

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
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AGENDA

JULY 23, 2013

PUBLIC HEARINGS &

REGULAR MEETING

**Legislative Chambers, 6th Floor, County Office Building; and
Via Video Conference at St. Regis Monarch Beach, Lobby,
One Monarch Beach Resort, Dana Point, CA 92629***

7:00 PM EST/4:00* PM PDT

MEETING CALLED TO ORDER BY CHAIRMAN:

PLEDGE OF ALLEGIANCE TO THE FLAG:

MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

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

CELL PHONES

Please silence cell phones 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.

ROLL CALL: Present: Absent:

CALL OF THE 1st PUBLIC HEARING BY CLERK: Ulster County 2013 Annual Agricultural District Inclusions

PUBLIC COMMENT:

PUBLIC HEARING ADJOURNED:

CALL OF THE 2nd PUBLIC HEARING BY CLERK: Proposed Local Law No. 4 of 2013 (A Local Law Amending Local Law No. 8 of 2012 “A Local Law Of The County of Ulster Entitled ‘Mandate and Taxation Information Act’”)

PUBLIC COMMENT:

PUBLIC HEARING ADJOURNED:

BIRTHDAYS: Jeanette Provenzano, August 5

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

COMMUNICATIONS FROM:

Legislator Mary Wawro
Ulster County Resource Recovery Agency

Empire State Development Director

Fulton County
New York State Assemblyman Cahill

Wallkill Hook, Ladder & Hose, Co.
Ulster County Attorney

New York State Assemblyman Kolb

President New York State Union of Police
Associations, Inc.
New York State Senator DeFrancisco

Mid-Hudson Library System

Bard College

NYSAC

New York State Senator Tkaczyk

Skype Request July 23, 2013 Session
June 17, 2013 Regular Board Meeting
Agenda, May 2013 Recycling Report,
& Recycling Commodities, Leachate
Report and MSW Report
July 15, 2013 Regular Board Meeting
Agenda, June 2013 Recycling Report
& Recycling Commodities, Leachate
Report and MSW Report, July 15,
2013 Agenda and June 17, 2013
Minutes
RFP Issued by Mid Hudson Regional
Council Seek Applications w/ Cover
Letter
Resolution No. 188
Letter with Bill A.7948-A re: Sales
Tax
75th Convention and Parade Invitation
County Actions Report Month of May
2013
Confirmation of Receipt of Resolution
No. 120
Confirmation of Receipt of Resolution
Nos. 121, 132, 133, 135-137
Ulster County Law Enforcement
Commission
Acknowledgment of Receipt of
Resolution No. 120
Certificates of Insurance; 2012 Year-
end Financial Report
Bardsummerscape, July 11-21, 2013;
American Symphony Orchestra
Acknowledgment of Receipt of
Resolution No.133
Acknowledgment of Receipt of
Resolution Nos. 120, 121, 132, 133,
135 – 137

COMMUNICATIONS (continued):

NACo	<i>County News</i> , Vol. 45, No. 12; June 17, 2013
Ulster County Department of Mental Health	2012 Agreed-Upon Procedures Report
Ulster County Workforce Investment Board	April 29, 2013 Minutes
Ulster County Tourism	Kingston's Independence Three –Day Weekend Celebration
	<i>Trending</i> , July 2013
Anderson Center for Autism	<i>LifeLong Learning</i> , 2013 Volume 2
New York State Senator Seward	Acknowledgment of Receipt of Resolution Nos. 121, 132, 133, 135-137)
	Acknowledgment of Receipt of Resolution No. 159
New York State Senator DeFrancisco	Memorandum re: Local Roads Program
Cornell University	Memorandum of Receipt re: Resolution No. 88
Mid-Hudson Library System	Annual Response
UCIDA	Sanitary Code
Ulster County Health Department	July 19, 2013 Reception for John McHugh, CFO
Ulster Greene ARC	Change of Address
SMRT Architects and Engineers, PC	<i>Chamber News</i> , July 2013; Buy Local Expo, September 18, 2013; A&T Healthcare Pamphlet; 2013-2014 Leadership Class Application
Ulster County Chamber of Commerce	Announcement
HealthAlliance Foundation	Letter re: Organizational Transition to HealthAlliance Foundation
Concerned Citizen	(1) Letter in Support – Rail w/Trail
Concerned Citizen	(1) Railroad
Coalition Watershed Towns	Letter re: New Officers
Ulster County Attorney	April 2013 County Actions Report
	June 2013 County Actions Report
Olive Town Clerk Rozzelle	Letter re: Town Resolution No. 11 of 2013

COMMUNICATIONS (continued):

Riseley & Moriello, Esqs.	Memorandum re: Farmland of Valenti et. al. as Proposed for Inclusion Within an Agricultural District Situate Within the Town of Ulster <i>Advances</i> , Spring 2013 <i>County News</i> , Vol.45, No.13, July 1, 2013
C&S Companies NaCO	Fracking Intervention Link, Photo, Huston's Blog Spot 2013 Annual Agricultural District Inclusions
Concerned Resident of Delaware County	April Take Home Vehicle Report 12 th Annual Gala, October 5, 2013 Notice for Inquires 2013 Fall Seminar, Saratoga Springs 32 nd RSVP Luncheon and Awards Ceremony, August 14, 2013, Hillside Manor
Ulster County Planning Department	Making Strides Against Cancer, August 15, 2013 Kickoff Breakfast <i>Energy Bulletin</i> , July 2013
Ulster Deputy Comptroller Eriole Anderson Center for Autism Nathan Jessop NYSAC UCCC	Ulster County IDA, Golden Hill Acquisition LLC Project PILOT Acknowledgment of Receipt of Res Nos. 158 & 159 <i>New Horizons Resources, Inc.</i> , Summer 2013 <i>CFA News</i> , Volume 31, Number 2, Spring 2013 <i>Commentator</i> , July/August 2013
American Cancer Society	
Central Hudson Christopher M. Martell, Hodgson, Russ LLP	
New York State Senator Bonacic	
New Horizons	
Catskill Forest Association	
League of Women Voters	

COUNTY EXECUTIVE COMMUNICATIONS:

Notice of Appointment to
Environmental Management Council –
Anissa Bejaoui and Mary O’Donnell
Notice of Appointment to Office of
the Aging Advisory Council – R.
Michael Lamoree
Notice of Appointment to Director of
Ulster County Real Property Tax
Service Agency – Thomas H. Jackson,
Jr.
June 2013 Budgetary Transfers
Law Enforcement Sustainability
Commission Declination
July 3, 2013 Corporate Compliance
Minutes
Notice of Appointment – John H.
Dwyer, Sr.
Board of Ethics April 2013 Report
Statement of Expenditures,
Encumbrances & Unencumbered
Balance, Statement of Revenues
Earned & Unearned Balance Year to
Date June 30, 2013

COMMITTEE REPORTS:

Economic Development & Tourism
Environmental, Energy & Technology
Law Enforcement & Public Safety
Laws & Rules, Governmental Services

Legislative Programs, Education and Community Services

Public Works & Capital Projects
Ways and Means

DATE:

June 5, 2013
June 6, 2013
June 4, 2013
May 13, 2013
May 21, 2013
June 17, 2013
June 5, 2013
June 11, 2013
June 5, 2013
June 11, 2013
June 18, 2013

PRESENTATIONS:

Chairman Terry Bernardo will present a Pride of Ulster County Award to Rochester residents Trudy and Charles “Chick” Logan in recognition of their dedication and hard work in restoring the Palentown Schoolhouse.

PUBLIC COMMENT:

**RESOLUTION NOS: 155A, 176, 183-185, 188-216, 218 & 219
(174 & 186- Withdrawn; 182, 187, & 217- Postponed)**

Consent

- 188 Confirming Appointment Of A Member To The Environmental Management Council**
- 189 Confirming Appointment Of A Member To The Environmental Management Council**
- 190 Appointing Member To The Ulster County Fire Advisory Board**
- 191 Appointing Member To The Ulster County Planning Board – Town Of Lloyd**
- 192 Authorizing The Chairman of The Ulster County Legislature To Enter Into An Agreement With The Town Of Rosendale To Provide Transportation To Seniors For The Meals On Wheels Program – Department Of Public Transportation (Ulster County Area Transit)**
- 193 Endorsing The Private/Public Partnership Whose Goal Is The Building Of The Maurice D. Hinchey Catskill Interpretive Center At The New York State Department Of Environmental Conservation Day Use Area On Route 28 In The Hamlet Of Mount Tremper, Town Of Shandaken, New York**

- 194 Amending The Ulster County 2013 - 2018 Capital Program And Capital Project No. 356, For The Greater Catskill Flood Remediation Program To Provide An Additional \$1,500,000.00 In Funds From The New York State Housing Fund Corporation To Be Used To Purchase and Demolish Additional Residential Properties Damaged By Floods And Water Infiltration, In Ulster County – Emergency Communications/ Emergency Management**
- 196 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Criminal Justice Services For The Aid To Defense Program – Department Of Public Defender**
- 197 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division Of Criminal Justice Services For The Aid To Prosecution Program – District Attorney**
- 198 Authorizing The Appropriation Of Funds From The Restitution Surcharge Account For Use In Confidential Investigations - Amending The 2013 Ulster County Budget – Ulster County District Attorney’s Office**
- 200 Authorizing The Chairman Of The Ulster County Legislature To Execute An Intermunicipal Agreement With the City of Kingston For The Environmental Education Program – Youth Bureau**
- 201 Amending The New York State Office Of Children And Family Services 2013 Resource Allocation Plan, Amending The 2013 Ulster County Budget – Youth Bureau**
- 202 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Unified Court System For Funding For Court Attendants For The Period April 1, 2013 To March 31, 2014 - Amending The Ulster County Budget – Sheriff’s Office**

- 203 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With Dharmakaya To Accept A Conveyance Of Real Property – Department Of Public Works**
- 204 Authorizing The County Executive To Execute An Emergency Relief Project Agreement For Federal-Aid Municipal Streets And Highway Projects Not On The State Highway System – Department Of Public Works (Highways And Bridges)**
- 205 Authorizing The Acquisition Of A Right-Of-Way Over Certain Real Property For The Purpose Of Replacing The Bridge On Mud Tavern Road Over The Dwaarkill – Department Of Public Works**
- 206 Authorizing The Commissioner Of Finance To Accept Bids For Parcels Of County Owned Real Property For Private Sale And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcels – Department Of Finance**
- 207 Authorizing The Reacquisition Of Residential Property To Original Owner – Department Of Finance**
- 208 Authorizing The Ulster County Commissioner Of Finance To Assign Rights To A Parcel Of Real Property Previously Offered At Public Auction – Department Of Finance**
- 209 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Department Of Social Services**
- 210 Approving The Execution Of A Contract Amendment In Excess of \$50,000 Entered Into By The County- Department Of Social Services**
- 211 Approving The Execution Of A Contract In Excess of \$50,000 Entered Into By The County – Department Of Social Services**
- 212 Approving The Execution Of A Contract In Excess Of \$50,000 Entered Into By The County – Office Of Employment And Training**
- 213 Approving The Execution Of A Contract In Excess of \$50,000 Entered Into By The County- Office Of Employment And Training**

- 214 Approving The Execution Of A Contract In Excess of \$50,000 Entered Into By The County – Youth Bureau**
- 216 Establishing And Reporting The Standard Work Day For Elected And Appointed Officials**

Non-Consent

- 155A Setting A Public Hearing On Proposed Local Law No. 3 Of 2013 (A Local Law Amending Local Law No. 5 of 1989 (A Local Law Requiring Regulations Regarding The Sale Of Motor Vehicle Fuels) To Establish Certain Consumer Protection Practices In Ulster County), To Be Held On Tuesday, August 13, 2013 At 7:00 PM**
 - 176 SECOND READING AND VOTE: Rescinding The Rules Of Order Of The Ulster County Legislature Adopted On January 3, 2012 And Establishing New Rules Of Order Of The Ulster County Legislature**
 - 183 Adopting Proposed Local Law No. 1 of 2013, A Local Law Establishing The Ulster County School-Based Mental Health and Safety Act of 2013**
 - 184 Setting a Public Hearing On Proposed Local Law No. 5 of 2013, A Local Law Amending Local Law No. 5 of 1989 (A Local Law Requiring Regulations Regarding The Sale Of Motor Vehicle Fuels), To Provide Consumers With A Convenient And Accessible Way To File Complaints Regarding The Practices Of Motor Fuel Dealers To Be Held On Tuesday, August 13, 2013 At 7:05 PM**
 - 185 Authorizing The County To Pay For The Cost Of The Safety Net Program Thereby Relieving The Various Municipalities Of Responsibility For Payment**
 - 195 Authorizing The Issuance Of An Additional \$1,500,000 Bonds Of The County Of Ulster, New York, To Pay Costs Related To The Acquisition Of Land For Flood Remediation, Open Space, Wetlands Or Recreational Purposed, In And For Said County (CAPTIAL PROJECT NO. 356)**
- BOND**

- 199 Appropriating Funds From The District Attorney Forfeiture Reserve Account - Amending The 2013 Ulster County Budget – Ulster County District Attorney’s Office**
- 215 Approving The Execution Of A Contract In Excess of \$50,000 Entered Into By The County – Department Of Planning**

Late Resolutions

- 218 Supporting Governor Cuomo’s Proposed Amendment To Article 29 Of The Tax Law, Allowing A Local Sales Tax Extension By Vote Of The Local Governing Body And Urging The New York State Legislature To Act Upon And Approve Such Amendment**
- 219 Establishing Capital Project No. 363 – Remodeling Of The Veterans’ Transitional Housing Building – Amending The 2013– 2018 Capital Program And Capital Fund Budget - Veterans’ Service Agency**

MEETING ADJOURNED IN MEMORY OF:

Joseph D. Hill, Esq., Kingston	Gina M. Ferraro, Saugerties
Mary Spada DuBois, Kingston	Michael J. Canosa, Milton
Orville W. Whitaker, Saugerties	James H. Steffens, New Paltz
Ralph M. Lachmann, Saugerties	Horace Elliot, New Paltz
Paul Steinmiller, Kingston	LeRoy Winchell, Phoenicia
Gladys Gray, Accord	Robert Quick, Saugerties
Regina A. Salvatore-Marcucci, Smith's Landing	John Prizzia, Marlboro
Lillian Coddington, Accord	James Lee Kaman, Hurley
Marion Pine, New Paltz	Kathy Nadalin, Fort Plain
Dexter Doyle, Saugerties	Joseph Kelly, III, Lake Katrine
Elizabeth "Bess" Majestic, Gardiner	

MEETING ADJOURNED:

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Tuesday, August 20, 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, July 31, 2013 at 12 Noon.**