



Ulster County Legislature

Standing Committee Meeting Minutes

March 2013

Economic Development and Tourism
Environmental, Energy & Technology
Health & Personnel
Law Enforcement & Public Safety
Laws & Rules, Governmental Services
Legislative Programs, Education & Community Services
Public Works & Capital Projects
Social Services
Ways & Means

Economic Development & Tourism Committee

Regular Meeting Minutes

DATE & TIME: March 6, 2013/5:30 PM
LOCATION: Library Conference Room, 6th Floor, County Office Building
PRESIDING OFFICER: James Maloney, Chairman
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Maloney, Loughran, Roberts and Wishnick
ABSENT: Leg. Maio
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Vic Melville, LWV, March Gallagher, Director Business Services

- Chairman Maloney called the meeting to order at 6:00 PM.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the February 13, 2013 Meeting Minutes
MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Wishnick
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Maloney, Loughran and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 3
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2
TEXT OF MOTION: RESOLUTION No. 0171 – March 19, 2013
RESOLVED to approve Resolution No. 0171- Approving Appropriation And Guidelines For Funding The Kingston/Ulster Empire Zone

Resolution Summary: The Kingston/Ulster Empire Zone facilitated new job growth by providing local technical assistance to Empire Zone Certified Businesses within Ulster County and continues economic development efforts in conjunction with approximately 50 businesses throughout Ulster County. Pursuant to Resolution No. 173 dated July 19, 2011, the Ulster County Legislature approved funding in the amount of \$7,500.00 for the Kingston/Ulster Empire Zone program for 2010-2011. Inadvertently, no appropriation was included for the 2012 or 2013 Kingston/Ulster Empire Zone program in the Ulster County Budget. The Legislature now wishes to continue supporting the initiative for the Kingston/Ulster Empire Zone by appropriating funds in the amount of \$7,500.00 for 2012 and \$7,500.00 for 2013 to: Assist with funding staff to conduct Kingston/Ulster Empire Zone operations from 420 Broadway, Kingston; prepare annual report of Kingston/Ulster Empire Zone program goals and objections; and follow-up with Zone companies that don't file business annual reports for pre-certification to provide services. Documentation of the initiative must be maintained on file by the Kingston/Ulster Empire Zone and shall be submitted with each invoice, provided to the Chairman of the Legislature, Chairman of the Ways and Means Committee of the Legislature and Chairman of the Economic Development and Tourism Committee.

MOTION MADE BY: Legislator Loughran
MOTION SECONDED BY: Legislator Wishnick
ROLL CALL VOTE: No
VOTING IN FAVOR: Legs. Wishnick, Loughran and Maloney
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4

NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed Unanimously

Discussion: None

MOTION NO. 3 **Resolution No. 0173 – March 19, 2013**

TEXT OF MOTION: **RESOLVED to approve Resolution No. 0173** – Appointing Alternate Member To The Ulster County Planning Board – Town Of Shandaken

Resolution Summary: Pursuant to the Ulster County Charter and the Administrative Code, the County Board shall consist of 25 members and associated alternate members. The members and alternates shall be appointed by the County Legislature to serve for 4-year terms. The Town/Village Board of each town/village in Ulster County shall recommend for consideration and appointment by the Legislature, one person and one alternate from that town/village. Robert Kalb, PO Box 63, Big Indian, New York 12401 shall be appointed as an alternate to the Ulster County Planning Board for a term to coincide with the appointed incumbent board member, Keith Holmquist.

MOTION MADE BY: Leg. Roberts
MOTION SECONDED BY: Leg. Loughran
ROLL CALL VOTE: No
VOTING IN FAVOR: Legs. Maloney, Loughran, Roberts and Wishnick
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed Unanimously

Discussion: None

Discussion: Chairman Maloney requested update from Director of Business Service, March Gallagher who responded by indicating that at the request of the Committee, she had reached out to property owner John Gill, to determine interest in pursuing a broader application that would speak to the general marketability of the property rather than one specific alternative. Mr. Gill stated that he was interested and that he has had 3 or 4 offers to develop or purchase the property over the past 5 years, all of which would have required dipping onto the County property. Mr. Gill understood that a survey and appraisal of the lands to be dispossessed would have to be done at his cost. Mr. Gill was reviewing with Brinnier & Larrios to determine specific lands in question and would be returning with a proposal. Director Gallagher wished to note that there were a couple of issues that needed consideration before moving forward, one of which being the Thruway Authority anticipated that the land would be used as park land by the County, currently listed as vacant commercial. Director Gallagher believed that there was a County Legislative Resolution naming the park after Harry Thayer which needed to be looked into. If it was made parkland, there was alienation of parkland activities with the State Legislature that needed to occur. The second issue was how the procedure to convey would occur. Surplus the property would result in auctioning property which might contradict goal of creating the marketability of the commercial corridor. Director Gallagher recommended consideration of different alternatives that hadn't been explored with regard to the conveyance but waiting for information from Mr. Gill. Leg. Loughran asked if timeframe for which information was to be provided was known to which Director Gallagher answered that next monthly meeting on April 4th might be a target date, if not, the following date; Director Gallagher was confirming. Leg. Wishnick asked if the criteria required by the Thruway Authority was known to which Director Gallagher stated that the Thruway Authority staff that she spoke with were not aware of the criteria, that it was completely within the Board's discretion. She added that types of past conveyances would be researched to see if the answer could be obtained. Director Gallagher continued in response to inquiries made by Leg. Wishnick to state that conveyance would involve a 2-step process, one with the Thruway Authority and the County lifting the reverter clause, and then a second step between the County and purchaser. Director Gallagher's proposal was that a physical map be provided for consideration.

Leg. Loughran asked to have individuals attend future meetings to discuss progress of various projects throughout the County, including the AVR (Promenade), Williams Lake Project, etc. to see if there was any action needed by the Committee.

- **There being no further business before the Committee, a motion was made by Legislator Loughran seconded by Legislator Roberts, and carried to adjourn the Meeting at 6:20 PM.**

Dated the 19th day of March, 2013

Lisa K. Mance, Legislative Employee, Ulster County Legislature

Minutes Approved on: Approved April 3, 2013

Environmental, Energy, & Technology Committee

Regular Meeting Minutes

DATE & TIME: March 7, 2013, 5:45 PM

Karen L. Binder Library, 6th Floor, COB, Kingston, NY

PRESIDING OFFICER: Chair Carl Belfiglio

LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk

Legislators Tracey Bartels, Craig Lopez (arrived at 5:56), John Parete (arrived at 7:48), Mary Wawro, and Kenneth Wishnick

EXCUSED: Legislator Kenneth Ronk

QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislative Counsel Langdon Chapman, RRA Board Member Al Teetsel, RRA Board Member Charles Landi, RRA Attorney Ken Gilligan, RRA Executive Director Tim Rose, Town of Rosendale Environmental Commission Chair Jennifer Metzger, Town of Rosendale Environmental Commission Members Dawn Meola and Susan Gillespie, and League of Women Voters Observer Corp Member Vic Melville

- Chair Belfiglio called the meeting to order at 5:46 PM and requested attendees to sign in.

RESOLVED To Approve the Minutes of January 10, 2013 and January 23, 2013

Discussion: Chair Belfiglio noted there were two sets of minutes to approve. Legislator Bartels noted the Committee received the minutes that day and requested until next month to review and approve.

Invited Guest: Charles Breiner – Claryville Fire Department – Flooding Concerns

Chair Belfiglio noted Mr. Breiner called and requested to reschedule his presentation.

Invited Guest: MannaJo Greene – Fortis, Inc purchase of Central Hudson

Chair Belfiglio noted Ms. Greene phoned and indicated although she would not be able to attend, she would have three representatives from the Town of Rosendale in attendance. Chair Belfiglio introduced Jennifer Metzger, Susan Gillespie, and Dawn Meola.

Chair Belfiglio noted he received an email and these emails would be included in the Committee packets for the public record.

Ms. Metzger spoke of the Central Hudson experience in the Ulster County community. She noted the concern with the community benefits, services with impacts on rates and local jobs were at stake in this acquisition or any investment in the electricity infrastructure. She felt ownership by a company based in Canada would likely result in an interest to cut costs to increase the returns to shareholders in Canada and control over decisions affecting power in New York should really stay within New York. She noted electricity is a public need.

Ms. Gillespie stated the details behind the takeover are not well known. She indicated this is a company that it is known for not being interested in the environmentally. She spoke of an experience in Belize. She felt the \$50 million benefit to the communities is a placeholder number with \$22 million for storm damage which may be money coming from the Federal government. She noted there would be a two-year rate freeze but it was already too late to increase rates for this year. She noted they would keep their headquarters here unless they are permitted to move it. She noted they would keep the number of employees for two years but felt this was not reassuring and felt there was still a lot not known about this deal and that State should not rush in to this. She stated the top positions would be making \$22 million dollars.

Ms. Metzger felt when comparing the \$22 million for the top salaries with the \$50 community benefit that the benefit was really nothing. She felt the community benefit allocation was provided to Counties to get the Counties to buy in to the agreement but a lot of the provisions that they are offering to make the deal seem to be in the public interest are in the very near term. She felt it important that this would be a permanent decision and while there may be \$5 million in community benefits initially, the existing community programs may not be maintained overtime. She noted Union 320 is opposing the agreement as it is as they are concerned that jobs will be cut. She spoke of an example in Rochester Power where 200 jobs were cut. She felt it important to consider what is at stake in the long term. She noted the NYS Governor has indicated the transmission lines need to be replaced and wondered if this is a priority of Fortis. She noted there was one sentence reflecting this in the agreement referencing support for the State's energy highway program.

Chair Belfiglio asked if there is regulation for public benefit companies that a majority of their stakeholders must reside in the Country.

Ms. Metzger stated the acquisition agreement or "Joint Proposal" details the corporation structure and indicates 50% of the directors must be from New York State. Ms. Gillespie noted these directors could all come from Manhattan. Ms. Metzger noted as part of the agreement, Central Hudson must remain as a standalone company which is managed locally. She spoke of Fortis' influence on Central Hudson decisions. She noted the testimony of the Public Utility Law Project (PULP) which noted the risks outweigh the benefits of the merger. She expressed concern that the agreement could reach NAFTA which would tie the hands of the Public Services Commission in their ability to regulate.

Legislator Wishnick spoke of Central Hudson's reputation. He noted the key was the importance of understanding who needs to approve and the standards to approve or deny this agreement. He stated the Legislature could share their voice with others and would be more effective if they tied their communication to the criteria in making the decisions. He noted the benefits of having a synopsis of how Central Hudson meets the standards of decisions to authorize the agreement.

Ms. Metzger stated the Public Services Commission can only approve the agreement if Fortis can prove a public benefit to this acquisition. She noted the comment period ends on March 22, 2013.

Ms. Gillespie noted the PULP document specifies the criteria for approval. She noted three public administrative judges will form a recommendation and online one can see the transcripts from the public hearings at which no one spoke in favor of the deal.

Legislator Wishnick asked what arguments has Central Hudson advanced as to why this is a public benefit. Ms. Metzger noted the parties of the Joint Agreement are Central Hudson and its parent organization, CH Energy, Fortis, County Executives, and the staff of the Public Services Commission are all parties of the Joint proposal. She felt the document could be taken as Central Hudson's position on the agreement as they agreed to the document. Ms. Gillespie noted Central Hudson speaks to the \$50 million dollars.

Legislator Bartels thanked the Representatives for attending and bringing to her attention this matter. She noted there was an email from Legislator Robert Parete who indicated he was interested in co-sponsoring legislation to which she was also interested in signing on. She noted the March 22nd deadline for comment left Legislators will a lot of work to read in the short term but also this proposed legislation would be submitted as a late Resolution as it could not be done in Committee right now. She noted the next session on April 19th which left it needed to be done as a late Resolution for this month.

In response to a question from Chair Belfiglio, Ms. Metzger noted Central Hudson is an investor owned utility which is highly regulated by the Public Service Commission. Ms. Gillespie stated a Central Hudson representative reported the only change was that instead of 30,000 shareholders they would only have one. Ms. Metzger noted their equity financing would come now from Fortis which is a significant change.

Chair Belfiglio asked why Central Hudson was going to sell. Ms. Metzger stated they were approached for Fortis and were not looking to sell. She noted Central Hudson has a really good record and its storm response received really good reviews from Towns which made it a great investment from Fortis' standpoint. She noted this would be the first takeover for Fortis in the United States.

Ms. Gillespie noted Fortis tried a few years ago to attempt to buy a similar community company in Vermont which failed. She noted they were mainly interested in hydro but they were also interested in gas and they wanted to get into the United States market.

Legislator Wishnick and Ms. Metzger discussed the availability of a record of compliance by Fortis in Canada. Legislator Bartels felt the Vermont attempt should be looked into.

Chair Belfiglio noted this was a vital service in the region and expressed a concern that through the merger and acquisition services would be cut. Ms. Gillespie noted the purchase is \$1.5 billion. Ms. Metzger noted they agreed to retain labor two years and keep the level of community spending for five years. She stated there was a window where they would keep things the same and after that it is all on the table.

Legislator Wishnick noted if the company was in another Country wants to buy another company that is not owned by the Government, the public may not like the service of one company but that this is the way the American economy works; with the exception of business of providing a vital service that has received the rights to provide a monopoly, the economic standard of competition is no longer applicable. He noted in a company that is operating as a quasi-governmental company must have governmental approvals. He noted this utility monopoly situation has a different set of underlying rules. He noted he had not heard any public benefit other than an amount of money as a one shot, immediate deal. Ms. Metzger concurred there was no long term public benefit identified in the agreement.

Legislator Bartels felt this was an important decision was such a limited time for public review of the official agreement. Ms. Gillespie noted after the public comment, the three administrative judges will come up with a recommendation and it could be either a public recommended decision or a recommended decision. If it is a public recommended decision, there will have to be more comment.

RRA Board Member Landi noted in a foreign ownership takeover, such as in the situation of Niagara Mohawk and National Grid, the service improved. He noted the National Grid is based on London.

Chair Belfiglio noted Legislator Robert Parete indicated he would sponsor a resolution and Chair Belfiglio indicated he would be willing to co-sponsor the resolution.

Ms. Metzger suggested the Committee members review the documents and keep in touch. She noted the Town of Rosendale Board voted last night to write a letter to the Public Service Commission regarding their concerns and will have a Resolution to considered at their next meeting. Ms. Gillespie noted they met with Assemblyman Cahill and stated he looked around to see if there was anyone more local that could put in a competitive bid and that all the companies he contacted indicated the purchase was over priced.

Legislator Parete thanked the representatives and noted the result was a feel good, memorializing resolution. He stated he would speak with County Executive Hein and Assemblyman Cahill.

Ms. Metzger and Ms. Gillespie thanked the Committee for their time and the opportunity to speak.

Motion No. 2**Draft Resolution No. 0162 – March 19, 2013**

Text of Motion: Resolved to approve Draft Resolution No. 0162 -
 Appropriation For The Ulster County Soil And Water
 Conservation District

Motion Made By: Legislator Bartels for discussion

Motion Seconded By: Legislator Wawro

Resolution Summary: This Resolution authorizes and directs the Commissioner of Finance to pay the Chairman of the District Directors of the Ulster County Soil and Water Conservation District, the sum of \$91,500.00 to be used by the Directors as authorized pursuant to said Section 223 (1) of the County Law after the Ulster County Soil and Water Conservation District renders a true and accurate report of its operations for the year 2012 and a Memorandum of Receipt signed by the Chairman of the District Directors, agreeing to comply with the terms of this Resolution, is delivered to the Commissioner of Finance. The Resolution further requires the Ulster County Soil and Water Conservation District to render a verified account of disbursements with certified vouchers attached and refund any unused amount on or before the 31st day of December 2013 as well as a true and accurate report of its operations for the year 2013 on or before January 15, 2014 with the Clerk of the Ulster County Legislature containing a true and accurate account of all receipts and expenditures. The Resolution allows the Comptroller and/or any and all officers of the County of Ulster, their agents and representatives, full access upon reasonable notice and at reasonable times to the books, papers, records and premises of the Ulster County Soil and Water Conservation District during the period that this Resolution is in effect for the purpose of ascertaining the manner in which the above sum of money is being used or applied. The Resolution requires the Ulster County Soil and Water Conservation District agree to comply with all applicable Federal, State and local regulations including, in particular, any forbidding discrimination by such organization.

Discussion:

Chair Belfiglio asked if Director Gary Capella was given a chance to attend the Committee meeting. Deputy Clerk Barringer stated Mr. Capella was not called.

Chair Belfiglio felt the allocation was not enough for all that they do as it is tremendous.

Roll Call Vote: No

Voting In Favor: Legislators Bartels, Belfiglio, Lopez, Parete, Wawro, and
Wishnick

Voting Against: None

No. of Votes in Favor: 6

No. of Votes Against: 0

Disposition:

Carried

Motion No. 3

Draft Resolution No. 0184 – March 19, 2013

Text of Motion:

Resolved to approve Draft Resolution No. 0184 - Requesting
The Introduction Of Legislation To Amend Article 13-G Of
The Public Authorities Law Relating To The Ulster County
Resource Recovery Agency

Motion Made By:

Legislator Bartels for discussion

Motion Seconded By:

Legislator Wawro

Resolution Summary: This Resolution requests the introduction of legislation by representatives of the County of Ulster in the State Senate and Assembly to amend Article 13-G of the Public Authorities Law to provide for the following:

- A. An increase from 5 to 7 in the number of Board Members of the Ulster County Resource Recovery Agency as defined in section 2050-b(1) of the Public Authorities Law (hereinafter, the “Agency”);
- B. A provision that the two new Board members of the Agency shall, notwithstanding any other provision of the law, be members of the Ulster County Legislature, appointed by the Chairman of the Legislature and confirmed by the Legislature with one appointee recommended by the Majority Leader of the Ulster County Legislature and one member recommended by the Minority Leader of the Ulster County Legislature and that the Legislative appointees would serve for a term expiring December 31st of the year of the appointment or until their successor is qualified, or unless such Legislator’s service on the County Legislature terminates, whichever is earlier; Vacancies would be filled in the same manner as the original appointment;
- C. Amending section 2050-c of the Public Authorities Law to provide that effective January 1, 2016, a total of two members of the five members of the Agency who are not members of the Ulster County Legislature shall be appointed by the Chairman of the Ulster County Legislature upon the recommendation of the Minority Leader of the Ulster County Legislature;
- D. Authorization for the County Legislature to, via local law, form an Advisory Board to the Resource Recovery Agency with the powers and responsibilities as follows:
 - 1. The Advisory Board, if formed, would be subject to the provisions of Articles 6 and 7 of the Public Officers Law guaranteeing Freedom of Information and Open Meetings requirements;

2. The Advisory Board's members would serve for a term of one year or until their successors are qualified, who would consist of:
 - I. Two members appointed by Ulster County Legislature upon the recommendation of a majority of the Supervisors and Mayors of the Towns, Villages, and Cities within the County of Ulster as expressed through an organized association made up of such persons or if no such association exists, as determined by the Ulster County Legislature, then by a signed writing of such Supervisors and Mayors during the first two weeks of January of each calendar year.
 - II. Two members of the County Legislature who shall not be on the Board of the Agency appointed by the Chairman of the Ulster County Legislature, with one being recommended by the Majority Leader and the other being recommended by the Minority Leader of the Ulster County Legislature.
 - III. A member appointed by the Ulster County Executive, and if he or she shall decline to make such an appointment within sixty days of the creation of the Advisory Board, then annually thereafter by the Legislature.
3. The responsibilities of the Advisory Board, if formed, are to be described in a local law of the County of Ulster. The Advisory Board would be entitled to:
 - I. Notice of all meetings of the Agency from the Executive Director of the Agency;
 - II. Elect a Chairperson and Secretary of the Advisory Board;
 - III. Counsel as appointed by, if at all, the Ulster County Legislature;
 - IV. Coverage by insurance for its actions as prescribed by the Ulster County Legislature for the members of the Advisory Board acting in their capacity as members of such Board;
 - V. Reject non-operational decisions of the RRA Board within two weeks of receipt of written notice of such decisions by the Secretary of the Advisory Board (provided that if the Advisory Board rejected any decision of the Agency's Board, the Agency would be able to override such rejection and affirm the rejected policy by a vote of five Board members of the Agency);
 - VI. Non-operational decisions capable of being rejected by the Advisory Board shall be described in a local law of the County of Ulster and may include any or all of the following:

- a. Contractual decisions relating to disposal capacity and disposal location of solid waste;
 - b. Disposal fee increases;
 - c. Expanding or reducing what materials are required to be processed through or accepted by the Agency;
 - d. An annual budget for the Agency;
 - e. An annual or other capital plan for the Agency;
 - f. Pre-approval of the issuance of any bonds by the Agency.
- E. The local law may further provide for responsibilities of the Agency with respect to providing administrative support for the Advisory Board by the Agency.
- F. The local law may further authorize the Advisory Board to enact rules of procedure for its own governance and that it shall organize at or by a particular time each year.

The Resolution authorizes the Chairperson and Deputy Chairperson of the Energy, Environment and Technology Committee to, in consultation with the Majority and Minority Leaders, consult with any member of the New York State Legislature on behalf of the County Legislature to describe and detail any legislative language to be proposed by such member of the New York State Legislature as a result of this Resolution and that a copy of this resolution shall be transmitted to the members of the New York State Legislature who represent Ulster County in the New York State Legislature, the Executive Director and Board Members of the Agency, and New York State Department of Environmental Commissioner Joseph Martens.

Discussion:

Chair Belfiglio summarized the development and history of the Resolution.

Legislator Bartels felt it was premature to put the Resolution in the packet and was surprised to see it in the packet for a vote. She felt based on her discussions with various stakeholders in the last month, they were unable to put it to the floor for a vote at this time. She noted Legislator Ronk submitted some comments which were included in the packets.

Chair Belfiglio stated he had a Resolution which was very vague and there was an attempted amendment on the floor to which he pulled the Resolution to allow additional discussion. He noted they have had a lot of discussion and was willing to table, amend in Committee or withdraw the Resolution and start over. He felt Committee members should bring the Resolution to their Caucuses and noted based on discussions he has had in the past, the Resolution format would bring out the need to act from members of the Caucuses.

Legislator Wishnick stated he agreed having it in writing allows them to proceed to a clarifying discussion but noted they do need to proceed carefully and the extra month may benefit the County in the long term. He suggested they take the extra month to share their thoughts and prepare for the next month but highlighted they cannot let it fall by the wayside and remain committed to change in the oversight of the RRA.

Legislator Wawro agreed the Committee needed more time.

Legislator Lopez felt the Committee should not scrap the Resolution and start over as it was a good outline that could be built on.

Legislators discussed procedurally the correct term or action for the Resolution as submitted in the full packet.

Legislator Bartels felt the main point of contention would be the Advisory Board and asked if there would be support for the Advisory and/or did the Committee still want to proceed with the Advisory Board. She noted Legislator Ronk suggested in lieu of the Advisory Board, they proceed with just the two additional members from the Legislature.

Chair Belfiglio noted the flow control law was pushed through as a budgetary policy decision and the Legislature's responsibility. He noted in an email he received from RRA Board Member Landi, Mr. Landi indicates the Committee already has the oversight ability that is being proposed. Chair Belfiglio felt the Committee did not have such ability as exemplified with Legislator Wishnick's being unable to speak at an RRA Board meeting last year. He noted the RRA Board's responsibility is to keep the RRA fiscally operational and not the taxpayers interest. He felt if the Legislature or Committee could decide not bond but in things such as raising tipping fees, the taxpayer has no choice. He agreed placing two Legislators on the Board could achieve this goal.

Legislators discussed paying the net service fee and the responsibility of the debt.

Legislator Bartels stated she was strong in wanting Legislators on the RRA Board. She noted Legislator Ronk's suggestions that the Legislators be given veto authority in regards to the acquisition and approval of future bonds. She was advised that the RRA Board was amenable to open the current contract to discuss this. RRA Attorney Gilligan and RRA Board Member Landi indicated this had not been discussed with the RRA Board.

RRA Attorney Gilligan stated there were legal concerns with two Board Members from the Legislature as there would be inherent conflicts and concurred with Legislative Counsel Chapman that a compatibility of office determination be obtained. He felt there was existing oversight with the Legislature appointing Board Members and Board Members attending the Committee meetings monthly. He felt the Legislature did not have the right to veto power on the Advisory Committee as based on the binding contract, the existing RRA Board would have to be in agreement.

Legislative Counsel Chapman indicated the Resolution was fully in the Legislature's right to ask the State as part of its home rule request and other hurdles may have to be addressed.

Legislators and RRA Attorney Gilligan discussed the RRA contract is scheduled to expire in 2025 as it was amended four times.

Legislator Wishnick stated the County can get approval then begin work to amend the contract with possible amendments to address concerns and they might not need to form the Advisory Board.

Legislators discussed the Resolution taking power from the RRA Board.

Legislator Parete noted the Legislature appoints five members to the Board and felt the problems at the RRA were created by the Legislature. He felt they should not add more Legislators on the Board but rather other stakeholders. He noted the Board is authorized to bond up to \$40 million.

Legislators discussed the refining and renegotiation of contracts.

Legislator Bartels noted her experience with the RRA over time and recognized that times are different. She summarized the intent of the Resolution and expressed her concern and reasons form an Advisory Board. She noted four members would be from the Board of Supervisors and that the Board of Supervisors has conflict with the proposed recycling changes. She felt they should sit on the Board and vote on RRA decisions that would raise fees to their own town. She stated she was okay with two members of the Legislature on the RRA Board and was not invested in the Advisory Board.

Legislators discussed the Legislature's role and power over the Board.

Legislative Counsel Chapman clarified in 2004, the Ulster County Legislature encouraged RRA to refinance their bonds to get better rates. He stated the RRA Board cannot be forced but can be encouraged, persuaded, and told they would be replaced if they do not. He stated the Legislature had the right to petition the State Legislature for the authority. He noted the RRA's assertion that the creation of an Advisory Board would violate the existing contract would need to be looked at but not today, as today the request is for the ability from the State for the Authority. He discussed the ability to demonstrate passion without being argumentative with the members of the Legislature. He stated the Legislature has the ability to make the request and the ability to effectuate the request and/or the need for a negotiation with the RRA would be a different discussion. He noted the different types of negotiation that could be done. He felt the Legislature had a legitimate right to know what the RRA was doing.

Legislators and RRA Board Members discussed the meeting procedures and conduct occurring at the RRA Board and how this impacted the oversight and relationship with the Environmental, Energy, and Technology Committee.

Chair Belfiglio polled the Environmental, Energy, and Technology Committee for advising the RRA to move meetings to 5:00. Legislator Wishnick suggested 5:30.

Chair Belfiglio noted the Resolution is not saying the RRA is not doing a good job but would attempt to instill confidence to the general public over an agency the taxpayers have no authority over.

Legislator Wawro felt there did seem to be a confrontational relationship between the Legislature and the Board and felt this change was something everybody wanted.

Chair Belfiglio confirmed it was legally acceptable for the Committee to send a letter to the RRA Board Chair and copy the Board Members. Legislative Counsel Chapman opined if it was to be an action of the Committee, then the Committee should vote.

Legislator Bartels wanted the letter to discuss the need to have public input.

Chair Belfiglio motioned to draft a letter to the RRA Board Chair and copy the Board Members, with an interest of more public participation, that the RRA start their Board Meetings on or after 5:00 pm. Legislator Wawro seconded the motion. Legislators Bartels, Belfiglio, Lopez, Parete, and Wawro voted in the affirmative and Legislator Parete voted in the negative as he did not want to get into the RRA business and start telling them what to do.

Chair Belfiglio indicated the Legislature had the right to create a Resolution requesting the authority. Legislator Bartels stated if there was consensus that the Board of Supervisors did not need a seat at the table, she was ok with just putting the two Legislators on the Board. Legislator Wawro suggested the Committee bring it back to their Caucuses with the Resolution and return to the next Committee meeting knowing where they agree and what needs to be tweaked. Legislator Bartels concurred with reaching consensus with something that will pass.

Legislator Wishnick suggested the Town Supervisors serve on the RRA Board as non-voting Board Members. He noted in this role they could review and contribute but not impact the vote.

Chair Belfiglio stated the tax payer voice would be without representation if they were non-voting members. Legislators discussed a nine member board with seven votes and a seven member board with two Legislative members.

Legislator Bartels felt the Legislators could contribute and suggested the two be from the Environmental, Energy, and Technology Committee for continuity. Legislator Wishnick felt the Resolution should specify the recommendation that the Legislative members be from the Environmental, Energy, and Technology Committee.

Legislator Bartels asked they could get the compatibility of office determination for the RRA Board now. Legislative Counsel Chapman noted the Attorney General opines when he wants and agreed there was and noted he would request the Corporation documents and the contracts with the Towns.

Chair Belfiglio asked RRA Attorney Gilligan if the Legislature has the ability to vote on an increase in tipping fees as possibly proposed by the RRA Board. RRA Attorney Gilligan replied it does not. Chair Belfiglio asked him if the Legislature has ability to vote on an annual or capital plan for the agency. RRA Attorney Gilligan replied the Legislature approves the budget. Chair Belfiglio asked him if the Legislature has any say in the Agency's contracts for disposal. RRA Attorney Gilligan stated they had no power over operations but that they have power over the appointments to the Board.

RRA Attorney Gilligan stated there may be concerns from bond counsel. Legislative Counsel Chapman noted this Resolution was structured as pre-approval as opposed to post-approval.

Chair Belfiglio motioned to postpone the Resolution to next month's Environmental, Energy, and Technology Committee agenda. Legislator Wawro seconded it and the motion passed unanimously.

New Business:

Chair Belfiglio noted a communication he received from his Town Tax Collector regarding the new tax bill inserts which were printed by Information Services. He noted the tax bill does not fit in the envelope and they were unable to find envelopes that fit so that the addresses show in the appropriate window and does not expose the tax payers personal information. He noted the County will be working on it next tax season.

Adjournment

Motion Made By: Legislator Bartels

Motion Seconded By: Legislator Wawro

No. of Votes in Favor: 6

No. of Votes Against: 0

TIME: 7:40 PM.

Dated the 1st day of April, 2013

Krista Barringer, Deputy Clerk

Minutes Approved on: April 8, 2013

Health and Personnel Committee

Regular Meeting Minutes

DATE & TIME: March 4, 2013, 5:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Robert T. Aiello
LEGISLATIVE STAFF: Krista Barringer, Deputy Clerk & Frank Reggero, Senior Staff
PRESENT: Legislators Jeanette Provenzano, Carl Belfiglio, Robert Parete, and Kenneth Ronk
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Erica Guerin, Legislative Senior Staff Frank Reggero, League of Women Voters Representative Margaret Sellers, Awareness Inc. Executive Director Marie Shultis, Concerned Parents for Mental Health Representative Amy Russell, Department of Mental Health Deputy Director of Administration Kristin Carney, Department of Mental Health Deputy Commissioner Cheryl Qamar, Personnel Director Brenda Bartholomew, and Deputy County Executive Ken Crannell.

Chairman Aiello called the meeting to order at 5:30 PM.

Chairman Aiello noted the draft Health and Personnel Committee minutes from February 4, 2013 were distributed and would be voted on at the next Committee meeting.

Old Business (Monthly Personnel Report) :

Personnel Director Brenda Bartholomew reviewed the monthly personnel report as submitted to the Committee. She noted the addition of the date of hire and the employee count as requested by the Committee last month. Legislator Belfiglio thanked Personnel Director Brenda Bartholomew for the timely report and asked if the report included all the retirement, separation and transfer information. Personnel Director Brenda Bartholomew stated it was anything that happened this month. Deputy County Executive Crannell stated the report was complete as to all personnel changes recorded in the Department since the last meeting.

Motion No. 1

Draft Resolution No. 0167 – March 19, 2013

Text of Motion: Resolve to Approve Draft Resolution No. 0167 - Setting A Public Hearing On Proposed Local Law No. 1 Of 2013 (A Local Law Of The County Of Ulster,

New York, Known As The “The Ulster County School-Based Mental Health and Safety Act of 2013”), To Be Held On Tuesday, April 16, 2013 At 7:00 PM

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Belfiglio

Resolution Summary: This Resolution submits and tables Proposed Local Law No. 1 of 2013 to the Ulster County Legislature pending the holding of a Public Hearing on Tuesday, April 16, 2013 at 7:00 PM in the Legislative Chambers, Ulster County Office Building, 244 Fair Street, Kingston, New York, and directs the Clerk of the Ulster County Legislature to cause a legal notice of said Public Hearing to be published according to law.

Discussion:

Legislator Provenzano stated she was opposed to the public hearing as this was before the Committee last month and there was no support on the Local Law in the Ways and Means or Health and Personnel last month. She noted since last month’s meeting, the local school had a projected \$5 million dollar savings and would be putting money toward a psychologist. She stated in discussion with Legislator Gregorius, he indicated the same was true for the Onteora School District. She stated she did not support taking money from the budget and possibly delay safety net takeover or more layoffs.

Legislator Ronk agreed with Legislator Provenzano although he stated he never voted against a local law, he supported the idea but not the funding source. He discussed the success of the FACETS program and subsequent elimination. He expressed concern in not giving the school districts enough and still needing to find more money. He noted taxes are up and this proposal takes the money out of someone else’s tax pocket. He felt this was a bail out on the back of tax payers. He stated he would vote yet on the public hearing.

Legislator Provenzano noted the City of Kingston School District has been able to keep property taxes to 2% or below.

Chairman Aiello stated in his own town it was the opposite. He stated he was an advocate for children and human being services. He felt a public hearing would allow the public to be heard. He expressed concern with the funding source and wondered where the \$2.7 million would come from.

Legislators discussed the comparisons of budget sales tax projections.

Chairman Aiello felt there was a problem with a fixed amount. He felt it would be acceptable for the County to share an amount. He noted there was \$22 million of uncollected school taxes and the County pays the School Districts to keep them whole.

Legislator Robert Parete stated he was not looking to do anything with the public hearing and had no ulterior motive other than to provide services to children and families. He stated there was no set funding amount but specifies a percentage with the \$2.7 million for School Resource Officers and Mental Health as a fair estimate. He stated the actual funding allocation states 2.5%.

Legislator Belfiglio stated he shared the proposed local law with BOCES Superintendent Khoury and asked if there were any services BOCES could offer and/or if there was additional State Aid that could be accessed. He noted he had no response to date.

Legislator Robert Parete stated he already spoke with Superintendent Khoury and indicated BOCES is willing to do that. He stated there were two components to the proposal, a School Resource Officer component and the Mental Health component. He noted the Mental Health component is written in two ways; either schools can accept the money directly and provide the services or BOCES accept the money on their behalf and offer the services in their school.

Chair Aiello and Legislator Parete clarified the proposal was for a percentage of the sales tax regardless of which option the schools chose.

Legislator Belfiglio discussed the benefit of a public hearing.

Legislator Provenzano asked if there had been any communication with School Superintendents or Principals. Legislator Parete indicated he heard and met with Principals from Rondout Valley School District.

Legislator Parete noted the schools are their own taxing districts.

Legislator Parete stated the Sheriff was working with two schools to establish School Resource Officers in the school buildings at the school districts' expense. Legislator Ronk noted there was a Resolution before the Legislature this month for a School Resource Officer at Rondout Valley.

Legislator Parete noted school districts were limited in their ability to raise funding except through property taxes and were forced to operate under the tax cap.

Legislator Provenzano noted the decrease in State Aid has affected the ability to operate these programs.

Legislators discussed the school based Mental Health Services for children.

Chairman Aiello noted the dire state of the County and it's attempts to maintain a budget. He noted Saugerties School District did not have mental health services. He felt they would be having a public hearing with an unknown. Legislator Provenzano felt it was difficult to project for only those that want the services. Legislator Parete noted in Orange County they have allocated \$1.3 million over three years.

Legislator Provenzano felt it would be a small amount of funding to each school district. Deputy County Executive Crannell stated the Department of Finance indicated Ulster County sends it's students to fifteen school districts. Legislative Senior Staff Reggero stated there were fourteen school districts with the City of Kingston making it fifteen school districts that serve Ulster County youth. Legislator Parete stated the Resolution defined Ulster County school districts as only those nine districts as identified by the State Education Department.

Legislators discussed which School Districts should be included.

Ms. Russell clarified the proposal was just for school based mental health and did not include anything outside of school districts. Legislator Parete confirmed this.

Legislator Parete stated over the time he has been in the Legislature, he had heard concerns expressed to him from multiple schools. He noted in 2007 a Resolution was sent by the Ulster County Legislature to the State asking for additional funding for mental health services and nothing ever happened with it. He felt enough was enough with the State not doing anything and felt it was time for the County to take responsibility for the children here and make the commitment. He asked if the Legislators would just wait until 2017 and still do nothing or should it step up and take care of the children.

Legislators discussed the closing of the County's children's mental health unit and the FACETS experience.

Legislator Provenzano felt the school districts should be seeking Federal or State funding for these programs and not put on the back of the County tax payers. She felt if school districts stated they were raising taxes 1% for these safety issues that people would not vote against it. Legislator Parete stated Onteora School District was cutting two mental health positions this year.

Legislator Parete noted the two other Resolutions were seeking State and Federal revenue for these programs. Legislator Provenzano indicated she supported these Resolutions. She also stated she would be on board with a Resolution that asked the school districts to address this issue through their budgets and with revenue raised through property taxes.

Legislator Parete stated he was seeking public feedback from the public hearing. Ms. Russell clarified this would be feedback regarding the mental health needs in the community, either school or County-based. Legislator Parete confirmed this.

Legislator Ronk stated school districts were not cutting but rather using children as an excuse to raise taxes. He felt it was disingenuous to tax people through County tax for their County programs and then give it to the school district in addition to their 2-3% property tax. He felt what school districts chose to cut does not seem to benefit the students. He noted sales tax or property tax was still coming from the same taxpaying

pocket. He supported the program ideas as presented by Legislator Parete but did not agree with the funding mechanism.

Chairman Aiello discussed his history and knowledge with the mental health community.

Roll Call Vote:	No
Voting In Favor:	Legislators Belfiglio, Parete and Ronk
Voting Against:	Legislators Aiello and Provenzano
No. of Votes in Favor:	3
No. of Votes Against:	2
Disposition:	Carried

Motion No. 2 Draft Resolution No. 0168 – March 19, 2013

Text of Motion: Resolve to Approve Draft Resolution No. 0168 - Requesting New York State Governor Cuomo And The New York State Legislature To Promote Access To School-Based Mental Health Clinic Treatment Services By Eliminating Financial Obstacles

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Provenzano

Resolution Summary: This Resolution requests that Governor Cuomo and the New York State Legislature develop plans to eliminate financial obstacles to the establishment of school-based Mental Health Clinic treatment services by subsidizing these services at appropriate levels and directs the Clerk of the Ulster County Legislature to forward copies of this resolution to Governor Andrew Cuomo, New York State Comptroller Thomas DiNapoli, Senate Majority Coalition Leader Dean Skelos, Senate Minority Leader John Sampson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, New York State Senators John J. Bonacic, Cecilia Tkaczyk, James Seward and William J. Larkin, Jr., New York State Members of Assembly Kevin A. Cahill, Claudia Tenney, Peter D. Lopez and Frank Skartados, the New York State Association of Counties, and the New York State Association of Social Workers.

Discussion:

Legislator Ronk noted if the State funded education properly, on the income taxes and not on property taxes as it is currently funding, that the County would have more latitude to help the school districts out with things like this. He felt part of the removing of road blocks should be for the State to properly fund public schools at a State level and not through a complex formula.

Roll Call Vote:	No
Voting In Favor:	Legislators Aiello, Belfiglio, Parete, Provenzano and Ronk
Voting Against:	None
No. of Votes in Favor:	5
No. of Votes Against:	0

Disposition: Carried

Motion No. 3 **Draft Resolution No. 0169 – March 19, 2013**

Text of Motion: Resolve to Approve Draft Resolution No. 0169 - Requesting President Obama And The United States Congress To Promote Access To School-Based Mental Health Clinic Treatment Services By Eliminating Financial Obstacles And Supporting “*The Student Support Act*” H.R. 320

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Parete

Resolution Summary: This Resolution supports H.R. 320, commonly known as the *Student Support Act* introduced by Congresswoman Barbara Lee (CA-9), Chair of the Congressional Social Work Caucus. This Resolution notes the bill aims to increase student access to mental health services by providing grants to states to hire additional school social workers, psychologists, and counselors in order to reduce the student-to-provider ratio in elementary and secondary schools and effectively addresses the shortage of mental health providers in schools and provides schools with flexibility to meet the mental health needs of their students. This Resolution requests that President Obama and the United States Congress develop plans to eliminate financial obstacles to the establishment of school-based Mental Health Clinic treatment services by subsidizing these services at appropriate levels and directs the Clerk of the Ulster County Legislature to forward copies of this resolution to the President of the United States, Barack Obama, United States Senators Charles Schumer and Kirsten Gillibrand, and Congressmen Chris Gibson and Barbara Lee, the New York State Association of Counties, and the National Association of Social Workers.

Discussion:

Legislator Provenzano asked if HR 320 was a one house bill. Legislator Parete clarified at the Federal level appropriation Resolutions originate in the House of Representatives. He noted he sent back up information and a link to the actual text of the bill to all Legislators.

Legislator Provenzano asked if there was a lot of support at the Federal level. Legislator Parete stated he did not know and understood it to be in committee.

Roll Call Vote: No

Voting In Favor: Legislators Aiello, Belfiglio, Parete, Provenzano and Ronk

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Carried

Motion No. 4 **Draft Resolution No. 0176 – March 19, 2013**

Text of Motion: Resolve to Approve Draft Resolution No. 0176 - Amending The 2013 Ulster County Budget – Department Of Mental Health

Motion Made By: Legislator Provenzano

Motion Seconded By: Legislator Ronk

Resolution Summary: This Resolution amends the 2013 County Budget to increase Budget Appropriation line #A4 2320 4582 (Astor - OMH) by \$44,957.00 and Budget Revenue line #A3 2320 3490 (State Aid, Mental Health) by \$44,957.00.

Discussion:

Deputy County Executive Crannell noted this was funding for the reincarnation of the Kids Together Program. Deputy County Executive Crannell stated this Resolution was in combination with Abstract L50-18. He noted this portion provided the non-clinical side of the new program, to be called Families Together. He stated it provided recreational programming at the YMCA with the Mental Health Association providing staff support to the program as well. He stated a new feature in the program would be a parents' warm line for parent's support phone service when de-escalation is needed. He stated it serves about 90 families in the County. Deputy Commissioner Qamar clarified the supportive case management portion of the program is separate from the Families Together program and serves 20 families with up to two contacts a month.

Legislator Parete asked about the Office of Mental Health letter dated December 14, 2012. He noted the at that time, the Assistant Director provided the County's allocation amount and included full annual funding for initiatives previously authorized. He noted this program was previously authorized. Ms. Carney noted the supportive case management was approved in the letter dated December 14, 2012 and the Mental Health Association ran that program. She noted the MHA could not continue to make the program financially viable as it relies on Medicaid billing. She noted they were willing to give up that piece to Astor Services hoping their link to their clinics will make it more financially viable. She noted the other piece for the Families in Support program, also an Astor program, was previously funded in an Advocacy and Support program and in the State Aid letter, OMH approved moving the funding from Advocacy and Support to a Family Support program run by Astor. Deputy County Executive Crannell noted the warm line was new programming. Ms. Carney clarified this was not being funding through State Aid but was County funding. Deputy Commissioner Qamar stated this was previously budgeted County funding.

Legislator Parete clarified with the start date of April 1st, the County missed three months of reimbursements. Ms. Carney replied the funding does not go based on billing but rather at the end of the year, Astor must submit a claim and document they spent the money. She noted this billing claim was only for the supported case management program and there was no billing for the other components. Deputy Commissioner Qamar noted the Mental Health Association is continuing to run the supported case management program until April 1st.

Legislator Parete asked why it took three months to start the program when it was approved in December 2012. Deputy Commissioner Qamar replied Astor has entered to do the trial outpatient treatment for the County and that it has been a huge lift as they are a new mental health provider in the County and they had to absorb 300 cases in less than a month. She noted they had to open a new clinic in New Paltz and they were concerned with how much to give them at one time. She noted they were phasing the programs to Astor over time.

Legislator Parete noted there are children in schools for 6 hours at a time that are already getting programming. He felt if there would be money spent on programs and noted the program was with one provider that cannot handle such a large case load so they are being eased into it. Deputy Commissioner Qamar clarified it was separate programs and it was a big lift to create a clinic from scratch. She noted the Kids Together program was on a break during the shift between providers but that supportive case management is continuing until March 31st. She noted on April 1st all programs would be back up and running under Astor Services.

Roll Call Vote:	No
Voting In Favor:	Legislators Aiello, Belfiglio, Parete, Provenzano and Ronk
Voting Against:	No
No. of Votes in Favor:	5
No. of Votes Against:	0
Disposition:	Carried

Motion No. 5 Draft Resolution No. 0180 – March 19, 2013

Text of Motion: Resolve to Approve Draft Resolution No. 0180 - Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of Health, Bureau Of Communicable Disease Control For The Aid To Localities Rabies Reimbursement Program – Department of Health

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Provenzano

Resolution Summary: This Resolution authorizes the Chairman of the Ulster County Legislature to execute a contract, and any amendments thereto, with the New York State Department of Health, Bureau of Communicable Disease Control for the Aid to Localities Rabies Reimbursement Program, in the amount of \$196,384.40 for the term April 1, 2012 through March 31, 2017, in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney.

Discussion: None

Roll Call Vote:	No
Voting In Favor:	Legislators Aiello, Belfiglio, Parete, Provenzano and Ronk
Voting Against:	No
No. of Votes in Favor:	5

No. of Votes Against: 0
Disposition: Carried

Abstract (L50-18: Astor Services For Children & Families): discussed in draft Resolution 0176.

Abstract (L50-19: Rose & Kiernan, Inc): not discussed

Adjournment

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Provenzano

No. of Votes in Favor: 5

No. of Votes Against: 0

TIME: 6:43 pm

Dated the 26th day of March, 2013

Krista J. Barringer, Deputy Clerk

Minutes Approved as amended on: April 8, 2013

Law Enforcement & Public Safety Committee

Regular Meeting Minutes

DATE & TIME: March 5, 2013 5:30 PM
LOCATION: Ulster County Law Enforcement Center, The Rotunda
PRESIDING OFFICER: Richard Parete, Chairman
LEGISLATIVE STAFF: Lisa K. Mance
PRESENT: Legislators Rich Parete, Ronk, Maio, Briggs and Belfiglio
ABSENT: None
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Sheriff Paul VanBlarcum, Undersheriff Frank Faluotico, DA D. Holley Carnright, Legislative Deputy Fawn Tantillo, Deputy Executive Robert Sudlow, Legislative Council Langdon Chapman, Sheriff Sgt. Abe Markowitz, Sgt. Perry Soule, Deputy Sheriff Jim Tiano, Marie Shultis, AWARENESS and Mike Mason

- Chairman Parete called the meeting to order at 5:30 PM.

MOTIONS:

MOTION NO. 1
TEXT OF MOTION: RESOLVED to approve the February 5, 2013 Meeting Minutes
MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Briggs
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Rich Parete, Ronk, Belfiglio, Briggs and Maio
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passes

MOTION NO. 2
TEXT OF MOTION: RESOLUTION No. 0174 – March 19, 2013
RESOLVED to approve Resolution No. 0174- Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Criminal Justice Services For A Domestic Violence Program Grant, Amending The 2013 Ulster County Budget – District Attorney's Office

Resolution Summary:

The District Attorney has been awarded a \$37,500.00 grant from the NYS Division of Criminal Justice Service. The grant funds will be used to investigate and prosecute instances of domestic violence by hiring a part-time, forensically trained domestic violence outreach coordinator which position will be a part-time, non-benefited position up to 910 hours to year end. The domestic violence outreach coordinator will act as a liaison with various components of the criminal justice system, including investigative agencies, court systems, prosecution and other services. The DA requests the Chairman of the UC Legislature be authorized to enter into an agreement with the NYS Division of Criminal Justice Services in order to accept a Domestic Violence Program Grant.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Briggs
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Rich Parete, Briggs, Maio, Belfiglio, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed to Adopt Resolution

Discussion: Chairman Richard Parete noted that position was new and the proposed Resolution contained provision that if funding for position was eliminated, then the position would be also eliminated.

MOTION NO. 3
TEXT OF MOTION: **RESOLUTION No. 0179- March 19, 2013**
RESOLVED to Approve Draft Resolution No. 0179 - Authorizing the Chairman Of The Ulster County Legislature To Execute An Agreement With The Rondout Valley Central School District To Provide A Deputy Sheriff For Security Purposes – Ulster County Sheriff

Resolution Summary: Rondout Valley Central School District has requested a Deputy Sheriff be assigned at various locations in the district for security purposes. The RVC School District will pay Ulster County 100% of the salary plus employee benefits of the Deputy Sheriff assigned to the school district. The cost of salary plus employee benefits totals \$28,862.84 which amount will be paid by the RVC School District pursuant to invoices sent by the Ulster County Sheriff's Office based on number of hours worked as per the contract. The term of the Agreement will be February 1, 2013 through June 30, 2013.

Discussion: Sheriff VanBlarcum provided brief explanation of position being created, that part-timers were being used and that overtime would not be paid. The Sheriff assured Leg. Briggs that absolutely all costs including insurance, etc. were covered by School for 4 months. Leg. Ronk clarified that if the school approved a 3-year contract, then a new individual would be retained. Leg. Ronk went on to indicated that the Deputy wouldn't work the normal schedule, to which Leg. Briggs disagreed that the Union would not approve. Undersheriff Faluotico indicated that the Contract currently allowed the arrangement. Chairman Rich Parete suggested that Committee be aware of the situation but to hold debate until school actually renewed contract and determine if there were issues at that time. Undersheriff Faluotico indicated that whoever was chosen for the location, (there was currently an existing promotional list), the Deputy placed in the location would be hand-selected by the Sheriff's Department and would be an individual who was sensitive to the school environment.

MOTION MADE BY: Legislator Ronk
MOTION SECONDED BY: Legislator Belfiglio
ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Rich Parete, Ronk, Maio, Belfiglio and Briggs
VOTING AGAINST: None
DISPOSITION: Motion passed to adopt Resolution

- **MONTHLY REPORTS:** The following Sheriff's reports were distributed to the Committee and remain on file in the Office of the Clerk of the Legislature:
 - **2013 Monthly Board-in Revenue and Counts and Telephone Revenues**

Leg. Ronk asked Sheriff if he wished to comment on the Memorandum issued by the Executive's office with regard to NIXEL. The Sheriff indicated that the Executive was able to post on NIXEL if needed and that he had spoken with Director Art Snyder. The Sheriff stated that there would not be conflicting information during a natural disaster or weather related emergency since the command center was centrally located at the Sheriff's Law Enforcement Center. (Executive Memorandum of file with the Clerk of the Legislature). Sheriff VanBlarcum added that the County Executive had been notified of the NIXEL proposal in December 2012. Deputy Clerk Fawn Tantillo explained process that would be taken with regard to implementation of the NIXEL Resolution.

Chairman Rich Parete welcomed D.A. Carnright and notified him of the outcome of the vote on Draft Resolution No. 0174.

Leg. Maio asked Deputy Sudlow to enlighten Committee regarding Executive's concerns with the NIXEL Resolution, asking why issues were not addressed when the Resolution was introduced. Deputy Sudlow responded that he wasn't aware of the Resolution when introduced and wasn't prepared to respond at that time, but now had a clearer understanding of the purpose of the Resolution. **Leg. Maio** also noted that NIXEL alarm occurred spontaneously whereas accessing the County Executive's system required individuals to call in. Deputy Sudlow suggested Leg. Maio take any concerns up with the Executive.

- **NEW BUSINESS:**

Chairman Rich Parete introduced Sgt. Abe Markowitz for the purpose of discussion with regard to the nuisance law. Sgt. Markowitz indicated that previous presentation had been made and asked specifically what information the Committee would like to have provided. **Leg. Belfiglio** referenced the Esopus Nuisance Law and suggested that he would take responsibility, together with Council, to draft a resolution or a local law based upon what had transpired locally to date. Sgt. Markowitz suggested incentives that had been implemented to deter repeat violators from failing to correct faulty/false alarm systems at a cost to the law enforcement agencies and the steps taken to enforce ordinances that had been instituted. Sgt. Markowitz stated that updated numbers and costs could be provided to the Committee per the request of **Leg. Ronk**.

During discussion with Sgt. Markowitz, Chairman Rich Parete turned meeting over to **Vice-Chairman Ronk** to proceed.

Vice-Chair Ronk recognized Leg. Belfiglio who introduced Marie Shultis to speak about her program in the hopes of obtaining funding in the future. Documents *Awareness Mentoring Program* and *Teen Awareness* together with form used by local Judge's on file with the Clerk of the Legislature.

Undersheriff Faluotico informed Committee that checks had been cut for the distribution of URGENT funds and he was in process of personally delivering payments to Towns. Process of Federal Government explained with regard to the funds confiscated and what portions were returned to the Task Force and distributed was discussed by the Undersheriff. Undersheriff asked for policy to be developed within the upcoming year in which cars could be obtained for enforcement.

Leg. Belfiglio expressed concern regarding State of the County address by County Executive, the Executive wanted the formation of a commission by the Legislature to investigate the long-term financial liability viability of law enforcement in Ulster County. Statement had been made in the past that it was inequitable that Towns without police forces obtained coverage from Ulster Sheriff's Department. **Leg. Belfiglio** suggested that letter/request be drafted to the Executive requesting an explanation of budgetary restraints and funding for the Sheriff's patrol. Discussion ensued with Leg. Maio, Ronk and Belfiglio regarding a Countywide Sheriff patrol and the emergency response dive team.

Vice-Chairman Ronk stated that one issue for discussion (which he wished to discuss in presence of Chairman Rich Parete) was formation of commission and that he was against the formation of a commission regarding the Sheriff's road patrols.

Vice-Chairman Ronk suggested instituting policy that there shall be a Sheriff's Department road patrol in Ulster County.

There being no further business before the Committee, a motion was made by Legislator Maio, seconded by Legislator Belfiglio, and carried to adjourn the meeting at 6:39 P.M.

**Dated the 7th Day of March, 2013
Lisa K. Mance, Legislative Employee
Minutes Approved: April 2, 2013**

Laws and Rules, Governmental Services Committee

Committee Meeting Minutes

DATE & TIME: March 18, 2013 / 6:00 PM
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building, 244 Fair Street, Kingston, NY
PRESIDING OFFICER: Kevin Roberts, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Roberts, Donaldson, Robert Parete, Fabiano, Maio, and Ronk
ABSENT: Legislators Loughran
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Hector Rodriguez; Erica Guerin, Counsel to the Legislature; Ken Crannell, Deputy County Executive; Vincent McLaughlin and Margaret Sellers, Community Services Board; Victor Melville, League of Women Voters.

- Chairman Roberts called the meeting to order at 6:00 PM.

I. Chairman Roberts recognized **Legislator Ronk** for a motion to approve the minutes from the February 12th, 2013 Committee meeting, seconded by **Legislator Fabiano** and unanimous vote in favor of approving the minutes.

II. RESOLUTIONS:

MOTION NO. 1 Draft LATE Resolution No. 0187 – February 19, 2013

TEXT OF MOTION: **RESOLVED to approve Draft LATE Resolution 0187** - Opposing Governor Cuomo's Proposed 2014 Budget Cuts to the NYS Office of People with Developmental Disabilities' Budget.

Resolution Summary: The County of Ulster is hereby opposed to further reductions in funding for NYS OPWDD volunteer agencies.

MOTION MADE BY: Legislator Donaldson
MOTION SECONDED BY: Legislator Ronk

DISCUSSION: **Chairman Roberts** recognized Mr. McLaughlin who stated the importance of this funding and the local programs that will be affected if the State approves these cuts in appropriations.

Chairman Roberts recognized Ms. Sellers who also stated the importance of this funding and the repercussions if the cuts are approved.

Chairman Roberts recognized Mr. Crannell who stated that the Governor's cuts included \$1.1 Billion in Medicaid reimbursements and thanked Mr. McLaughlin and Ms. Sellers for their advocacy regarding this issue.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, Donaldson, Parete, Fabiano, Maio, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6

NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 2 Draft Resolution No. 0167 – March 19, 2013

TEXT OF MOTION: **RESOLVED to approve Draft Resolution 0167** - Setting A Public Hearing On Proposed Local Law No. 1 Of 2013 (A Local Law Of The County Of Ulster, New York, Known As The "The Ulster County School-Based Mental Health and Safety Act of 2013"), To Be Held On Tuesday, April 16, 2013 At 7:00 PM.

Resolution Summary: To set a Public Hearing date on Local Law Number 1 of 2013.

MOTION MADE BY: **Legislator Fabiano**
MOTION SECONDED BY: **Legislator Ronk**

DISCUSSION: **Chairman Roberts** recognized **Legislator R. Parete** who stated that this resolution has already passed the Health and Personnel Committee and should only be considered for the Law's completeness. **Legislator Ronk** stated that there may be some crossover with the definition of school districts within Ulster County. **Legislator Parete** stated as defined by the New York State Department of Education.

Legislator Donaldson stated that the County Executive issued a press release recently regarding the provision of Clinical based treatment in schools and several other issues addressed in the proposed Local Law. **Legislator R. Parete** stated that he was pleased and looks forward to the County Executives support for his proposed legislation.

Chairman Roberts recognized Mr. Crannell who stated that the County Executive has ordered a full assessment of school based services that will start this week under the leadership of the Commissioner of Health and the formation of a Children's Mental Health Committee. Mr. Crannell further stated that once the need is established and through in kind services provided by the school districts that the billing process will eliminate any funding by the County. **Legislator R. Parete** stated that the needs assessment is included in his proposed local law and through the Chair asked Mr. Crannell when would the County program start, to which Mr. Crannell stated the 2014 school year provided that the State approved the school as a satellite clinic.

Legislator R. Parete stated that he is pleased that the issue is being addressed by the County Executive.

Chairman Roberts stated that he believes the Legislature and the County Executive should work together on this issue.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: **Legislators Roberts, R. Parete, Fabiano, Donaldson, and Ronk**
VOTING AGAINST: **Legislator Maio**
NO. OF VOTES IN FAVOR: 5
NO. OF VOTES AGAINST: 1
DISPOSITION: Motion Passed

MOTION NO. 3 Draft Resolution No. 0172 –March 19, 2013

TEXT OF MOTION: **RESOLVED to approve Draft Resolution 0172** - Setting A Public Hearing On Proposed Local Law No. 2 Of 2013 (A Local Law Amending Local Law No. 8 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New

York) to Delete the References to "Abstract of Contracts" to Require the Approval of a Contract \$50,000 or More By a Corresponding Resolution for Each Contract) To Be Held On Tuesday, April 16, 2013 At 6:55 PM.

Resolution Summary: To set a Public Hearing date on Local Law Number 2 of 2013.

MOTION MADE BY: Legislator Fabiano
MOTION SECONDED BY: Legislator Maio

DISCUSSION: Chairman Roberts calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Parete, Fabiano, Maio, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 4 LATE Draft Resolution No. 0185 – March 19, 2013

TEXT OF MOTION: RESOLVED to approve Draft LATE Resolution 0185 - In Opposition to the Proposed Merger of Central Hudson and Fortis Inc.

Resolution Summary: The Ulster County Legislature urges the Public Service Commission (PSC) to extend the period for public comment so that the Legislature, and other interested parties, can have time to assess the full implications and potential impacts of the CH/Fortis merger, and the Legislature urges the PSC to have a Public Recommended Decision, which will provide for a more transparent decision.

MOTION MADE BY: Legislator R. Parete
MOTION SECONDED BY: Legislator Fabiano

DISCUSSION: Chairman Roberts recognized Legislator Rodriguez who stated that it is important to note that the Legislature is opposed to this merger at this time as proposed. Legislator Rodriguez also stated that part of this resolution addresses the Public Comment period.

Chairman Roberts stated that he does not support a foreign corporation owning an American Public Service Corporation.

Chairman Roberts recognized Legislator Maio who stated that she has received several calls from constituents who are concerned about this merger and the impact it may have on the people. Legislator Fabiano stated that he also received several calls regarding the merger.

Chairman Roberts recognized Legislator Ronk who stated that currently the only comment on record regarding this merger has come from the County Executive office in favor of the merger. Legislator Ronk stated that he believes it does not necessarily reflect the opinion of the majority of the County and would like more time to consider the merger.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, R. Parete, Donaldson, Fabiano, Maio, and Ronk
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 6

NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 5 Draft LATE Resolution No. 0186 – March 19, 2013

TEXT OF MOTION: **RESOLVED to approve Draft LATE Resolution 0186** - Accepting An Offer To Purchase The Ulster County Community College President's Residence Located At 3312 Route 209, Stone Ridge, NY 12484, And Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract Of Sale, Deed And Any Other Documents Necessary To Effectuate The Transfer Of The Real Property– Ulster County Community College.

Resolution Summary: The Chairman of the Ulster County Legislature is hereby authorized to execute a contract of sale, deed, and other documents necessary to effectuate the transfer of the Ulster County Community College President's Residence located at 3312 Route 209, Stone Ridge, NY 12484, after approval or modification by the County Attorney.

MOTION MADE BY: **Legislator R. Parete**
MOTION SECONDED BY: **Legislator Ronk**

DISCUSSION: **Chairman Roberts** recognized **Legislator Ronk** who motioned to amend the Resolution to add a Resolved that states the proceeds will be used for the establishments of the County Veterans home. **Legislator Donaldson** stated that it was addressed in the Legislative Programs Committee and the majority of the members agreed to the Resolution as is.

Chairman Roberts recognized **Legislator Rodriguez** who stated that he would like to get a more clear understanding from the Executives Office. **Legislator Donaldson** stated that if the County Executive does not follow through with the funding for the Veterans home then he should be held accountable; however, to tie this money up with an additional resolved may end up costing money.

Chairman Roberts recognized **Legislator Ronk** who stated that the main reason he supported the sale of the residence in such a poor real-estate market was the fact that the profits were going to be used for the Veterans home on Wurt's Street.

Chairman Roberts recognized **Legislator R. Parete** who stated that he is in agreement **Legislator Ronk** regarding the County Executive stating that the money obtained from the sale of the College Presidents residence would be used to establish the Veterans home.

Chairman Roberts recognized **Legislator Donaldson** who stated that the Committee should only be considering this resolution for lateness and not content.

Chairman Roberts recognized **Legislator Ronk** who withdraws his previous motion.

Chairman Roberts called for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Roberts, R. Parete, Donaldson and Fabiano
VOTING AGAINST: Legislators Ronk and Maio
NO. OF VOTES IN FAVOR: 4
NO. OF VOTES AGAINST: 2
DISPOSITION: Motion Passed

MOTION NO. 6

Draft LATE Resolution No. 0188 – March 19, 2013

TEXT OF MOTION:

RESOLVED to approve Draft LATE Resolution 0188 - 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.

Resolution Summary:

The Rules of Order of the Ulster County Legislature adopted on January 3, 2012 shall be rescinded and the Rules of Order of the Ulster County Legislature attached hereto shall be the Rules governing this body and its proceedings for the remainder of the year 2013.

MOTION MADE BY:

Legislator Ronk

MOTION SECONDED BY:

Legislator Fabiano

DISCUSSION:

Chairman Roberts recognized **Legislator Donaldson** who stated that he does not support the proposed changes to the Rules.

Chairman Roberts recognized **Legislator Ronk** who stated that he is in support of the Rule changes that justify the Committee process and outline a more fair policy to all concerned.

Chairman Roberts motions to table resolution until both parties can reach an agreement, seconded by **Legislator Donaldson**.

Chairman Roberts recognized **Legislator Ronk** who stated that he is against tabling this resolution.

Chairman Roberts recognized **Legislator Fabiano** who stated that since his time in the Legislature there have been several occasions where the Rules of Order were not clear and created confusion in the chamber.

Chairman Roberts calls a vote on his motion to table the resolution. **Legislators Roberts and Donaldson in favor; Legislators Ronk, Fabiano, Maio, R. Parete opposed; Motion defeated.**

Chairman Roberts called for further discussion, hearing none calls for a vote.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Roberts, R. Parete, Fabiano, Maio, and Ronk

VOTING AGAINST:

Legislator Donaldson

NO. OF VOTES IN FAVOR:

5

NO. OF VOTES AGAINST:

1

DISPOSITION:

Motion Passed

II. DISCUSSION

Chairman Roberts asked if there is any other business before the Committee; hearing none, he recognized **Legislator R. Parete** for a motion to adjourn, seconded by **Legislator Maio** at 7:00PM.

Dated the 18th day of March, 2013

Franklin R. Reggero, Sr. Legislative Employee

Minutes Approved on: 15th day of April 2013 / frr

ULSTER COUNTY LEGISLATURE

Legislative Programs, Education & Community Services Committee Regular Meeting Minutes

DATE & TIME : March 13, 2013 / 5:00pm
LOCATION : Ulster County Community College, St. John Business Seminar Room, George Clinton Hall, Room 108, Stone Ridge, New York
CHAIRMAN : Wayne Harris
RECORDER : Janet Salanitri, Adm. Assistant, SUNY, Ulster Co. Community College
LEGISLATORS
PRESENT : Chairman Harris, Legs. David B. Donaldson, Craig Lopez, Mary Wawro and Donald Gregorius
ABSENT : None
OTHERS
PRESENT : Mark Komdat, Dean of Administration, SUNY Ulster Co. Community College; Kathy Keyser, Coordinator of RISE Program, SUNY Ulster; R. Michael Lamoree, Executive Director Community Action Committee; Eve Madalengoitia, Dutchess County Arts Council; Kenneth Crannell, Deputy Ulster County Executive; Melinda Herzog and Roxanne Churchill, both of Cornell Cooperative Extension; Teresa Brundage, Assistant to Leg. Lopez; Victor Melville, Observer for League of Women Voters; Jim Cosgrove, Ulster County Library Association
QUORUM : Yes

A QUORUM BEING PRESENT CHAIRMAN HARRIS CALLED THE MEETING TO ORDER AT 5:03pm

MOTION #1:

Text of Motion : Resolved to approve the Minutes of the meeting of this Committee of November 27, 2012 and January 9, 2013
Motion Made : Leg. Donaldson
Seconded : Leg. Lopez
Voice Vote : Yes
In Favor : Leg. Donaldson, Lopez, Wawro, Gregorius and Chairman Harris
Opposed : None
Abstained : Chairman Harris (excused) for the November 27, 2012 meeting
No. in favor : 4
No. Opposed : 0
Disposition : Motion passed – Minutes of November 27, 2012 and January 9, 2013 approved as presented

DUTCHESS COUNTY ARTS COUNCIL:

Report by : Eve Madalengoitia

Report Ms. Madalengoitia said the deadline was February 26th and they received 24 applications of which ten were new applicants to this program. More than \$149,000 was requested. Program announcements were made through press releases, mail, newsletters, networking and other media. She said two application seminars were held - Kingston Library and Woodstock School of Art with more than 30 attendees. There were about 45 hours of phone consultations and 16 technical appointments. The independent panel will meet on March 25th to review the applications and make funding recommendations which will then be reviewed and voted upon by the Dutchess County Arts Council Board of Directors on April 15th. The awards reception will be held during the summer.

There was a brief discussion, primarily on how well this program has worked and how it has also fostered collaboration between the various arts entities within the county including the Rosendale Theatre Cooperative and SUNY New Paltz.

Resolution: Resolution #0160 for the March 19, 2013 Legislature Session.

MOTION #2 – RESOLUTION #0160

Text of Motion: Authorizing the Chairman of the Ulster County Legislature to Execute an Agreement with The Dutchess County Arts Council for the 2013 Appropriation in the sum of \$46,000.

Motion Made : Leg. Donaldson
Seconded : Leg. Wawro
Voice Vote : Yes
In Favor : Chairman Harris, Legs. Donaldson, Gregorius, Wawro and Lopez
Opposed : None
No. in Favor : 5
No. Opposed : 0
Disposition : Motion passed. Resolution #0160 unanimously approved.

CORNELL COOPERATIVE EXTENSION OF ULSTER COUNTY

Report by : Melinda Herzog and Roxanne Churchill, Program Directors

Report : Ms. Herzog gave a report about the current status of some of the programs she is involved in, including Family Consumer Finance, Relatives as Parents and Nutrition Education Programs which include many individuals and families who receive SNAP (food stamp) benefits. She said one upcoming nutrition program is the Healthy Eating Program that will be having a presence at the Midtown Farmers Market. The Empowerment Program is a financial management and education program which enables people to learn how to get more from their dollar, especially in the food shopping area. The Relatives as Parents program answers many questions these people have including legal questions. It also gets children involved in some supporting programs, including the YMCA's 26.2 Running Program.

Ms. Herzog said 4-H will be working on various projects including the Community Gardens. She also discussed Creating Healthy Places and its collaboration with Ellenville, Saugerties and Kingston to make our streets safer for physical activities such as biking and walking, not just motor vehicles. Ms. Herzog said that CCE's annual golf outing would be held on Thursday, May 16th.

Resolution : Resolution #0161 for the March 19, 2013 Legislature Session.

MOTION #3 – RESOLUTION #0161

Text of Motion : Appropriation for The Cooperative Extension Association of Ulster County in the sum of \$312,475.00 and Authorizing the Chairman of the Ulster County Legislature to Execute the Agreement Related Thereto.

Motion Made : Leg. Gregorius
Seconded : Leg. Wawro
Voice Vote : Yes
In Favor : Chairman Harris, Legs. Gregorius, Wawro, Lopez and Donaldson
Opposed : None
No. in Favor : 5
No. Opposed : 0
Disposition : Motion passed. Resolution #0161 unanimously approved.

CASA (COURT APPOINTED SPECIAL ADVOCATES)

Report by : No Report

Resolution : Resolution #0163 -for the March 19, 2013 Legislature session.

MOTION #4 – RESOLUTION #0163

Text of Motion : Authorizing the Chairman of the Legislature to Execute an Agreement with Court Appointed Special Advocates (CASA) for the 2013 Appropriation in the sum of \$20,000.00.

Motion Made : Leg. Donaldson

Seconded : Leg. Lopez

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Gregorius, Wawro, Lopez and Donaldson

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution #0163 unanimously approved.

ULSTER PERFORMING ARTS CENTER

Report by : No report.

Resolution : Resolution #0165 for the March 19, 2013 Legislature session.

MOTION #5 – RESOLUTION #0165

Text of Motion : Authorizing the Chairman of the Legislature to Execute an Agreement for the Maintenance of Facilities for Ulster Performing Arts Center for the 2013 Appropriation in the sum of \$18,750.00

Motion Made : Leg. Donaldson

Seconded : Leg. Wawro

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Donaldson, Wawro, Lopez and Gregorius

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution #0165 unanimously approved.

ULSTER COUNTY COMMUNITY ACTION COMMITTEE, INC.

Report by : R. Michael Lamoree, Executive Director

Report : Mr. Lamoree said they are currently running 3% ahead of last year and said the \$5,500 for the rehab of the kitchen was helping. They have spent \$2,800 to date and the RESPITE program is currently using the kitchen on Saturdays for the disabled adults program. Community Action is presently looking into ways to provide healthy snacks for children in the Rondout area. He advised that some of the federally funded programs, particularly the Weatherization program, had been drastically cut. Chairman Harris asked if the kitchen could be used for the Meals on Wheels program and Mr. Lamoree said they still have to get staff. There was a discussion of the Meals program and its current status. Mr. Crannell said both the jail food service and the Meals on Wheels program RFPs went out for bid last year and both bids have been awarded with multi-year contracts.

Resolution : Resolution #0166 for the March 19, 2013 Legislature session.

MOTION #6 – RESOLUTION #0166

Text of Motion : Authorizing the Chairman of the Ulster County Legislature to Enter Into an Agreement with Ulster County Community Action Committee, Inc.

Motion Made : Leg. Donaldson

Seconded : Leg. Lopez

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Donaldson, Wawro, Lopez and Gregorius

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution #0166 unanimously approved.

SUNY, ULSTER COUNTY COMMUNITY COLLEGE:

Report by : Mark Komdat, Dean of Administration

Report : Dean Komdat gave a brief synopsis on the proposed contract between the College and the Faculty Association and stated it was basically in line with the Professional Staff contract the County had approved last year and also with the most recent support staff contract. Ken Crannell said the administrative staff at the College should be congratulated for the manner in which they handle these contract negotiations and the respect accorded both to their employees and to the County. The resolution to approve the contract was voted upon as noted below and unanimously approved.

(Recorders note: The next resolution on the agenda was for the appointment of a member to the U.C. Youth Bureau. Chairman Harris decided to move on the Youth Bureau resolution at this time and requested a motion to approve same. Full details of the resolution, motion and vote will be set forth in detail under the report of the Ulster County Youth Bureau immediately following the report of Ulster County Community College.)

At this time the Committee reviewed the marketing of the President's residence with Dean Komdat. He said the average appraisal was approximately \$475,000 with most offers considerably lower and it is his belief and the belief of the Board of Trustees that this sales price of \$469,000 is the best value that could be obtained in the current real estate market. Chairman Harris asked if the Foundation is required(emphasis supplied) to provide a meeting place for social events. Dean Komdat said while he does not think they are required to do so, having a nice venue for raising funds helps that cause, and we are looking to possibly renovate more of the Kelder property for social purposes.

Leg. Lopez said it was his understanding that the county's share of the proceeds was to be used for the veterans' housing project. Mr. Crannell said yes, but also said title had not yet passed to the County, although he has been told the Deed is on the Attorney General's desk and should be signed shortly. He said there has been a lot of interest in this project and there is funding for its maintenance in Buildings & Grounds and in Veterans. It was suggested by Leg. Gregorius that the resolution in question be amended to include the County's intent to use a portion of its proceeds for the veterans' housing. This was agreed to and the motion to amend the resolution and the resolution itself as are set forth at the conclusion of this report, were unanimously approved.

At this time Kathy Keyser, Coordinator, gave a presentation and up-date on the RISE Program, which is a joint effort of SUNY Ulster and the U.C. Department of Social Services and stands for Reaching Independence through Supportive Education. The program was formerly known as PACE and also AFFIRM and has been operating since 1986 serving more than 550 students. She provided details of the curriculum and programs available to students, as well as the obstacles many of these students have had to overcome in order to successfully complete the program. Ms. Keyser gave examples of two recent graduates of the program and how they both have basically turned their lives around with the help of the RISE Program.

Resolutions : Resolution #0181 for the March 19, 2013 Legislature session.
Resolution by Committee to Amend Resolution #0186 for the March 19, 2013 Legislature session
Resolution #0186 as amended for the March 19, 2013 Legislature session.

MOTION #7 ON RESOLUTION #0181

Text of Motion : Approving the Collective Bargaining Agreement between the County of Ulster and the UCCC Faculty Association

Motion Made : Leg. Donaldson

Seconded : Leg. Gregorius

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Donaldson, Wawro, Lopez and Gregorius

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution #0181 unanimously approved.

NOTE: MOTION #8

Motion #8 is set forth under "Ulster County Youth Bureau" immediately following the Report and Resolutions for Ulster County Community College.

MOTION #9 TO AMEND RESOLUTION #0186 (BY COMMITTEE)

Text of Motion : To Amend Resolution #1086 (set forth hereafter) to provide for a new "WHEREAS" clause to read as follows: "WHEREAS, it is the intent of the County to use a portion of the County's proceeds to fund the Veterans' home; and"

Motion Made : Leg. Lopez

Seconded : Leg. Gregorius

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Donaldson, Wawro, Lopez and Gregorius

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution by Committee to amend Resolution #0186 unanimously approved.

MOTION #10 ON RESOLUTION #0186 (as amended)

Text of Motion : Accepting an Offer to Purchase the Ulster County Community College President's Residence Located at 3312 Route 209, Stone Ridge, NY 12484, and Authorizing the Chairman of the Ulster County Legislature to Execute a Contract of Sale, Deed and any other Documents Necessary to Effectuate the Transfer of the Real Property – Ulster County Community College.

Motion Made : Leg. Donaldson

Seconded : Leg. Wawro

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Donaldson, Wawro, Lopez and Gregorius

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution #0186 (as amended) unanimously approved.

ULSTER COUNTY YOUTH BUREAU

Report by : No report.

Resolutions : 1) Resolution #0182 - for the March 19, 2013 Legislature session.

MOTION # 8 ON RESOLUTION #0182:

Text of Motion : To confirm the appointment of Ethan Burwell as a member of the Ulster County Youth Board

Motion Made : Leg. Donaldson

Seconded : Leg. Lopez

Voice Vote : Yes

In Favor : Chairman Harris, Legs. Donaldson, Gregorius, Wawro, Lopez

Opposed : None

No. in Favor : 5

No. Opposed : 0

Disposition : Motion passed. Resolution #0182 unanimously approved.

ULSTER COUNTY LIBRARY ASSOCIATION**Report by** : Jim Cosgrove, Director

Report : Mr. Cosgrove said the Association has been working on a book of historical photographs and he also thanked the Committee and the Legislature for the increase in the Library allocation. He said the Library membership is talking more about consolidation and collection development. Everyone wants to make sure all libraries have a basic print collection, particularly in the field of health volumes. A brief discussion was had of the future of the Marlboro Library system and the effect of the loss of the largest taxpayer, the power plant, who filed for bankruptcy. The library and school system has lost 40% of its tax base and Marlboro will be closing two of its schools.

Resolutions : None

OTHER BUSINESS:

Vic Melville, Observer for The League of Women Voters said he had recently attended a conference at the SUNY New Paltz Center for Research, Regional Education and Outreach entitled "Food Insecurity in Ulster County" and distributed a handout from that conference.

ADJOURNMENT MOTION #11

There being no further business before this meeting, on motion duly made by Leg. Donaldson and seconded by Leg. Wawro, and carried, the meeting adjourned at 6:17 pm.

Dated the 20th day of March, 2013.

Janet Salanitri, Recorder

Minutes Approved On April 10, 2013.

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: March 6, 2013 @ 5:00 PM
LOCATION: Karen L. Binder Library, 6th Floor County Office Building
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Franklin Reggero
PRESENT: Chairman Dean Fabiano, Thomas Briggs, Jim Maloney, John Parete and Kevin Roberts
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Bob Sudlow, Deputy County Executive; Sue Ronga and David Bolles, DPW.

Chairman Fabiano:

- Called the meeting to order at 5:00 PM

MOTION NO. 1

Text Of Motion: RESOLVED to approve the Minutes of February 6th and 12th, meetings.
Motion Made By: Legislator T.J. Brigs
Motion Seconded By: Legislator J. Parete
Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, John Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

RESOLUTIONS:

MOTION NO. 1 **DRAFT Resolution No. 0177, March 19, 2013**

Text Of Motion: RESOLVED to approve Draft Resolution No. 0177 – Establishing Capital Project No. 385 – Rehabilitation Of The Sauer Bridge (PVI) No. 70, Town Of Saugerties – Department Of Public Works (Highways & Bridges Division) **BOND Resolution No. 0178 Required.**

Resolution Summary: Establish Capital Project No. 385 for the County's Share of \$2,000,000.00 for the repair of the Sauer Bridge (PVI) in the Town of Saugerties.

Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Briggs

Discussion: **Chairman Fabiano** asked Ms. Ronga to clarify the Engineering costs identified in the resolution in the amount of \$300,000. Ms. Ronga stated that an outside engineering firm is going to be used at that estimated costs.

Chairman Fabiano also asked Ms. Ronga to define the Mobilization Costs of \$65,820.00, to which Ms. Ronga and Mr. Bolles stated it is the estimate to move people and equipment to and from the site during the repair phase. Ms. Ronga further stated that the document provided with cost estimates was prepared by the County Engineering Department to give the Committee an idea of how much the project was going to cost.

Chairman Fabiano asked Ms. Ronga if the repairs were going to be done by the County or put to bid for an outside company. Mr. Bolles stated that the bridge is too high and too long for the County Highway and Bridge Department to do the repairs and that the project will be put out to bid. **Chairman Fabiano** asked when it will go out to bid. Ms. Ronga stated that once this resolution is passed by the Legislature they will start the RFP process.

Chairman Fabiano asked Ms. Ronga why do the projects take so long to approve State and Federal funding once they have been identified as needing repair? Ms. Ronga stated that DOT funding process is conducted in phases that may take up to two years and it is not uncommon that the need for repair comes before the outside funding process is complete. Ms. Ronga further stated that Ulster County is in NYSDOT Region 8 that has recently experienced a personnel shortage and have become backlogged in project completion.

Chairman Fabiano recognized Mr. Sudlow who elaborated further on the extent of the work to be conducted and stated that if the project was to remain on the Transportation Improvement Program it could take up to six years to complete, which is too long to wait. Mr. Bolles stated that under the current proposal in may take up to six months to start the project. Mr. Sudlow further stated that because of the location of the bridge it is going to require coordination with the Town and Village of Saugerties due to increased level of traffic along the detour routes. **Chairman Fabiano** stated that the condition of this has been a problem in his district for some time and will coordinate between the Town and County once work begins.

Legislator Maloney asked if the traffic is going to be monitored before and during the project. Ms. Ronga stated that yes coordination with the planning department for traffic monitoring will take place.

Chairman Fabiano called for further debate, hearing none called for a vote.

Roll Call Vote:	No
Voting In Favor:	Briggs, Fabiano, Maloney, John Parete and Roberts
Voting Against:	None
No. Of Votes In Favor:	5
No. Of Votes Against:	0
Disposition:	Motion Passes

MOTION NO. 2 Draft Resolution No. 0183, March 19, 2013

Text Of Motion: RESOLVED to approve Draft Resolution No. 0183 – Conveying Two (2) Parcels Of County-Owned Real Property Acquired Through the Greater Catskills Flood Remediation Program To The State Of New York – Department Of Public Works

Resolution Summary: The property shall be conveyed to the State of New York, under the jurisdiction of the New York State Department of Environmental Conservation, without consideration and with the following terms and conditions included in the deed: that the property shall be restricted to, dedicated to, and maintained in perpetuity for use that is compatible with open space, recreation, flood mitigation and/or wetlands preservation

Motion Made By: Legislator Briggs
Motion Seconded By: Legislator Maloney

Discussion: **Chairman Fabiano** recognized **Legislator Maloney** to elaborate on the details of the property.

Chairman Fabiano called for further debate, hearing none called for a vote.

Roll Call Vote: No
Voting In Favor: Briggs, Fabiano, Maloney, John Parete and Roberts
Voting Against: None
No. Of Votes In Favor: 5
No. Of Votes Against: 0
Disposition: Motion Passes

DISCUSSION:

Chairman Fabiano recognized Sue Ronga, Deputy Commissioner Public Works for a DPW update:

- 1) Buildings and Grounds update: Court House, Asbestos abatement, DSS, old Salt Sheds and sub-station renovation.
- 2) Highway and Bridges: Salt controller training, Bridge repair update, brush and tree control, cold patch, flooding in New Paltz and equipment maintenance. Hard Copy provided by DPW.

Chairman Fabiano recognized Mr. Sudlow who provided an update on snow and ice mitigation this year versus last year and the cost involved.

Chairman Fabiano asked Mr. Sudlow the status of a guard rail replacement on West Saugerties road and when it would be repaired by the County. Mr. Sudlow stated they will send someone in the morning to look at it.

Chairman Fabiano called for more discussion, hearing none.

The next Committee Meeting is April 3, 2013 at 5:00 PM.

There being no further business before the meeting, on the motion duly made by **Legislator T. J. Briggs**, seconded by **Legislator J. Parete**, and carried, the meeting adjourned at 5:30 pm.

Dated the 6th day of March 2013
Franklin R. Reggero, Committee Clerk
Minutes Approved on: 3rd day of April 2013 / frr

Social Services Committee

Regular Meeting Minutes

DATE & TIME: March 4, 2013, 6:30 PM

LOCATION: Transportation Conference Room, Department of Social Services, 1081 Development Court, Kingston

PRESIDING OFFICER: Chairman Mary Wawro

LEGISLATIVE STAFF: Krista Barringer, Deputy Clerk

PRESENT: Legislators Craig Lopez and Hector Rodriguez

ABSENT: Legislators Richard Parete and Kenneth Ronk

QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislative Counsel Erica Guerin, UCDSS Early Intervention and Pre-School Education Coordinator Rita Wood, Budget Director James Hanson, UCDSS Finance Unit Director Peter Carney, UCDSS Deputy Commissioner for Services Barbara Sorkin, UCDSS Health Insurance Programs Director Susan Warman, UCDSS Deputy Commissioner for Personnel Cynthia Beisel, UCDSS Commissioner Mike Iapoce, UCDSS Economic Supports Unit Director Susan McDonough, and Deputy County Executive Ken Crannell

Chairman Wawro called the meeting to order at 6:38 PM.

Motion No. 1- RESOLVED To Approve the Minutes of the Social Services Committee meeting held February 4, 2013.

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Discussion: None

Roll Call Vote: No

Voting In Favor: Legislators Lopez, Rodriguez, and Wawro

Voting Against: None

No. of Votes in Favor: 3

No. of Votes Against: 0

Disposition: Carried

Guest Presenter (Michael Iapoce, Commissioner of Social Services and Division Directors)

Commissioner Iapoce thanked the Committee for bringing their meeting to the Department of Social Services (DSS) and noted he asked his management team to attend. He stated they

would give some general presentations and then allow for questions and answers. He noted the two sides of DSS being services and public assistance. He introduce his management team.

Deputy Commissioner Sorkin noted within the Services side of DSS there were a number of separate units and indicated they comprise about one-third of the total agency. She stated have an adult services division and a children's services division. She noted the adult services unit has a central intake which is shared with Office for the Aging. She stated in adult services they have an adult protective unit and a personal care unit. She stated the unit assist adults ages 18 and up, with a mental or physical disability, who are unable to meet their own needs and have no one else who is willing or able to assist them. She noted in the Services division the programs are not based on financial eligibility but based on need. She reported for adult protective there were 258 referrals, 31 court appointed guardianships, and approximately 500 personal care aid cases which provides home care for Medicaid eligible adults.

In regards to the children's services, Deputy Commissioner Sorkin stated they focus on the health and safety of children with a focus to help children remain in their homes. She noted they have two doors into Children's Services, child protective services reports and an intake door. She stated they had 2,240 reports last year of which only 29-30% are indicated. She noted they are required to have a 24-hour response which utilizes an on-call system. She noted the focus on referrals to community based programs and the need to take non-compliant families to Family Court. She highlighted the opening of the Family and Child Advocacy Center which houses the Family Violence Unit at 21 O'Neil Street in Kingston which was achieved through grants. She stated the Family Violence unit had 375 reports last year. She noted in 2012, 152 referrals were made through the intake door to which anyone, including self referrals of families in need of assistance that can be brought to the attention of the Agency. She noted they have approximately 120 open cases in the mandated Family Prevention unit. Under mandated prevention programming, the CCS: Coordinated Children's Services program which is a collaboration with Probation and Mental Health, assists children who are at risk of institutional placement. She noted this program has been successful in doing PINS: Persons in Need of Supervision diversion utilizing a Multi-Systemic Diversion program, and a NEXIS treatment model that includes an in-house mental health clinic.

Deputy Commissioner Sorkin noted the last resort is the service for children placed in foster care after a judicial determination indicating it would be contrary to the welfare of a child to remain with their family or in the community. She noted they are mandated to provide the lowest level of placement possible and indicated they are in court every five months for permanency planning discussions. She stated there are 159 children in foster care with 91 in DSS or Therapeutic foster home, 18 in relative care and 47 residing in institutional care following a major juvenile delinquency charge or a PINS. She stated there are currently 63 foster homes which are typically very full. She noted 12 children were freed and adopted last year and they have an initiative to increase the paperwork to ensure more adoptions. She discussed the Bruderhof and Red Cross assistance in establishing the Family and Child Advocacy Center and highlighted the initiation of a FAR program which is a family assessment response which allows a dual track of assessment instead of an investigation. She noted Orange and other Counties are currently doing FAR. She noted they are doing a pilot trauma based foster care program with NYC/Bronx entitled Project Atlas. She noted this program would go statewide after the five year grant program is completed.

Chairman Wawro asked what would happen if a child was returned to the custody of their parent and the parent with prevention programs in place but left the County. Deputy Commissioner Sorkin replied the County would make a referral to the new County of residence and noted they work closely with the other Counties in the region and likely the other County would open a preventative case.

UCDSS Public Health Insurance Programs Director Warman stated they oversee the Medicaid and Managed Care programs. She noted Medicaid is paid by the Federal and State Government for medical care for those who cannot afford it or those that are under insured. She stated there are currently four managed care plans in the mandated Medicaid managed care and individuals are automatically enrolled if they do not select one for themselves. She stated for those with a dual eligibility for Medicaid but also have Medicare, it is voluntary to enroll in a managed care plan. She stated there are two providers for this population, Fidelis and Wellcare/Liberty. She noted the enrollment broker, Maximus, is available on site to assist with the selection. She stated managed care was a contained cost through capitation. She noted families can have multiple plans for each person based on the need. She stated as of January 1, 2010 there is no resource test for Medicaid recipients that are not over 65 years old and they can own their homes/property and have money in the bank. She stated there is no resource test for Family Health Plus and in this Medicaid program there are some co-pays. She stated the full Medicaid program had no out of pocket expenses. She stated the face to face interview was eliminated as of April 2010 as people could enroll via mail, in person and drop an application or with assistance through DSS or a facilitated enroller. She noted the facilitated enrollers must explain all the different plans and it is their responsibility to help fill out the forms and to be fair to all plans. She noted as of October 2010, no citizenship or identity documentation is needed and that cross references with the Social Security data is done after the application is submitted. She noted the State has taken over the medical transportation coordination for those without a registered vehicle and this State company works with local taxi cabs. She stated as of January 2013, they had 26,390 active Medicaid recipients with 18,392 enrolled in managed care programs.

UCDSS Economic Supports Unit Director McDonough stated she supervises the Temporary Assistance, Supplemental Nutrition Assistance Program (SNAP), Day Care unit, and HEAP (Home Energy Assistance Program) unit. She noted the Temporary Assistance program provides the cash assistance for rent, utilities and basic needs in two categories Family Assistance and Safety Net. She noted in Family Assistance the Agency has up to 30 days to make a determination and in Safety Net, there is an automatic 45 day wait to allow for any pending workers compensation or unemployment insurance to start. She noted for temporary assistance, the applicant must live or reside in the County at the date of application with no applications pending or open in other Counties or other States. She noted they screened approximately 500 intakes per month in the last quarter of 2012. She noted SNAP provides nutritional assistance for the low and middle income households as well as SSI: Social Security Income households, which are automatically opened through the State. She noted there are households with no income that receive SNAP but refuse temporary assistance. She stated for 2012 there were 11,500 households and for January 2013, they received 470 applications in person and 206 online. She noted day care unit is a diversion program from temporary assistance. She noted there is currently no waiting list although there was a waiting list at the end of 2012. She stated the HEAP program offered eligible households a regular and an

emergency benefit and closed on March 15th. She noted there was furnace repair/replacement component of HEAP which closed on February 1st. She reported for the 2012-2013 season, 12,945 households have received at least one benefit heat related benefit.

UCDSS Early Intervention (EI) and Pre-School Education (PSE) Coordinator Wood stated her program serves children under the age of five with special education needs. She stated they contract for the evaluation and ongoing services if the child is found eligible. She stated the EI program is birth through age 3 and is through the NYS Department of Health which includes a child find and an at-risk program that they partner with the Ulster County public health nurses. She noted these children are at risk of developmental delays but have not shown any signs or diagnosed conditions that would warrant EI services. She stated the State and Federal Government have a goal of ensuring all children have a medical home which is a primary care physician, well child visits and health insurance. She noted the public health nurses will track those families up until the age of three. She stated this program was not income based but solely on a child's eligibility. She noted only Chemung and Albany Counties house their EI and PSE programs in their DSS as most have the program in the Health Department. She reported the PSE program serves children over three to five and is through the NYS Department of Education. She stated this program is administered and the responsibility to pay for the program falls on the local school districts. She stated referrals for children over the age of 3 until Kindergarten are referred to the school district, the school district meets with the families, and then the County will contract for the services. She noted the local share for these services are 51% for EI and 59.5% for PSE. She stated up until April 1st, the County pays 100% of the EI expenses and then the family's insurance or Medicaid services to seek reimbursement prior to submitting to the State for reimbursement. She noted as of April 1st, the State will now have a fiscal agent to whom all the billing will go through and the State fiscal agent will take the claims to whatever insurance company or Medicaid and anything not paid by the third party insurances will be kicked back to the County to pay and then the County will seek their 51% reimbursement. She noted the goal is to return to a 50/50 reimbursable share. She stated for PSE is a tuition based and there are currently around 460 children in the program, with less than half in center based, tuition based, or school based program. She stated this population makes about about 2/3rds of the PSE budget. She stated these rates are dictated by the State and based on what the program sets as their rate. She noted the program specialist participate in school meetings when determining services and can express their concerns as appropriate. She noted in the EI program she has program staff that meet with the families and the contracted providers in a family services team to decide as a group the six month basis for services.

Commissioner Iapoce noted all the programs have specific eligibility criteria and if an applicant believes they were denied benefits, they have access to a fair hearing process that is overseen by an Administrative Law Judge. He noted although they have these frequently, the Department has been rarely overturned. He stated if it is overturned, they can evaluate the case to determine if it should be appealed which is called an Article 78. He noted an applicant can also bring an Article 78 to appeal the judge's decision. He remembered only two Article 78 proceedings brought by applicants in the last twenty years and the Department prevailed in both. He highlighted their excellent, accurate work at the Department which if was not to that level, it would be a liability as there would be people eligible and not receiving services which would have a direct impact on meeting their basic needs. He noted lawsuits could arise from

that liability, which to date; the Department's track record has been strong, particularly in the EI and PSE program area.

Commissioner Iapoce noted UCDSS Finance Unit Director Carney's responsibility to track the financial transactions of all the DSS programs is essential for the overall success of the entire Agency. He noted they also work closely with the County Finance and Budget departments and was instrumental in participating in Corporate Compliance implementation which has aided them in their overall accuracy. He noted regardless of the source, all concerns brought to their attention is reviewed. He noted confidentiality is the earmark of all that they do.

Deputy County Executive Crannell noted his office's role in funneling questions of the Department through him to protect the County.

DSS Managers answered some questions submitted previous to the meeting

- **What is the rule or restriction on a local residency requirement?**

UCDSS Economic Supports Unit Director McDonough replied the local residency requirement is that they live in the County at the time of application. She noted other Counties are responsible for applicants the month they move and one month after. Deputy County Executive Crannell noted there are uniform requirements across the Counties. UCDSS Economic Supports Unit Director McDonough noted if someone arrives from another State, they will call that State to see if they have assistance. Deputy County Executive Crannell stated Safety Net is not Federal and it is a concern that people will move to NYS when they have exhausted their eligibility for the Federal program.

- **What is the rule or restriction on drug testing of Welfare recipients?**

UCDSS Economic Supports Unit Director McDonough replied there is no drug testing per se. She stated there is a screening form that is done with every applicant and based on the responses; they may be referred to an assessor. She noted if they are employable or say they are employable and do have a drug problem, they find out eventually as they do not comply with the job requirements and then they are referred to the Assessor. Commissioner Iapoce noted Counties have attempted but it has been overturned as being unconstitutional. UCDSS Economic Supports Unit Director McDonough stated if someone arrives drunk or high, the Assessor can do a breathalyzer test. She noted the Department cannot house someone who appears to be high or drunk.

- **If a local Veteran's Social Security benefit is raised and s/he is forced into a Medicaid category with co-pays, can s/he refuse the increased benefit to remain with the full coverage of Medicaid?**

UCDSS Public Health Insurance Programs Director Warman replied there could not refuse the benefit. She noted if someone came in and indicated they were disabled and therefore unable to work, they would be referred to Social Security to obtain benefits and it is therefore a requirement of Medicaid to get Social Security benefits. She noted even though someone is Medicaid eligible, it is a different program and they may have a spend down or a higher co-pay which makes it feel as though they received a benefit increase, they need to spend it on the higher co-pay. She stated a spend down is for those that are over the Medicaid eligibility. She stated if they were over by \$100 in income, they would have to spend that amount down before the full benefit eligibility. She noted the spend down includes offsetting expenditures

such as co-pays and medical costs such as over the counter medicine and recommended collecting receipts. She noted they have two spend down staff that would be happen to meet with anyone that is new to the spend down program to review how it works and how best to plan to meet the spend down requirements.

- **What activity does the Department conduct in its fraud investigations?**

UCDSS Finance Unit Director Carney replied the Special Investigation Unit has two components, front end and back end detection. He stated in the front end, at the time of the application, they verify salary, wages, etc. He noted on the back end, after they have been on assistance, they will investigate the same type of issues. He noted the back end will sometimes involve stake outs as someone has unreported wages. Deputy County Executive Crannell noted the County Executive has initiated a program to strength fraud abuse detection and hopes to bring to the Committee a Resolution next month noting the County received some restitution from the Sunoco case at about \$160,000. He noted a portion of that has to go back to the Federal government but they hope to use the funds to bring in some extra resources to contract with forensic accountants and doing some best practices that some Counties have had across the State. He noted they were coordinating with the District Attorney and local law enforcement.

- **When a store owner is prosecuted, what happens to the recipients who also benefited from the fraud?**

UCDSS Finance Unit Director Carney stated DSS cannot investigate vendors as this is under the US Department of Agriculture (USDA). He stated the recipients, except for Medicaid, are disqualified from services if they are found guilty of fraud. He stated they will seek claims for recoupment of future benefits.

Commissioner Iapoce noted on the Sunoco case there was time that elapsed between the anonymous referrals and the investigation and the reason was the Department initially made a referral to the USDA as they had sole jurisdiction and had to gain permission from them to conduct the investigation.

Deputy County Executive Crannell noted the best effort is at the front end and at this time, the County has requested a waiver from the State to allow a letter from the District Attorney to be sent to all applications.

Commissioner Iapoce noted the Special Investigation Unit does evaluate whether they thought the fraud was intentional and if not, they will attempt to satisfy it on the books and not refer it to the District Attorney for prosecution.

- **When a waiting list is established for day care, how does the list operate?**

UCDSS Economic Supports Unit Director McDonough stated when a list exists, the day care staff calls all who were on the list and will prioritize child only cases which are those that are residing with grandparents and relatives. She stated they will then go based on poverty income level. Chair Wawro asked if one ever had to reapply for day care. UCDSS Economic Supports Unit Director McDonough stated day care is 100% federally funded. Deputy County Executive Crannell stated the State has not stepped up to the plate to provide the assistance as

they have cut Statewide allocations. He noted the dollars tend to flow to NYC or Long Island and has a direct impact on the County. He stated of all the things the County does to encourage work and self-sufficiency, he was disappointed the State did not step up with more day care assistance. UCDSS Finance Unit Director Carney noted there is a mandated maintenance of effort of \$208,000 that is a County share.

- **What are the restrictions and allowable uses of EBT cards?**

UCDSS Economic Supports Unit Director McDonough stated cash advances were allowable at any ATM. Deputy Commissioner Sorkin noted there was very little cash that can be obtained. Legislator Rodriguez noted those in the community that have commented that people can get \$40 from an ATM. Commissioner Iapoce stated this would be their cash benefit. UCDSS Economic Supports Unit Director McDonough noted the SNAP program is more restrictive which disallows the following purchases: prepared meals, alcohol, cigarettes, or paper products. She noted with the Temporary Assistance benefit is on the same card as the SNAP benefit and they can take out cash with up to four withdrawals a month. She noted the actual allowable amount varies by household. She noted the cash benefit is typically \$20 per month for a single individual and depends on the amount of their rent.

- **What differences are there for a recipient receiving Food Stamps and one receiving Food Stamps and WIC?**

UCDSS Early Intervention (EI) and Pre-School Education (PSE) Coordinator Wood noted WIC was a Federal supplement for women, infants, and children and to receive WIC, one would have to be income eligible or show evidence of Medicaid, Temporary Assistance or Food Stamp eligibility. She noted a pregnant or breast-feeding woman, an infant, or a child up to the age of five can receive benefits in addition to Food Stamp which are typically whole grain cereal, whole milk, etc. She noted it was administered through the Department of Health. She noted in Ulster County WIC Coordinator holds clinics and to be eligible one must have medical documentation. She noted the WIC benefit is still through the issuance of checks and can only purchase certain items. Deputy County Executive Crannell noted these programs were both 100% Federally funded.

Commissioner Iapoce spoke about the Child Support Collection Unit and noted they file applications in Family Court before the Support Magistrates to get child support orders in place. He noted this unit generates an incredible amount of child support orders which is an incredible economic driving force in the County. He felt the amount collected has risen to tens of millions of dollars. [Note: Shortly after the meeting, Commissioner confirmed the amount was actually \$20 million.] Without this unit assisting to get this money into their homes, he noted there would be a lot more families on public assistance.

Commissioner Iapoce noted the public assistance and Medicaid programs will make referrals for support orders if they identify anyone else as being responsible for supporting them. He noted they file petitions on behalf of the plaintiff against the respondent to get a support order in place. He noted when a support order is in place and it is being enforced, that person can get off public assistance. UCDSS Public Health Insurance Programs Director Warman noted for Medicaid it would be medical support and it would ensure the absent parent puts the children on their health insurance. Deputy Commissioner Sorkin noted the same is done when

a child is placed in foster care as there remains a responsibility on the part of the parents in terms of reimbursing the Department when it is feasible with a child support order.

Legislator Lopez asked if within the Medicaid Department, if there was a person who is specifically familiar with the Medicaid programs geared toward working people with disabilities. UCDSS Public Health Insurance Programs Director Warman replied there is a category of eligibility for working people with disabilities but they do not have one person assigned to this category. Legislator Lopez noted it was through his work with Resource Center for Accessible Living (RCAL) that he gained a lot of information regarding MBI, 16-19B, and he wasn't able to find much information within the actual Medicaid department. UCDSS Public Health Insurance Programs Director Warman noted they work closely with RCAL with them and will advocate on behalf of individuals that they may find was denied incorrectly based on their knowledge of the rules and regulations and the always review those cases. She noted the cases are distributed among all the staff and indicated if there was ever a problem, she encouraged them to bring it to her attention to be reviewed as it is different budgeting for the different programs.

Chair Wawro thanked the DSS Management Team for their time.

Motion No. 2

DRAFT Resolution No. 0175 – March 19, 2013

Text of Motion: Resolved to approve Draft Resolution No. 0175 - Authorizing The Chairman Of The Ulster County Legislature To Execute Inter-Municipal Agreements For The Preschool Special Education And Related Services Programs With The Onteora Central School District And The Tri-Valley Central School District – Department Of Social Services

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Resolution Summary: This Resolution authorizes the Chairman of the Ulster County Legislature to execute inter-municipal agreements, and any amendments thereto, with Onteora Central School District, in the amount of \$9,500.00, and with Tri-Valley Central School District in the amount of \$20,000.00, for the Preschool Special Education and Related Services Program, for the period beginning July 1, 2013 through June 30, 2015, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney.

Discussion: None

Roll Call Vote:	No
Voting In Favor as amended:	Legislators Lopez, Rodriguez, and Wawro
Voting Against:	None
No. of Votes in Favor as amended:	3
No. of Votes Against:	0
Disposition:	Carried

Review of Abstract for March 19th Session (15 Contracts Attached):

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

Roll Call Vote: No

Voting In Favor as amended: Legislators Lopez, Rodriguez, and Wawro

Voting Against: None

No. of Votes in Favor as amended: 3

No. of Votes Against: 0

Disposition: Carried

New Business

Chair Wawro suggested the Social Services Committee tour the Family and Child Advocacy Center. Deputy County Executive Crannell stated he would work with the Department to set that up and noted it would need to be an offline meeting as it could not be done in a public setting.

Adjournment

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Lopez

No. of Votes in Favor: 3

No. of Votes Against: 0

TIME: 7:59 PM

Dated the 27th day of March, 2013

Krista Barringer, Deputy Clerk

Minutes Approved on: April 29, 2013

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: March 12, 2013 5:00 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Bartels; Erica Guerin, Legislative Counsel; Elliot Auerbach, Comptroller; Paul Van Blarcum, Sheriff; Burt Gulnick; James Hanson Budget Office; Sue Plonski and Roland Bloomer, County Attorney Office; Brenda Bartholomew, Personnel Director

- Chairman Gerentine called the meeting to order at 5:07 PM.
-

I. DISCUSSION: Audit Committee Members

Chairman Gerentine calls for discussion regarding the composition of the Audit Committee in accordance with Ulster County Charter §C-11.1. **Chairman Gerentine** has been designated by **Chairman Bernardo** to head the Audit Committee with **Legislator's Maloney, Maio, Gregorius and Rodriguez** as voting members. The two non-voting members will be determined by the County Executive and the Comptroller.

II. RESOLUTIONS:

MOTION NO. 1 Draft Resolution No. 0170 out of order

TEXT OF MOTION: **RESOLVED**, 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.

MOTION MADE BY: Legislator Harris
MOTION SECONDED BY: Legislator Gregorius

DISCUSSION: **Chairman Gerentine** recognized **Legislator Gregorius** who asked the Elliot Auerbach if he had any objections to the Legislative abstract. Mr. Auerbach stated that he has reviewed the abstract and has no objections.

Chairman Gerentine recognized **Legislator Maio** who asked Ms. Bartholomew to explain abstract number L50-19 a contract with Rose & Kiernan. Ms. Bartholomew stated that Rose & Kiernan manage administrative fees, medical and dental billing for each employee of the County. **Legislator Provenzano** asked Ms. Bartholomew if this is the process in which the County is self insured. Ms. Bartholomew stated that yes this company will manage the County's self insurance program.

Chairman Gerentine asked Ms. Bartholomew if the County placed this service out for competitive bid to which Ms. Bartholomew stated yes and in the initial contract with Rose & Kiernan an option to extend services for two additional years was granted by the County.

Legislator Harris asked Ms. Bartholomew to clarify the contract years. Ms. Bartholomew stated that Rose & Kiernan still have an option for 2014 in the contract if the County agrees to the same terms.

Legislator Gregorius asked Ms. Bartholomew who decides the formularies for prescriptions and prices. Ms. Bartholomew stated that she is not certain but believes they are driven by the pharmaceutical companies. **Legislator Gregorius** would like some clarification on how prescription costs are controlled. Mr. Hanson stated that he will get further information for the Committee regarding prescription costs.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 2 Draft Resolution No. 0176 taken out of order

TEXT OF MOTION: RESOLVED, Amending The 2013 Ulster County Budget – Department Of Mental Health.

MOTION MADE BY: Legislator Harris
MOTION SECONDED BY: Legislator Provenzano

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 3 Draft Resolution No. 0160 through 0166 to be taken as block regarding Legislative Programs for 2013 as Established during the budget process.

- 1) **Draft Resolution No. 0160** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Dutchess County Arts Council For The 2013 Appropriation – Legislature.
- 2) **Draft Resolution No. 0161** - Appropriation For The Cooperative Extension Association Of Ulster County And Authorizing The Chairman Of The Ulster County Legislature To Execute The Agreement Related Thereto.
- 3) **Draft Resolution No. 0162** - Appropriation For The Ulster County Soil And Water Conservation District.
- 4) **Draft Resolution No. 0163** – Authorizing The Chairman Of The Legislature To Execute An Agreement With Court Appointed Special Advocates (CASA) For The 2013 Appropriation – Legislature.
- 5) **Draft Resolution No. 0164** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With Family Of Woodstock, Inc., For The Supervised Visitation Program For The 2013 Appropriation – Legislature.

- 6) **Draft Resolution No. 0165** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement For The Maintenance Of Facilities For The Ulster Performing Arts Center For The 2013 Appropriation – Legislature.
- 7) **Draft Resolution No. 0166** - Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With Ulster County Community Action Committee, Inc.

MOTION MADE BY: Legislator Harris
MOTION SECONDED BY: Legislator Gregorius

DISCUSSION: Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 4 Draft Resolution No. 0167

TEXT OF MOTION: **RESOLVED**, Setting A Public Hearing On Proposed Local Law No. 1 Of 2013 (A Local Law Of The County Of Ulster, New York, Known As The "The Ulster County School-Based Mental Health and Safety Act of 2013"), To Be Held On Tuesday, April 16, 2013 At 7:00 PM.

MOTION MADE BY: Legislator Gregorius
MOTION SECONDED BY: Legislator Harris

DISCUSSION: Chairman Gerentine stated that he does not support this legislation based on the school districts having their own taxing authorities in the municipalities and it would be irresponsible to further burden the tax payer at the county level.

Chairman Gerentine recognized Legislator Maloney who asked Mr. Hanson the immediate impact of this proposed legislation to which Mr. Hanson replied there would be no immediate impact however going into the 2014 budget cycle it would create an approximate 6% increase to the property tax levy for 2014.

Legislator Gregorius stated that it is he understanding a public hearing should be held in the event the legislative body intends to move forward on an issue, not for the sake of holding a public hearing.

Legislator Harris further stated that he is in agreement with Legislator Gregorius and further the implications of increasing the tax levy at the county level to assist the numerous school districts within the County would not be fiscally responsible.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: None
VOTING AGAINST: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
NO. OF VOTES IN FAVOR: 0
NO. OF VOTES AGAINST: 7
DISPOSITION: Motion Defeated

MOTION NO. 5**Draft Resolution No. 0171****TEXT OF MOTION:**

RESOLVED, Approving Appropriation And Guidelines For Funding The Kingston/Ulster Empire Zone.

MOTION MADE BY:

Legislator Provenzano

MOTION SECONDED BY:

Legislator Maloney

DISCUSSION:

Chairman Gerentine recognized **Legislator Maloney** who stated that the Empire Zone still benefits over 150 businesses in the County and is a valuable asset.

Legislator Rodriguez asked **Legislator Maloney** if the UCDC funding may be available for this project. **Legislator Maloney** stated that yes the UCDC is funded and potentially may be used for these businesses.

Chairman Gerentine recognized **Legislator Bartels** who asked if she could see the expired agreement to get a better understand of the project guidelines for funding and requirements.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

7

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 6**Draft Resolution No. 0172****TEXT OF MOTION:**

RESOLVED, Setting A Public Hearing On Proposed Local Law No. 2 Of 2013 (A Local Law Amending Local Law No. 8 of 2008 (A Local Law Adopting An Administrative Code for the County of Ulster, State of New York) to Delete the References to "Abstract of Contracts" to Require the Approval of a Contract \$50,000 or More By a Corresponding Resolution for Each Contract) To Be Held On Tuesday, April 16, 2013 At 6:55 PM

MOTION MADE BY:

Legislator Maloney

MOTION SECONDED BY:

Legislator Rodriguez

DISCUSSION:

Chairman Gerentine recognized **Legislator Provenzano** who asked for clarification on the Local Law as explained by Co-Sponsor **Legislator Bartels**. **Legislator Bartels** further states that this Local Law will allow each contract to be considered by itself individually.

Chairman Gerentine recognized **Legislator Ronk** for further clarification on the Local Law.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:

No

VOTING IN FAVOR:

Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST:

None

NO. OF VOTES IN FAVOR:

7

NO. OF VOTES AGAINST:

0

DISPOSITION:

Motion Passed

MOTION NO. 7 **Draft Resolution No. 0174**

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Criminal Justice Services For A Domestic Violence Program Grant, Amending The 2013 Ulster County Budget – District Attorney's Office.

MOTION MADE BY: **Legislator Harris**
MOTION SECONDED BY: **Legislator Provenzano**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.**

VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **7**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 8 **Draft Resolution No. 0175**

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute Inter-Municipal Agreements For The Preschool Special Education And Related Services Programs With The Onteora Central School District And The Tri-Valley Central School District – Department Of Social Services.

MOTION MADE BY: **Legislator Provenzano**
MOTION SECONDED BY: **Legislator Gregorius**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.**

VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **7**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 9 **Draft Resolution No. 0177**

TEXT OF MOTION: **RESOLVED**, Establishing Capital Project No. 385 – Rehabilitation Of The Sauer Bridge (PVI) No. 70, Town Of Saugerties – Department Of Public Works (Highways & Bridges Division) **BOND Resolution No. 0178 Required.**

MOTION MADE BY: **Legislator Gregorius**
MOTION SECONDED BY: **Legislator Provenzano**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.**

VOTING AGAINST: **None**

NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 10 **Draft BOND Resolution No. 0178**

TEXT OF MOTION: **RESOLVED**, Authorizing The Reconstruction And Rehabilitation Of The Sauer Bridge In The Town Of Saugerties, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$2,000,000, And Authorizing The Issuance Of \$2,000,000 Bonds Of Said County To Pay The Cost Thereof.

MOTION MADE BY: **Legislator Harris**
MOTION SECONDED BY: **Legislator Gregorius**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: **No**
VOTING IN FAVOR: **Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.**

VOTING AGAINST: **None**
NO. OF VOTES IN FAVOR: **7**
NO. OF VOTES AGAINST: **0**
DISPOSITION: **Motion Passed**

MOTION NO. 11 **Draft Resolution No. 0179**

TEXT OF MOTION: **RESOLVED**, Authorizing the Chairman Of The Ulster County Legislature To Execute An Agreement With The Rondout Valley Central School District To Provide A Deputy Sheriff For Security Purposes – Ulster County Sheriff.

MOTION MADE BY: **Legislator Maio**
MOTION SECONDED BY: **Legislator Maloney**

DISCUSSION: **Chairman Gerentine** recognized **Legislator Provenzano** who asked Sheriff Van Blarcum if they have a sufficient amount of manpower to accomplish this. The Sheriff stated the school district is paying the salary for the Deputy which allows the Sheriff to backfill the position.

Legislator Harris asked the Sheriff how many other school districts have an agreement with the Sheriff. The Sheriff stated that he currently has agreements with two districts this being the third.

Chairman Gerentine recognized **Legislator Bartels** who asked the Sheriff to explain the fringe costs for the deputies.

Chairman Gerentine recognized Mr. Hanson stated that the Sheriff's retirement costs are part of the County as a whole; however, the salary stated in the agreement includes those associated costs. The Sheriff further stated that it may be beneficial for the school districts that have local police agencies to use them for SRO positions within schools as opposed to contracting with his office. **Legislator Bartels** stated that she would like to see the agreement.

Chairman Gerentine asked the Sheriff how the SRO travels to and from the schools. Sheriff Van Blarcum stated that the SRO has an assigned mark patrol vehicle that is used to travel throughout the school districts that they are assigned. **Legislator Maloney** asked the Sheriff if the SRO is authorized to respond to an emergency in the vicinity of a school that he or she may be in to which the Sheriff replied yes at the discretion of the Supervisor as outlined in the agreement.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.
VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

MOTION NO. 12 **Draft Resolution No. 0180**

TEXT OF MOTION: **RESOLVED**, Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of Health, Bureau Of Communicable Disease Control For The Aid To Localities Rabies Reimbursement Program – Department of Health.

MOTION MADE BY: **Legislator Provenzano**
MOTION SECONDED BY: **Legislator Harris**

DISCUSSION: **Chairman Gerentine** calls for further discussion, hearing none.

ROLL CALL VOTE: No
VOTING IN FAVOR: Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez.

VOTING AGAINST: None
NO. OF VOTES IN FAVOR: 7
NO. OF VOTES AGAINST: 0
DISPOSITION: Motion Passed

II. MISCELLANEOUS DISCUSSION:

Chairman Gerentine received information from Mr. Hanson regarding the sale of the Ulster County Community College President residence and that the resolution will be coming before the Committee at the next meeting.

Chairman Gerentine confirmed the duties and membership of the Audit Committee as stated at the beginning of the meeting.

Chairman Gerentine calls for further discussion, hearing none.

- There being no further business before the Committee, a motion was made by Legislator Maio seconded by Legislator Gregorius and carried to adjourn the meeting at 5:55 PM.
-

Dated the 12th day of March, 2013
Franklin R. Reggero, Legislative Staff
Minutes Approved On: 19th Day of March, 2013 / fr

Ways & Means Committee

Regular Meeting Minutes

DATE & TIME: March 19, 2013 5:30 PM
LOCATION: Karen L. Binder Library, Sixth Floor, County Office Building
PRESIDING OFFICER: Richard Gerentine, Chairman
LEGISLATIVE STAFF: Franklin R. Reggero
PRESENT: Legislators Gerentine, Gregorius, Harris, Maloney, Maio Provenzano and Rodriguez.
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Bartels and Belfiglio; Erica Guerin, Legislative Counsel; Beatrice Havranek, Sue Plonski and Roland Bloomer, County Attorney Office; Burt Gulnick, Commissioner of Finance; Lisa Cutten, Budget Office; Chris White, Planning; Tom Kadgen, League of Women's Voters.

- Chairman Gerentine called the meeting to order at 5:30 PM.
-

I. MOTIONS:

MOTION NO. 1 **LATE Resolution No. 83**

TEXT OF MOTION: **RESOLVED**, Accepting An Offer To Purchase The Ulster County Community College President's Residence Located At 3312 Route 209, Stone Ridge, NY 12484, And Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract Of Sale, Deed And Any Other Documents Necessary To Effectuate The Transfer Of The Real Property— Ulster County Community College.

MOTION MADE BY: **Legislator Harris**
MOTION SECONDED BY: **Legislator Provenzano**

DISCUSSION: **Chairman Gerentine** stated that the Committee was informed that this resolution would be late at last weeks meeting and further stated that the proceeds from the sale of the residence would be used to upgrade the veteran's home on Wurt's Street.

Chairman Gerentine recognized **Legislator Rodriguez** who asked for clarification that all of the county proceeds were to be used for the home.

Chairman Gerentine recognized **Legislator Harris** who stated that the Legislative Programs, Education and Community Services Committee has addressed that issue. **Legislator Harris** stated that initially this resolution stated nothing about the proceeds being used for the veteran's residence; however **Legislator Lopez** motioned to the Committee with unanimous consent to add the language.

Chairman Gerentine asked how much of the proceeds will be used and who will make that decision. **Legislator Harris** stated that we are going to support the veteran's home with the necessary funds available, as well as monies from other groups who have pledged their support of the project.

Chairman Gerentine recognized **Legislator Gregorius** who stated that Deputy County Executive Mr. Crannell stated that the project will consume the proceeds from the sale of the residence and most likely more.

Chairman Gerentine recognized Ms. Cutten who stated that any additional funds required for the project would have to come before the Committee as well as any contracts that may need approval.

Chairman Gerentine recognized **Legislator Ronk** who stated that his original support for the sale of the residence was based largely in the fact that the proceeds were going to be used exclusively for the veteran's residence and is a matter of policy therefore the use of proceeds should be a resolved and not a whereas.

Chairman Gerentine recognized **Legislator Provenzano** who stated her support for the decision of the Legislative Programs Committee to add the whereas and bring it to the full Legislature.

Chairman Gerentine recognized **Legislator Harris** stated that he is committed to the project and believes that the project will be funded in the end.

Chairman Gerentine asked Counsel Guerin the impact of changing the whereas to a resolved. Counsel stated that a whereas is a direction and resolved is a finding. Counsel Ragucci stated that it will be a drastic change in the resolution. Ms. Havranek opinioned that the resolution should be left as is not to impact funding sources for the project.

Chairman Gerentine calls for further discussion, hearing none.

ROLL CALL VOTE:	No
VOTING IN FAVOR:	Legislators Gerentine, Gregorius, Harris, Maloney, Maio, Provenzano and Rodriguez
VOTING AGAINST:	None
NO. OF VOTES IN FAVOR:	7
NO. OF VOTES AGAINST:	0
DISPOSITION:	Motion Passed

II. MISCELLANEOUS DISCUSSION:

Chairman Gerentine calls for further discussion, hearing none.

-
- There being no further business before the Committee, a motion was made by Legislator Maio seconded by Legislator Gregorius and carried to adjourn the meeting at 5:48 PM.
-

Dated the 19th day of February, 2013
Franklin R. Reggero, Legislative Staff
Minutes Approved On: 9th day of April, 2013 / frr