

ULSTER COUNTY LEGISLATURE

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



P.O. Box 1800
KINGSTON, NEW YORK 12402
Telephone: 845 340-3900
FAX: 845 340-3651

MINUTES

AUGUST 14, 2012

PUBLIC HEARING

REGULAR MEETING

7:00 PM

PUBLIC HEARING CALLED TO ORDER BY CHAIRMAN: 7:34 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: LED BY CHAIRMAN BERNARDO

MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

FIRE EVACUATION PLAN

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

CELL PHONES

Please silence cell phones for the duration of Session.

MICROPHONES

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

ROLL CALL: Present: 21 Absent: 2
(Legislators Richard & Robert Parete)

CALL OF THE PUBLIC HEARING BY CLERK: Amended Proposed Local Law No. 11 Of 2012 - A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter

PUBLIC COMMENT: There were three (3) speakers

- 1) Michael Baden – Spoke with regard to Charter Revision.
- 2) Dare Thompson, LWV Present – Agreed with remarks made by Michael Baden. Suggested waiting to change Charter and respecting decision made by Commission.
- 3) Joseph Eriole, Deputy Comptroller – Presented a Memorandum (on file with the Clerk of the Legislature) that he wished to be part of the public record. 1) Believed there was a drafting error in the document as to the number of members of the Audit Committee – should be 8 not 7. 2) As drafted, the Comptroller isn't a voting member of the Committee. Considering the Comptroller is an officer within Government who is responsible for many audit & control duties and who will presumably, be asked to comply with the requirements of the independent auditor, ought to have a voice in the process. The Auditor's officer has said consistently throughout the process, that the current proposal would allow the entire voting Committee to be Legislators (two don't have to be). Best practices throughout in the industry include representatives of the community to have input and the Comptroller's office recommended. Inconsistency in filling vacancies in the Comptroller's position in which the position is filled by the appointment of the Legislature and not by a special election. It is inconsistent with the provisions of the Charter and its inconsistent with democratic principles.

PUBLIC HEARING ADJOURNED: 7:48 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 8:11 PM

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING - MOTION BY LEG. RONK, SECONDED BY LEG. DONALDSON - PASSED UNANIMOUSLY

BIRTHDAYS

August 5 – District 7 Legislator Jeanette Provenzano

COMMUNICATIONS FROM:

Legislative Chairman Bernardo

Scott Rutkowski
Judy MacIsaac
Orange County Legislature
NYS DEC

NYS Real Property Tax Services

Heidi Madsen
Hanover Farms, Al Higley
Cornell Cooperative Extension
NYSAC
Catskill Forest Association, Inc.
Town of Kingston
SWF CAP Meeting
Ulster Town Clerk
Ulster County Community Services Board
NYS Conservations
UC Chapter 60 Inc. Vietnam Veterans of America

Notice of Appointment – Krista J. Barringer, Deputy Clerk
Notice of Appointment – Victoria Fabella, Clerk
Notice of Appointment – Franklin R. Reggero, Senior Legislative Employee
Letter – Order of Succession
Thank You Letter
Thank You Letter
Resolution No. 178 of 2012
Public Notice – Inactive Hazardous Waste Disposal Site Classification Notice
Mark Klotz Letter
List of Certified 2012 State Equalization Rates – 7/11/12, 7/17/12, 7/23/12, 7/24/12, 7/30/12
Thank You Note
Sandra Altomare Letter
Summer 2012 Newsletter
2012 Fall Seminar
Summer 2012 Newsletter
7/25/12 Letter to UC DPW
7/12/12 Meeting Minutes
Resolution Adopted by T/O Ulster
Correspondence to Jennifer Marshall
Volume 67, Number 1, August 2012
9/22/12 30th Anniversary Dinner-

Ulster County Tourism
Lorman Education Services
Hits-on-the-Hudson (Bardavon)

MT Male Associates

OTB

Catskill Watershed Corp.

New York State, Senator Bonacic
NYS Assembly

Anderson Center for Autism

Community Foundations of Hudson Valley
Always There

Hillside Manor

Trending-August 2012
Training Seminar, October 11, 2012
September 9, 2012 Concert, Michael
McDonald, Saugerties, NY
Public Notice – NYSDEC Brownfield
Cleanup Program
8/6/12 Letter requesting support for
Support to add Counties to Catskill
Off-track Betting Region
Adoption of Resolutions 2137 – 2151,
2153 & 2154
Thank you letter
Thank you letter, Hon. Brian Kolb
Thank you letter, Hon. Canestrari
Letter of Receipt, Hon. Clifford
Crouch
Autism's 11th Annual Gala, October 6,
2012 6:00 p.m. Grandview,
Poughkeepsie, NY
Summer 2012
Diamond Mills 5th Annual Evening in
Paris, September 21, 2012 @ 6:00 PM

COUNTY EXECUTIVE COMMUNICATIONS:

Notice of Appointment – Audrey M.
Klinkenberg, 22 Louis Avenue,
Saugerties, New York – Associate
Historian
Notice of Appointment – Marjorie S.
Rovert, 28 Jefferson Avenue,
Kingston, NY 12401 & Glenn
Noonan, 109 Sand Hill Road,
Gardiner, NY 12525 – UC periodic
Compensation Review Committee
Budgetary Transfers for July 2012
Statement of Expenditures,
Encumbrances & Unencumbered
Balance & State of Revenues Earned
& Unearned Balance as of 6/30/2012

**COUNTY EXECUTIVE
COMMUNICATIONS (CONT.)**

8/8/2012 Letter to Homeowner – A. Snyder, Director
Notice of Appointment – Community Services Board – Martine Davis
Notice of Appointment – workforce Investment Board’s Youth Council – Evelyn Clarke and James Porter
Notice of Appointment – Nancy Tiano

COMMITTEE REPORTS:

DATE:

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

July 10, 2012
July 5, 2012
July 17, 2012
July 3, 2012
July 3, 2012
July 17, 2012
July 23, 2012
July 25, 2012
August 2, 2012
July 16, 2012
July 3, 2012
July 9, 2012
July 17, 2012
August 7, 2012

Legislative Programs, Education & Community Services
Public Works & Capital Projects
Social Services
Ways and Means

PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo had granted Privilege of the Floor to Ulster County Undersheriff Frank P. Faluotico, Jr. to discuss the Ulster County Sheriff’s “Ride Along” Program. Unfortunately, Undershiff Faluotico was called away and was not able to discuss the Program.

PRESENTATIONS:

Chairman Terry L. Bernardo will call upon District No. 18 Legislator James Maloney and District No. 23 Legislator Donald Gregorious to present a Pride of Ulster County Award to the John A. Coleman High School Baseball Team in recognition of winning the 2012 New York State Class D

Championship. Representing John A. Coleman High School were Coach Robert Brinkman, Coach Bill Buckman and Team Members Jim LaValle, Doug Terrone and Philip Mason.

PUBLIC COMMENT: There was 1 commentator.

1). **Dare Tompson, LWV President** – Ms. Tompson addressed issues concerning RRA.

Leg. Ronk motioned to take Resolution Nos. 193-219 as a block, with Resolution No. 195 Postponed, seconded by Leg. Donaldson. All in favor.

Resolutions 193, 194, 196 – 203 were adopted by the following vote:

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
Absent:Legs. Robert and Richard Parete).

Resolution Nos. 196 and 197 were adopted by the following vote:

AYES: 20 NOES: 0
(1 Abstention: Leg.Wawro Resolution Nos. 196 and 197)

Resolution No. 204 – BOND – Establishing Capital Project Nos. 371 and 372 – Reconstruction Of County Box Culverts – Amending The 2012-2017 Capital Program And The 2012 Capital Fund Budget – Department Of Public Works (Highways And Bridges)

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 21 NOES: 0
(Absent: Legs. Richard and Robert Parete)

Leg. Ronk motioned to take Resolution Nos. 205 – 210 (with Resolution No. 208 postponed).

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
(Absent: Legs. Richard and Robert Parete)

Resolution No. 210 adopted by the following vote:

AYES: 20 NOES: 0 (Absent:Legs. Richard and Robert Parete;

1 Abstention: Leg. Wawro)

Resolution No. 211 - Authorizing The Chairman Of The Ulster County Legislature To Execute A Participation Agreement, And Any Amendments Thereto, With The New York State Department Of Homeland Security And Emergency Services, Office Of Emergency Management, For Participation In The Local Emergency Management Performance Grant Program For Federal Fiscal Year 2011 – Emergency Communications / Emergency Management

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
(Absent: Legs. Robert and Richard Parete).

Resolution No. 212 - Amending the 2012 – 2017 Capital Program To Establish Capital Project No. 373 Replacement Of HVAC System And Backup Generators, And Installation Of An Emergency Notification System – Ulster County Community College

ADOPTED BY THE FOLLOWING VOTE: AYES: 21 NOES: 0
(Absent: Legs. Robert and Richard Parete).

Resolution No. 213 - Authorizing The Replacement Of The HVAC System, Installation Of Back-Up Generators, And Installation Of An Emergency Notification System At Ulster County Community College, In And For The County Of Ulster, New York, At a Maximum Estimated Cost of \$680,000, And Authorizing The Issuance Of An Aggregate \$680,000 Bonds Of Said County To Pay The Cost Thereof

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 21 NOES: 0
(Absent: Legs. Robert and Richard Parete).

Resolution No. 214- Withdrawn by sponsor.

Motion by Leg. Ronk to take Resolution Nos. 215 and 216

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

AYES: 21 NOES: 0
(Absent: Legs. Robert and Richard Parete).

Resolution No. 217 – Authorizing the Creation of a Special Legislative Committee on the Future of the RRA

Discussion: Leg. Donaldson specified that the Resolution was the most recent passed in Law and Rules and that the notice time for those wishing to not serve on the Committee was Friday and could make such notification by e-mail.

Leg. Ronk withdrew vote to take further discussion from floor.

Leg. Gerentine wished to add to the Resolution that the Committee was also open to the RRA Board, any supervisors, County Executive or any designee, Comptroller's office, Mayor of Kingston, and any other agency or group who wished to join.

Leg. Provenzano commended Leg. Harris for developing compromise that could be agreed upon by the Legislators.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legs. Robert and Richard Parete).

Resolution No. 218 - Supporting The Grant Application By The Ulster County Community Action Committee For A Community Service Block Grant

ADOPTED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 0
(Absent: Legs. Robert and Richard Parete; 2 Abstentions: Legs. Belfiglio And Donaldson)

Resolution No. 219 - Adopting Proposed Local Law No. 11 of 2012, A Local Law Amending The Ulster County Charter, Local Law No. 2 Of 2006, To Modify Various Provisions Of The Ulster County Charter, Hereinafter Known As Local Law No. 9 of 2012

Discussion:

Leg. Belfiglio thanked the Committee members for drafting the Local Law.

Leg. John Parete recounted the redistricting process originally began in the hands of the voters.

Leg. Provenzano indicated her points of view regarding the Charter revisions. She commended work completed by the Commission.

Leg. Donaldson took exception to statement that Legislature disrespected the Commission and indicated that it did not take place. Leg. Donaldson reflected upon dedication of the Legislators to come to decision(s) and ability to work together.

Leg. Gregorius commented on process that led up to Charter revisions which involved redistricting.

Leg. Aiello commended all who dedicated time on the Committee for Charter Revision. Leg. Aiello recounted his experience as a result of the redistricting.

ADOPTED BY THE FOLLOWING VOTE: AYES: 19 NOES: 2
(Absent: Legs. Robert and Richard Parete; 1 NOE:
Leg. John Parete)

MEETING ADJOURNED IN MEMORY OF:

**Colin MacMaster, Colorado (brother of
Surrogate Court Judge Mary MacMaster
Work)**

Elizabeth Veronica Becker, Kingston, NY

Sister Eileen Pavlitschko, Kingston, NY

Frederick W. Meyer, Jr., Kripplebush, NY

Salvatore T. Cerulli, Staatsburg, NY

Dolorita M. McCabe, Saugerties, NY

Dakoda Hally, Saugerties, NY

Joseph F. Asaro, Ulster, NY

Larry Hoppen, State of Florida

Muriel M. Smith, Rhinebeck, NY

Rose S. Aiello, New Paltz, NY

Josephine La Manno, New Paltz, NY

Mary T. Cosentino, Saugerties, NY

MEETING ADJOURNED: 8:53 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **Wednesday, September 19, 2012 at 7:00 PM** in the Legislative Chambers.

AGENDA
PAGE 10
AUGUST 14, 2012

Resolution deadline is **Wednesday, August 29, 2012 at 12 Noon.**