual Debt Service -\$2,896,369 Positive Cash Flow after Debt Service \$300,574 After 5 years, 45 years use left in landfill at 150,000 ton annual solid waste rate.</p> <p>Illustration B: \$13,600,000 at 3.5% for 20 Years = \$946,494 debt service Annual Savings \$3,196,943 Annual Debt Service -\$946,494 Positive Cash Flow after Debt Service \$2,250,448 After 20 years, 30 years use left in landfill at 150,000 ton annual solid waste rate.</p> <p>Illustration C: (Assuming a \$20,000,000 landfill Capital Cost) \$20,000,000 at 4% for 30 Years = \$1,145,436.75 debt service Annual Savings \$3,196,943 Annual Debt Service -\$1,145,436 Positive Cash Flow after Debt Service \$2,051,507 After 30 years, 20 years use left in landfill at 150,000 ton annual solid waste rate.</p>
Reduce Trucking Time by 70%	\$1,561,698																		
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Miscellaneous/Contingent Bond Fee Expense	\$1,300,000 \$ 500,000																		

<u>Design parameters</u>		Selected in-place waste densities, 2010
annual thruput	150,000 tons/yr	Albany 1.21 tons/cy
years of life	50 yr	Colonie 1
Estimated in-place density	0.9 tons/cy	DANC 0.9
design height	50 ft	Ava 0.84
	17 yard	High Acres 0.85
Conversion factor	4,840 sq yd/ac	Mill seat 0.8
		SMI 0.83
design tonnage	7,500,000 tons	Steuben 0.7
design volume	8,333,333 cy	Chemung 1
design volume, +25% daily cover	10,416,667 cy	Modern 1.1
design area	625,000 sq yd	Hyland 1.1
design area w/5% edge contour factor	656,250 sq yd	
	136 ac	

Email message, January 9, 2013

Information Provided by Dave Vitale NYSDEC.

"The rule of thumb estimate we use for a double composite landfill is \$500,000/acre. "

Email message, January 23, 2013

Information Provided by Dave Vitale NYSDEC.

"There are a great many variables that would go into this evaluation and calculation related to the site configuration, the actual fill rate, the actual achievable compaction, the actual fill progression which could return to previously constructed cells as the height increases etc, however for a gross estimate, 14 acres should provide for 5 years of activity. Please remember that this is a very generalized average gross estimate."

Jack Hayes 24 Tinkers Lane, Gardiner NY 12525 johnhayesucl8@hvc.rr.com 845 255 5152

Open Letter to the Ulster County Legislature

Dear Former Colleagues and current Legislators,

Happy New Year, I wish you good health and circumstances. I would like to briefly comment on Draft Resolution 0108 of 2013. I recall our body speaking numerous times to the question of memorializing resolutions and their relative value. Many of you have relegated these to be a waste of natural resources. Memorializing may at best make some people "Feel Good" in other instances it is seen to be crass political posturing and pomposity. I leave you to determine what category to put resolution 108.

I offer you the simple advice of Reinhold Niebuhr's prayer;
God Grant me the serenity to accept the things I cannot change,
The courage to change the things I can,
And the wisdom to know the difference.

RECEIVED
JAN 22 2013

ULSTER COUNTY LEGISLATURE

Resolution 108 Requests the United States President and Congress implement Federal Laws that will Protect the Health, Safety and Welfare of the Public from Death and Injury. I dare say this may not be an original legislative endeavor and that some in congress may actually believe that such laws already exist. That said there is much that can be done on the county level that would enhance the safety of our citizens;

- The SAVE Legislation, Safe Schools Against Violence in Education, of 2000 should be revisited and assessed for current compliance and suitability.
- Ulster County should ensure all county facilities are prepared and trained for a violent INTRUDER IN THE BUILDING scenario. When the UC Law Enforcement and Public Safety Committee reviewed this in 2011 there was much room for improvement. During the earthquake in 2011 the UC County building notice of evacuation was made by walking from office to office and individual telling people to leave the building. The building's Public Address system was inoperative at the time. I don't know if it was ever repaired and whether it is tested on a regular basis.
- This Legislature funded the purchase of backpacks for students in public schools. I have to wonder if that funding might be more appropriately used to have the County Sheriff patrol school campuses.
- Our schools had police assigned to them in the past but budget cuts eliminated these officers. Could the County Legislature be of any assistance in reestablishing higher security levels at our schools?
- UC has continued to draw down on their mental health services. Is this a POLICY that might need review?
- Ulster County has witnessed a Shooting Incident at a Shopping Mall. Should the county require private industry to provide higher levels of security at high population locations?
- You could Support NYS Senate bill S3349, which requires greater oversight of Alternative to Incarceration Facilities. Honor victims Lee Wood and Keri Williams with your effort to prevent murder and assault from happening again in ULSTER COUNTY

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PAGE 27
JANUARY 22, 2013

Jack Hayes 24 Tinkers Lane, Gardiner NY 12525 johnjhayesuclid8@hvc.rr.com 845 255 5152

I could go on, there are many, many areas of local security enhancements which could be addressed within the County Legislature's jurisdiction and purview. John Kennedy said, "Ask not what your country can do for you, Ask what you can do for your country". You don't need to have the US Congress and President fix local problems. You need to get busy and exercise DUE DILLIGENCE. Initiate and pass legislation that will improve the Quality of Life of area residents. Craft your legislation in the Light of Day after Robust Debate and let it stand all tests of challenge and due process. Results not rhetoric, be Courageous and change what you Can change.

Thank you for your consideration of my thoughts,

Jack Hayes

January 22, 2013

TO: All Ulster County Legislators

FROM: Attilio A. Contini

RE: Gun Legislation

Is what we are seeing in Albany and Washington Government by hysteria or does somebody have ulterior motives?

Either way they are punishing law abiding citizens and making criminals of most of us. What Cuomo signed last week will even make felons of policemen.

They say they want to protect our children, but what they are doing is mostly about taking away our 2nd Amendment rights and disarming us.

Guns have never been the problem. Semi automatic guns with large capacity clips have been around my entire life. They have been passing stricter gun control laws since I was a child. Yet the problem is never solved, and never will.

The problem is with criminals and nuts who will kill any way they can. The problem gets worst because the entertainment industry: Movies, TV, and video games thrives on violence that desensitizes people to the point that they kill for fun.

These maniacs must be stopped before they start. They must be confronted at the door by Police, armed guards, and (or) armed employees. I would suggest that it be mandatory for the Principal, Vice Principal, and janitor be properly trained and armed, School doors be locked, surveillance systems be installed, and emergency plans be put in place.

This afternoon I heard a priest on TV say that what we are experiencing today is the beginning of the same thing that happened in the French revolution, Communist Russia, and NAZI Germany.

We would be better off if there was a law that every mature adult must be trained in the proper use of fire arms and they must own at least one gun.

B:gnctrl.004

Cathy Nolan



CATSKILLCENTER
conservation creates opportunity



January 18, 2013

Joint Release from: The Catskill Heritage Alliance, Catskill Mountainkeeper, The Catskill Center for Conservation and Development

Contacts:

Kathy Nolan, Catskill Mountainkeeper, 845-688-9702, kathy@catskillmountainkeeper.org
Jonathan Mogelev, Catskill Center, 845-586-2611, jmogelev@catskillcenter.org

Outdoor Recreation on Catskill Lands Brings 2.5 Million People, Thousands of Jobs, and \$115 million, Study Shows

Public Forum Will Discuss Findings and Their Implications for Development

[Shokan, NY – January 18, 2013] What are the open spaces of the Catskills worth to the local economy? Plenty, according to a new study, which finds that recreational opportunities on the Catskills' publicly owned state and New York City lands plus private lands open to the public, draw over 1.7 million visitors annually. They create an economic impact of \$46,207,000 and support 980 jobs. Add those who come to enjoy other privately held lands, and the total number of people choosing the Catskills for recreation each year is almost 2.5 million, creating an economic impact of \$114,768,000 and supporting 2,413 jobs.

So states a new report, "Economic Valuation Study for Public Lands in the Central Catskills" prepared by Brian Zweig of Business Opportunities Management Consulting. Commissioned by the Catskill Center for Conservation and Development, Catskill Mountainkeeper, and Catskill Heritage Alliance, the report assesses the economic impact of outdoor recreation in our region by analyzing publicly available data using Money Generation Models (MGM) software developed for the National Park Service by a team from Michigan State University. It also identifies potential recreational and marketing opportunities for further consideration, such as a Catskill Interpretive Center and a "Gateway" Visitor Information Center.

Although previous studies and plans have addressed the economic impacts of outdoor recreation in the Catskills, none of them, Zweig says, "have provided a comprehensive estimate of the number of visitors and the economic impact associated with outdoor recreational activities in the Central Catskills region."

"This economic impact study confirms with hard data the exceptional economic potential of this landscape of mountains, forests, streams, farmland, and villages," said Kathy Nolan, chair of the Catskill Heritage Alliance. "It shows the choice before us in dollar terms: erode what Nature gave us and undermine our economic sustainability, or build on the potential to strengthen the economic future of the region."

"The new numbers confirm what we've known for a long time," said Ramsay Adams, Founder and Executive Director of Catskill Mountainkeeper. "The natural beauty of our region is a unique, world-class asset. It made the Hudson River School of painting world famous in the 19th century, and it's the key to our future in the 21st. Preserving our open space and community character is an environmental and aesthetic imperative, but it's also clearly an economic one. This new study is more evidence that if we want to grow economically, we have to do it in a sustainable way that protects what draws people here: our spectacular environment."

"This study clearly quantifies the economic impact of our protected land and places new priority on projects that will grow tourism in the Catskills, such as the Catskill Interpretive Center and new Catskill Park road signage," said Alan White, Executive Director of the Catskill Center for Conservation and Development. "We can use the results of this study to guide regional efforts to promote the Catskill Park, beginning with creating a new recreational plan."

An executive summary of the economic impact study is posted online [<http://www.catskillheritage.org>]. The report will be released in full on January 31, 2013, at a public forum entitled "What are the Catskills Worth? The Economic Value of Catskill Park and NYC Watershed Lands" hosted by the Catskill Center, Catskill Mountainkeeper and the Catskill Heritage Alliance and held at the Olive Town Meeting House (50 Bostock Rd, off Route 28 in Shokan, NY) from 4:30pm - 6pm. The event is free and open to the public and light refreshments will be served.

At the forum, Mr. Zweig will present the study's findings, answer questions and participate in a panel discussion with development experts on implications for future development priorities. Panelists include Peg Ellsworth, executive director of the MARK Project in Arkville, New York, and Ed Goodell, executive director of the New York/New Jersey Trail Conference. The MARK project provides housing programs, economic development and technical assistance services to the Towns of Andes, Middletown and Roxbury and the Villages of Fleischmanns and Margaretville, including in the outdoor recreation and tourism sectors. The New York/New Jersey Trail Conference is a network of over 1,800 miles of public trails with a membership of 10,000 individuals and 100 clubs that have a combined membership of over 100,000 active, outdoor-loving people.

#

NOTE TO EDITORS AND PRODUCERS: Experts named in this release are available for interviews on request. To arrange an interview, or to request an advance copy of the full "Economic Valuation Study," please contact Stephen Kent, skent@kentcom.com, 914-589-5988

The Catskill Heritage Alliance is a nonprofit grassroots organization dedicated to preserving the harmony between people and wilderness in the central Catskills. It seeks to protect the unique wilderness environment that is the region's abiding treasure and its most reliable economic engine.

Catskill Mountainkeeper is a nonprofit grassroots advocacy organization dedicated to protecting and preserving the unique and irreplaceable Catskill Region of New York State, through vigorously fighting threats to our region and simultaneously pursuing opportunities for sustainable growth.

The Catskill Center for Conservation and Development is a member-supported nonprofit organization serving the Catskill Mountain region of New York State. It stimulates, conducts, and supports integrated actions to protect vital ecosystems and unique landscapes, to enhance economic opportunities for all the region's residents, to preserve cultural and historic assets, and to further a regional vision and spirit.

*The Catskill Park consists of 705,500 acres and includes 287,514 acres of Forever Wild Forest Preserve land. The Catskill-Delaware Watershed covers 1,022,080 acres, of which 150,000 acres are owned by New York City's Department of Environmental Protection (DEP). Approximately 64,000 acres of these DEP lands are open for public recreation.

ECONOMIC IMPACT AND OPPORTUNITIES FROM OUTDOOR RECREATIONAL ACTIVITIES FOR THE PUBLIC LANDS OF THE CENTRAL CATSKILLS

A study commissioned by the Catskill Center for Conservation and Development (CCCD), Catskill Mountainkeeper (CMK), and Catskill Heritage Alliance (CHA) estimated visitor totals and the economic impact for surrounding communities generated by outdoor recreational activities in the Central Catskills. Prior to this study, there has never been a comprehensive analysis conducted to determine the number of annual outdoor recreational visitors to the Catskills, so this study represents the first of its kind effort to quantify the significance of outdoor recreation to the region. The findings of the study included the following:

- Outdoor recreational activities that rely on public and protected lands attracted a total of **1,717,927 visitors**. These visitors had an estimated economic impact on the region's economy of **\$46,207,000** and supported **980 jobs**.
- All outdoor recreational activities, including both those that rely on public and protected lands and those that rely on private lands, attracted a total of **2,496,753 visitors**. These visitors had an estimated economic impact of **\$114,768,000** on the region's economy and supported **2413 jobs**.
- NYS DEC and NYC DEP operations generated an estimated economic impact of **\$62,403,156** and supported **1571 jobs**. Because of concerns about the accuracy of the operations spending and employment numbers provided, these estimates were judged to be highly speculative and actual impacts may be significantly greater.

The study also included a review conducted to identify potential unrealized or undeveloped recreational opportunities in the Catskills. Based on this review, a number of previously identified initiatives were recommended for further consideration, including:

- **The Route 28 Central Catskills Scenic Byway**
- **Expansion of Trail Networks**
- **Continued Expansion of the DEP Reservoir Boating Program**
- **The Catskill Interpretive Center**

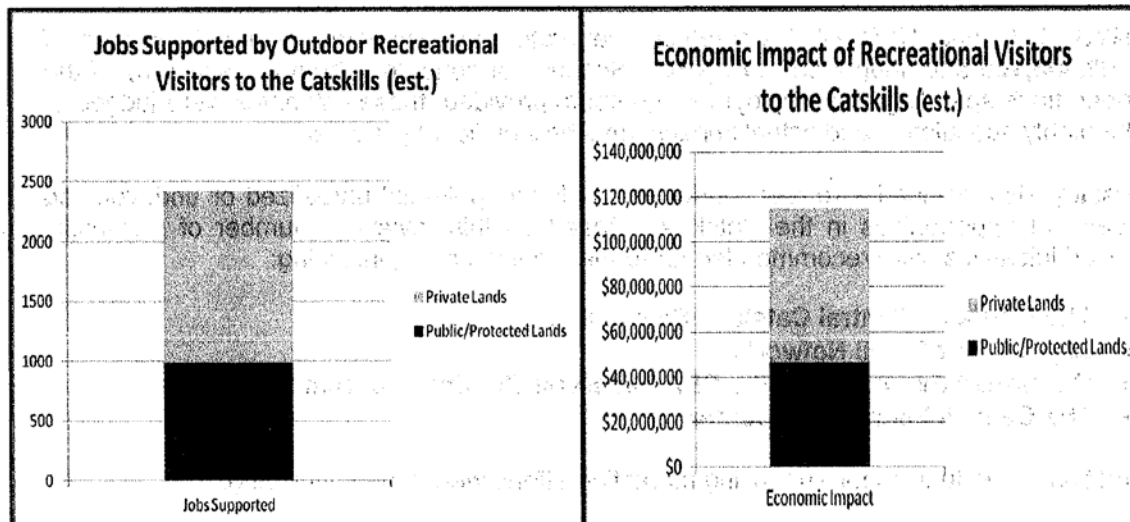
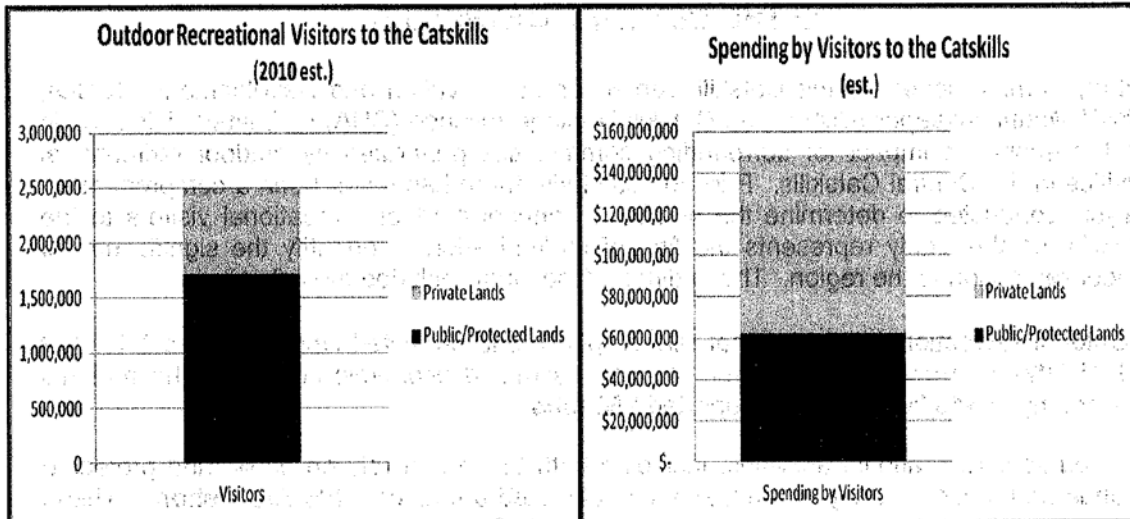
In addition, opportunities for enhancing marketing efforts were noted, including:

- **Centralizing Marketing Activities**
- **Increasing Marketing to International Visitors**
- **Increasing Marketing to Downhill Skiers**
- **Development of a "Gateway" Visitor Information Center**

Opportunities to leverage tourism trends were also noted, including:

- **Art and Art History Tourism**
- **Agri-tourism**
- **Ecotourism**
- **Wildlife Viewing and Bird Watching**

IMPACT OF OUTDOOR RECREATIONAL VISITORS ON THE CATSKILLS



Economic impacts generated by recreational activities and of the operations of organizations that protect and manage the natural areas of the Catskills were estimated using the Money Generation (MGM) economic impact models. These models were developed for the National Park Service and have been used for similar evaluations of many parks around the country. The information required to estimate the economic impact of recreational visitors using these models includes the number of visitors to the region and the lodging used by these visitors. Estimating the economic impact of operations required information pertaining to operations spending and employment, including the percent of spending that was local. For the purpose of this study, the Central Catskills Region is defined to include the lands inside the Catskill Park and the Catskill-Delaware Watershed. Economic impacts pertained to Delaware, Greene, Sullivan and Ulster Counties.

"Assault Weapons"

Summary

Military-style semi-automatic firearms (so-called assault weapons) do not differ materially from non-military style semi-automatic firearms (one bullet is fired for each pull of the trigger) and are no more powerful than other semi-automatic weapons. Further, a bullet fired from a semi-automatic weapon is no more powerful than one of the same caliber fired from a corresponding non-semi-automatic handgun, rifle, or shotgun. In fact most assault weapons are less powerful than hunting rifles. For example, the AR-15 (a semi-automatic version of the U.S. military's rifle, M-16), is a .223 caliber rifle. Rifles of this caliber, when used for hunting, are generally used on small game rather than deer. A smaller caliber bullet is more likely to wound the animal (and allow it to escape and suffer a slow death) than the more powerful .24 to .30 caliber bullets normally used in deer hunting rifles (see this [hunting rifle ammunition chart](#)).

Assault weapons are not the weapons of choice among drug dealers, gang members or criminals in general. Assault weapons are used in about one-fifth of one percent (.20%) of all violent crimes and about one percent in gun crimes. It is estimated that from one to seven percent of all homicides are committed with assault weapons (rifles of any type are involved in three to four percent of all homicides). However a higher percentage are used in police homicides, roughly ten percent. (There has been no consistent trend in this rate from 1978 through 1996.) Between 1992 and 1996 less than 4% of mass murders, committed with guns, involved assault weapons. (Our deadliest mass murders have either involved arson or bombs.)

There are close to 4 million assault weapons in the U.S., which amounts to roughly 1.7% of the total gun stock.

If assault weapons are so rarely used in crime, why all the hoopla when certain military-style-semi-automatic weapons were banned by the Crime Control Act of 1994? A Washington Post editorial (September 15, 1994) summed it up best:

No one should have any illusions about what was accomplished (by the ban). Assault weapons play a part in only a small percentage of crime. **The provision is mainly symbolic; its virtue will be if it turns out to be, as hoped, a stepping stone to broader gun control.**

Definitions

A *genuine* assault weapon, as opposed to a legal definition, is a hand-held, selective fire weapon, which means it's capable of firing in either an automatic or a semiautomatic mode depending on the position of a selector switch. These kinds of weapons are heavily regulated by the National Firearms Act of 1934 and are further regulated in some states.

(See machine guns.)

However, current "assault weapon" legislation defines certain semi-automatic weapons as "assault weapons." A semi-automatic weapon is one that fires a round with each pull of the trigger, versus an automatic weapon which continues to shoot until the trigger is released or the ammunition supply is exhausted. These kinds of "assault weapons" are sometimes referred to as military-style semi-automatic weapons.

An example of assault weapon legislation is the Federal 1994 Crime Bill. The bill in part outlaws new civilian manufacture of certain semi-automatic assault weapons. It also prohibits new civilian manufacture of "large capacity ammunition feeding devices" declared certain weapons as assault weapons, and states a semi-automatic *rifle* is an assault weapon if it can accept a detachable magazine and has two or more of the following:

- A folding or telescoping stock
- A pistol grip
- A bayonet mount
- A flash suppressor, or threads to attach one
- A grenade launcher.

(For the Crime Bill's definition of assault shotguns and pistols, a list of assault weapons, and further legal issues see Crime Bill FAQ.)

[The 1994 Crime Bill expired on September 13, 2004. See Semiautomatic Assault Weapon (SAW) Ban QUESTIONS & ANSWERS from the Bureau of Alcohol, Tobacco, Firearms and Explosives.]

Assault Weapons: The Weapons of Choice?

The following summary of police statistical surveys is excerpted from Kopel, David B, *Rational Basis Analysis of "Assault Weapon" Prohibition*. (Kopel's paper contains the citations for these surveys and lists a few more studies as well.)

- *California*. In 1990, "assault weapons" comprised thirty-six of the 963 firearms involved in homicide or aggravated assault and analyzed by police crime laboratories, according to a report prepared by the California Department of Justice, and based on data from police firearms laboratories throughout the state. The report concluded that "assault weapons play a very small role in assault and homicide firearm cases." Of the 1,979 guns seized from California narcotics dealers in 1990, fifty-eight were "assault weapons."
- *Chicago*. From 1985 through 1989, only one homicide was perpetrated with a military caliber rifle. Of the 17,144 guns seized by the Chicago police in 1989, 175 were "military style weapons."
- *Florida*. Florida Department of Law Enforcement Uniform Crime Reports for 1989 indicate that rifles of all types accounted for 2.6% of the weapons used in Florida homicides. The Florida Assault Weapons Commission found that "assault weapons" were used in 17 of 7,500 gun crimes for the years 1986-1989.

- *Los Angeles*. Of the more than 4,000 guns seized by police during one year, only about 3% were "assault weapons."
- *Maryland*. In 1989-90, there was only one death involving a "semiautomatic assault rifle" in all twenty-four counties of the State of Maryland.
- *Massachusetts*. Of 161 fatal shootings in Massachusetts in 1988, three involved "semiautomatic assault rifles." From 1985 to 1991, the guns were involved in 0.7% of all shootings.
- *Miami*. The Miami police seized 18,702 firearms from January 1, 1989 to December 31, 1993. Of these, 3.13% were "assault weapons."
- *New Jersey*. According to the Deputy Chief Joseph Constance of the Trenton New Jersey Police Department, in 1989, there was not a single murder involving any rifle, much less a "semiautomatic assault rifle," in the State of New Jersey. No person in New Jersey was killed with an "assault weapon" in 1988. Nevertheless, in 1990 the New Jersey legislature enacted an "assault weapon" ban that included low-power .22 rifles, and even BB guns. Based on the legislature's broad definition of "assault weapons," in 1991, such guns were used in five of 410 murders in New Jersey; in forty-seven of 22,728 armed robberies; and in twenty-three of 23,720 aggravated assaults committed in New Jersey.
- *New York City*. Of 12,138 crime guns seized by New York City police in 1988, eighty were "assault-type" firearms.
- *New York State*. Semiautomatic "assault rifles" were used in twenty of the 2,394 murders in New York State in 1992.
- *San Diego*. Of the 3,000 firearms seized by the San Diego police in 1988-90, nine were "assault weapons" under the California definition.
- *San Francisco*. Only 2.2% of the firearms confiscated in 1988 were military-style semiautomatics.
- *Virginia*. Of the 1,171 weapons analyzed in state forensics laboratories in 1992, 3.3% were "assault weapons."



National statistics. Less than four percent of all homicides in the United States involve any type of rifle. No more than .8% of homicides are perpetrated with rifles using military calibers. (And not all rifles using such calibers are usually considered "assault weapons.") Overall, the number of persons killed with rifles of any type in 1990 was lower than the number in any year in the 1980s.

Gary Kleck, in *Targeting Guns: Firearms and Their Control* (Walter de Gruyter, Inc., New York 1997), summarizes the findings of forty-seven such studies, indicating that less than 2% of crime guns were assault weapons (the median was about 1.8%). According to Bureau of Justice Statistics, (*Criminal Victimization in the United States, 1993*, May 1996) offenders were armed with a firearm in 10% of all violent crimes. *That would mean less than .20% (one-fifth of one percent or 1 in 500) of violent crime offenders used an assault*

weapon (1.8% X 10% = .18%).

The Police and Assault Weapons

According to Roth and Koper (Roth), (*Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994*, May 1996), "assault weapons are estimated to be involved in 1 to 7 percent of gun homicides". Their study further reports, "In sum, police officers are rarely murdered with assault weapons. Yet the fraction of police gun murders perpetrated with assault weapons is higher than that for civilian gun murders. Assault weapons accounted for about 10% of police gun murders from 1992 through May of 1996 when considering only those cases for which the gun make could be ascertained."

(From 1982 to 1993, of the 687 officers who were killed by firearms other than their own guns, more were killed by .38 caliber revolvers than by any other firearm. Source: Bureau of Justice Statistics, *Guns Used in Crime*, July 1995, p. 5. [\[PDF\]](#))

The police view of assault weapons.

Assault Weapons and Mass Shootings

In "Appendix A" Roth et. al found, "contrary to our expectations, only 2 -- 3.8 percent - of the 52 mass murders we gleaned from the Nexis search [from Jan. 1992 through May 1996] unambiguously involved assault weapons. This is about the same percentage as for other murders... media accounts lend some tenuous support to the notion that assault weapons are more deadly than other weapons in mass murder events, as measured by victims per incident. However in Footnote 61 Roth states: "If, for instance, the substituted long guns were .22 caliber, rimfire (i.e., low velocity) rifles (and in addition did not accept large-capacity magazines), then a substitution effect [as a result of the assault weapons ban] would be less likely to have demonstrably negative consequences. If, on the other hand, offenders substituted shotguns for assault weapons, there could be negative consequences for gun violence mortality. "

Gary Kleck in *Targeting Guns: Firearms and Their Control* (Walter de Gruyter, Inc., New York, 1997) after examining the FBI's *Supplementary Homicide Reports* for the years 1976 to 1992, reports "the rate of killings with four or more victims was higher in 1976-1982, prior to the popularity of assault weapons, than in 1983-1992. Regardless of the numerical cutoff defining mass shootings, there was no increase in such incidents associated with the increased popularity of assault weapons after 1984".

Dr. Kleck also states that "Oddly enough, mass killings are actually *less* likely to involve the use of guns of any kind than homicides involving small numbers of victims. For all murders and non negligent manslaughters covered in *Supplementary Homicide Reports* (about 90% of all U.S. killings) for the period 1976 to 1992, only 48.3% of victims killed in incidents with four or more victims were killed with guns, compared to 62.3% of those killed in incidents with three or fewer victims. This is mainly due to the large share of mass killings committed with arson, which is rarely involved in ordinary homicides."

Incidentally, there are an estimated 4 million assault rifles in the U.S., which amounts to roughly 1.7% of the total gun stock. (Institute for Research on Small Arms in International Security, *Assault Rifle Fact Sheet #2*, 1989)

Assault Weapons Easily Converted to Full-auto?

Not according to LAPD Detective Jimmy Trahin, testifying before the California State Assembly (Feb. 13, 1989):

... over 4,000 guns that came into the custody of our unit last year, less than 120 would be classified as this military-type weapon. Of those, only ten or less than ten were actually illegally converted to fully-automatic machine gun stocks. Why? Because these military style assault weapons of today are not easily and readily convertible without extensive knowledge of modifications to the weapon and/or substitution of available parts. (source)

These military style assault weapons of today are not easily and readily convertible without extensive knowledge and modifications to the weapon and/or substitution of available parts.

Now, in my 12 years within the unit, considering the enormous amount of firearms that we have taken into custody, and that's over fifty-thousand, I would say, and these included ones from the hardcore gangs, and from the drug dealers, our unit has never, ever, had one AK-47 converted, one Ruger Mini-14 converted, an H&K 91, 93 never converted, an AR-180 never converted. So this media blitz of many of these assault weapons, or supposedly military style weapons are being converted to full automatic is not true. (source) (additional source)

For Further Reading

Kopel, David B., Rational Basis Analysis of "Assault Weapon" Prohibition, 20 *J. of Contemp. L.* 381-417. (1994)

_____, The Assault Weapon Panic (242K), Independence Issue Paper No. 12-91, Independence Institute.

_____, Assault Ban Chicanery, originally printed in the Washington Times, May 5, 1994, Thursday, p. A18.

_____, Are so-called "Assault Weapons" a Threat to Police Officers?, originally printed in the Sept./Oct. 1997 of The Law Enforcement Trainer, the official publication of the American Society for Law Enforcement Training.

Tonso, William R., Shooting Blind, Reason, June, 2000.

For Viewing

"The Truth About Semi-Auto Firearms."