

ULSTER COUNTY LEGISLATURE

TERRY L. BERNARDO, Chairman
KENNETH J. RONK, JR., Majority Leader
DAVID B. DONALDSON, Minority Leader
KAREN L. BINDER, Clerk



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

MINUTES

MAY 15, 2012

REGULAR MEETING 7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:07 PM

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Bill Eckert, Member of Ulster County Fire Advisory Board

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.

AGENDA
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MAY 15, 2012

ROLL CALL: Present: 20 Absent: 3
(Legislators Fabiano, John Parete and Provenzano)
(Legislator John Parete arrived at 7:18 PM)

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

COMMUNICATIONS FROM:

Epilepsy Foundation	3 rd Annual Stroll for Epilepsy – May 20, 2012 Registration Form
Central Hudson	Energy Bulletin – April 2012
Ulster County Attorney	County Actions Report - Month of March 2012
Ulster County Emergency Communications	April 17, 2012 Letter – copy
Ulster County Resource Recovery Agency	MSW, Recycling, Leachate, MRF Cost Center Analysis & Treasurer's Report – April 16, 2012 Regular Board Meeting
Toski & Co., P.C.	Report To The Legislature - Independent Auditor's Report
State Of New York Public Service Commission	Joint Petition of Aqua Utilities, Inc., Aqua New York, Inc. and American Water Works Company, Inc. for Approval of Stock Purchase Agreement
NYS Department of Agriculture and Markets	April 18, 2012 letter – District Review
Esri	Community Analyst
Ulster County Youth Board	February 16, 2012 Meeting Minutes
Ulster County Bar Association	Memorial Invitation for Hon. Vincent G. Bradley – May 11, 2012
	Courthouse
Ulster County Tourism	Trending – May 2012 Calendar of Events
Zone 3 Convention Committee	Convention Support Donation
Sawkill Senior Citizens Club, Inc.	Thank You letter

COMMUNICATIONS FROM (continued):

Catskill Watershed Corp.	Notice of Preliminary Decisions, May 1, 2012
SWF CAP	Semi-Annual Meeting Minutes, April 12, 2012
Women's Health & Fitness Foundation	12 th Annual Women's Health & Fitness Expo Invitation - May 19 th
Community Foundations of the Hudson Valley	Spring 2012 Newsletter
Ulster County Clerk	NYS Mortgage Tax Semi-Annual Report October 1, 2012 through March 31, 2012
Hospice, Inc.	April 2012 Newsletter
Robert DiBella, Director, UC Public Transportation	Federal Drawdown – UCAT Grant #NY-90-X668-00
	Federal Drawdown – UCAT Grant #NY-90-X668-00
Town of Rochester Youth Department/Community Ctr.	Calendar of Events – May, June, July & August 2012
George Clinton Memorial Committee	Thank You from Paul O'Neill
Hodgson Russ, LLP	Municipal Law Seminar, Thursday 5/17/12
Town of Poughkeepsie Deputy Clerk	May 23, 2012 Town Board Public Hearing Notice
Richard Ehrenberg	Letter re: Local Law 169-8
Ulster County Bar Association	Hon. Karen Peters reception
Ulster County Department of Finance	Annual Financial Report Year Ended December 31, 2011
	April 30, 2012 Designations/ Wanda Prowisor and Christopher J. Rioux
NaCO	<i>County News</i> , Vol. 44, No. 8
	April 23, 2012
Ulster County Fire Advisory Board	April 25, 2012 Meeting Minutes
Golden Hill LDC	March 21, 2012 Board of Directors Meeting Minutes
Coalition of Watershed Towns	Executive Committee Minutes, January 16, 2012 and February 20, 2102; Letter of Intent Deadline

COMMUNICATIONS FROM (continued):

Town of Rochester, Town Clerk Kathleen Sergio

Laberge Group

Ulster County Chamber Of Commerce

NYS Department Environmental Conservation

Beatrice Havranek, Esq., Ulster County Attorney

Notice of Public Hearing, Local Law
#2-2012 – Exploration For The
Extraction of Natural Gas
May 7, 2012 Letter, January/February
2012 Newsletter
May 2012 Chamber News
Sunday May 20, 2012 Wing Fling
Community Resource Guide &
Membership Directory 2013
Fox 98.9 FM Offer To Ulster County
Chamber members
Puttin Plus Family Fun Center
Invitation
UPS Store Discount Invitation
Woodstock Chimes Spring Warehouse
Sale, May 17-20, 9am – 5pm
Scholarship Golf Tournament, June
18, 2012 11:00 a.m.
12th Annual Women's Health &
Fitness Expo
Ulster BOCES Erica Halwick –
Former New Visions Student
Contaminated Sites Information
Bulletin
County Action Report, Month of April
2012

COUNTY EXECUTIVE COMMUNICATIONS:

April 16, 2012 Memorandum
Announcing Appointment of C.J.
Rioux Deputy Commissioner of
Finance
Notice of appointment of Derek J.
Spada to Ethics Board

COUNTY EXECUTIVE COMMUNICATIONS (continued):

Budgetary Transfers Month of April
2012
Ulster County Corporate Compliance
Committee Meeting Minutes,
February 15, 2012
Ulster County Corporate Compliance
Committee Meeting Minutes, March
21, 2012
May 10, 2012 Appointment Letter of
Courtney Sheeley to UC Youth Board
May 10, 2012 Appointment Letter of
Individuals to UC Arson Task Force
Board

COMMITTEE REPORTS:

DATE:

Economic Development & Tourism	April 4, 2012
Environmental, Energy & Technology	April 5, 2012
Health & Personnel	April 30, 2012
Law Enforcement & Public Safety	April 3, 2012
Laws & Rules, Governmental Services	April 16, 2012
Legislative Programs, Education & Community Services	April 3, 2012
Public Works & Capital Projects	April 4, 2012
Social Services	April 2, 2012
Ways and Means	April 10, 2012
	April 17, 2012

PRESENTATIONS:

Chairman Terry L. Bernardo will call upon District No. 11 Legislator Richard Gerentine who will be joined by District No. 13 Legislator Kenneth Ronk and District No. 14 Legislator Craig Lopez, members of the Ulster County Fire Advisory Board to present a Pride of Ulster County Award to G. Calvin Cosman, retired member of the Ulster County Fire Advisory Board.

Chairman Terry L. Bernardo will call upon District No. 18 Legislator Richard Parete, Chairman of the Law Enforcement and Public Safety Committee to present Pride of Ulster County Awards to SUNY New Paltz students: Kayla DiPaulo, Dominique LaRosa, Laura Kaempf, Jade Schwartz and Jill Spadafora for their efforts in raising Distracted Driving Awareness in Ulster County. The students were joined by SUNY New Paltz President Donald P. Christian and their teacher who guided the project, Eve Waltermaurer, Department of Sociology, Assistant Professor, Criminology Program Coordinator. Legislator Richard Parete was joined by the members of the Law Enforcement and Public Safety Committee.

PRIVILEGE OF THE FLOOR:

Chairman Terry L. Bernardo has granted Privilege of the Floor to Mark Westcott, Queensbury Supervisor and a member of the Warren County Board of Supervisors. Mark Westcott started the Enough Mandates Initiative in Warren County. www.enoughmandates.com is a nonpartisan, local community based New York State initiative devoted to mandate relief. Mr. Westcott has also organized an initiative called "Mayday for Mandate Relief," and will present a PowerPoint Presentation.

PUBLIC COMMENT: See minutes.

RESOLUTION NOS: 107 – 124, 75, and 125 - 127

- 107 Resolution Declaring May 15, 2012 To Be "Mayday For Mandate Relief" And Urging The Mandate Relief Council To Take Swift Action In Submitting A Package Of Mandate Relief Proposals To Governor Cuomo And The State Legislature To Be Voted On This Session
ADOPTED: 21 – 0**
- 108 Approving The Execution Of Various Contracts And Change Orders In The Amount Of \$50,000.00 Or In Excess Of \$50,000.00 Entered Into By The County
ADOPTED: 21 – 0 (Approved by the County Executive)**
- 109 Authorizing The Conveyance Of County-Owned Property To Original Owner
ADOPTED: 21 – 0 (Approved by the County Executive)**
- 110 Establish Capital Project No. 360 For A Telephone System Upgrade and Amending The 2012 Ulster County Budget– Ulster County Community College**

ADOPTED: 21 – 0 (Approved by the County Executive)

- 111 Scheduling A Public Hearing As Required Under Article 25AA Of The Agriculture And Markets Law, On The Addition Of Lands To Agricultural Districts, To Be Held June 19, 2012 At 7:00 PM, Or As Soon Thereafter As The Public Can Be Heard, And Providing Direct Notice To Affected Municipalities – Department Of Planning**
ADOPTED: 21 – 0
- 112 Creating A Special Committee On The Accessibility Of County- Owned Or Leased Property**
TABLED BY COMMITTEE
- 113 Appointing Member To The Ulster County Planning Board – City Of Kingston – Department Of Planning**
ADOPTED: 21 – 0
- 114 Appointing Alternate Member To The Ulster County Planning Board – Town Of Esopus**
ADOPTED: 21 – 0
- 115 Confirming Appointment Of Carol M. Smith, MD, MPH As Commissioner Of Health And Commissioner Of Mental Health**
ADOPTED: 21 – 0 (Approved by the County Executive)
- 116 Confirming Appointment Of Member To The Ulster County Board Of Ethics**
ADOPTED: 21 – 0 (Approved by the County Executive)
- 117 Appropriating Funds From The Contingency Account And Transferring Funds From Various Departmental Accounts To Cover The Additional Cost Of Casualty Insurance– Amending The 2012 Ulster County Budget**
ADOPTED: 21 – 0 (Approved by the County Executive)
- 118 Amending The 2012 Ulster County Budget - Appropriating Unexpended Funds From The New York State Office Of Homeland Security And Emergency Services For The Law Enforcement Terrorism Prevention Program - Ulster County Sheriff's Office**
ADOPTED: 21 – 0 (Approved by the County Executive)
- 119 Setting A Public Hearing On Proposed Local Law No. 9 Of 2012 (A Local Law Of The County Of Ulster, New York, Known As The "Taxation Transparency Act"), To Be Held On Tuesday, [To Be Determined] At [To Be Determined] PM, Or As Soon Thereafter As The Public Can Be Heard**
WITHDRAWN BY SPONSOR

- 120 Amending The Rules Of Order Of The Ulster County Legislature To Establish A Procedure For Removing The Chairman Of The Ulster County Legislature
WITHDRAWN BY SPONSOR
- 121 Notice Of Public Hearing On Tentative Budget Of The Ulster County Community College For The Year 2012 - 2013 On Tuesday, June 5, 2012 At 6:30 PM
ADOPTED: 21 – 0
- 122 In Support Of New York State Assembly Bill No. A07478 And New York State Senate Bill No. S4934 To Amend The State Finance Law, In Relation To The Monies Of The Spinal Cord Injury Research Trust Fund
ADOPTED: 21 – 0 (Approved by the County Executive)
- 123 Amending The 2012-2017 Capital Program To Provide An Increase In Capital Project No. 357, The Purchase Of Vehicles For The County Sheriff – Amending The 2012 Ulster County Capital Project Fund Budget
ADOPTED: 21 – 0 (Approved by the County Executive)
- 124 Authorizing The Purchase Of Vehicles Of And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$44,500.00, And Authorizing The Issuance Of \$44,500.00 Bonds Of Said County To Pay The Cost Thereof
ADOPTED: 21 – 0 (Approved by the County Executive)

Late Resolutions

- 75 Setting A Public Hearing On Proposed Local Law No. 3 Of 2012 (A Local Law Entitled “Mandate And Taxation Information Act”), To Be Held On Tuesday, June 19, 2012 At 7:00 PM, Or As Soon Thereafter As The Public Can Be Heard
ADOPTED: 21 – 0
- 125 Setting A Public Hearing On Amended Proposed Local Law No. 1 Of 2012 (A Local Law Of The County Of Ulster, New York, Known As The “Hydraulic Fracturing Brine Prohibition Act”), To Be Held On Tuesday, [To Be Determined] At [To Be Determined] PM
REFERRED BACK TO COMMITTEE
- 126 Proclaiming Friday, May 18, 2012 Distracted Driving Awareness Day In Ulster County
ADOPTED: 21 – 0

- 127 Amending Resolution No. 2 Dated January 3, 2012 Amending The Powers
And Duties Assigned To The Ways And Means Committee
ADOPTED: 21 – 0**

MEETING ADJOURNED IN MEMORY OF:

**Thomas Clancey, Woodstock, NY
Marilyn E. Zimmerman, Kingston, NY
Richard J. Malone, Ball Ground, GA
Meryl Vernon Gutridge, Kingston, NY
Michael R. Spada, Kingston, NY
Robert Walter Weiss, Sr., Highland, NY
Carolyn M. Waruch, Cherrytown, NY
John Robert Wawro, Delray Beach, FL
Levon Helm, Woodstock, NY
Bruce K. Davis, Kingston, NY
Narco, Ulster K-P Member, Sheriff's Office**

**James M. Ellsworth, Town of Ulster, NY
Josefa Nina Lieberman, Lake Katrine, NY
Dr. Stuart E. Munson, Mt. Tremper, NY
Alfonso Sellett, Walker Valley, NY
Howard A. Halstead, Poughkeepsie, NY
Dolores M. Burns, Kingston, NY
Antoinette LeGoff, Saugerties, NY
Charles F. Daley, Saugerties, NY
Katherine Distin Krajick, Kingston, NY
Anna Goodwin-Gremer, Saugerties, NY**

NEXT MEETING:

A public hearing on the Tentative Budget of the Ulster County Community College for the year 2012 - 2013 will be held on **Tuesday, June 5, 2012 at 6:30 PM** in the College Lounge, Vanderlyn Hall, Ulster County Community College, Stone Ridge, New York.

A public hearing on Proposed Local Law No. 3 of 2012 will be held on **Tuesday, June 19, 2012 at 7:00 PM**, or as soon thereafter as the public can be heard, and a public hearing as "Required Under Article 25AA of Agricultural Markets Law will be held on Addition of Lands to Agricultural Districts And Providing Direct Notice To Affected Municipalities" on **Tuesday, June 19, 2012 at 7:00 PM**, or as soon thereafter as the public can be heard, in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York. The next Regular Meeting of the Ulster County Legislature will immediately follow the scheduled Public Hearings.

Resolution deadline is **Wednesday, May 30, 2012 at 12 Noon.**

AGENDA

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MEETING ADJOURNED: 7:52 PM