

**ULSTER COUNTY LEGISLATURE  
COMMITTEE MEETING MINUTES**

**NAME OF COMMITTEE:** Public Works & Capital Projects Committee  
**DATE & TIME:** July 8, 2010 @ 6:00 PM  
**PLACE:** Legislative Chambers, 6<sup>th</sup> Floor, County Office Building

**LEGISLATORS PRESENT:** Chairman Dean Fabiano, Deputy Chairman Peter Loughran, Legislators Roy Hochberg, James Maloney, Frank Felicello, Kevin Roberts

**LEGISLATORS EXCUSED:** Legislator Jeanette Provenzano

**OTHERS ATTENDING:** Sue Ronga (Public Works), David Bolles (Public Works), Legislator Susan Zimet, Brian Cunningham (Buildings & Grounds), Michael Kavanagh (Legislative Counsel), Marion DuBois, Danielle Cardella, Christie Ferguson, Tova Weitzman, David Clouser

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**MEETING CALLED TO ORDER @ 6:00 PM**

**APPROVAL OF THE JUNE 7, 2010 MINUTES:**

Motion offered by Legislator Maloney, Seconded by Legislator Loughran, All in Favor, Carried.

**NEW BUSINESS:** Chairman Fabiano took New Business out-of-order and introduced Marion DuBois and her Dog Park Committee members, Danielle Cardella, Christie Ferguson, Tova Weitzman. Danielle and Christie presented to the Committee a Power Point Presentation for a Dog Park Proposal (see attached). The dog park is to be located on County owned property in the Town of New Paltz on Libertyville Road. The proposal covered the following points (Objective, Benefits, Administration, Initial Costs, Fundraising, Photographs, and Maps). David Clouser, the New Paltz Town & Village Engineer and Buildings & Grounds Administrative Manager Brian Cunningham attended the meeting to answer any questions the Committee may have about the location of the property. After the presentation the Committee had the following questions and/or concerns about the Dog Park.

Felicello: Q/How much area? A/Between  $\frac{1}{2}$  and  $\frac{3}{4}$  of an acre.

Felicello: Q/The biggest expense would be fencing the Dog Park in? A/Yes

Fabiano: Q/Dave, how far is the distance from the Dog Park to the pool? A/Showed larger Map of property. There is a large Berm located between the proposed Dog Park and the Pool. The Berm will block the view and sound of Dog Park from the pool. They are at least a couple hundred feet apart from each other.

Fabiano: Q/Is there parking? A/yes, there is plenty of parking.

Hochberg: Q/Asked about maintenance of the property? A/The Volunteer Organization would take care of all maintenance of the property. Q/Summer and Winter? A/yes

Felicello: Stated that he feels that it is a wonderful idea and feels that it would be a tremendous asset to Ulster County. He also added that he feels the expense of the fencing should be added to next year's Budget.

Loughran: Q/Liability? A/Kavanagh/New York State Law has a two bite Law. In order to have a viable case against the County for a dog bite, the County would have had to be on notice that: that specific dog had vicious propensity before it was permitted on the property. He stated that liability should not be a major concern for the County. Ms. Weitzman stated to the Committee that they have done a lot of research on Litigation and found it not to be an issue in public places.

Felicello: Q/How are other Counties running their Dog Parks, are they County owned? A/Yes

Felicello: Stated that he feels that Ulster County should also maintain the Dog Park.

Roberts: Stated that he is in favor of the Dog Park, but is not in favor of it costing the taxpayers of Ulster County any money. He feels that the group here tonight has a plan worked out that includes fundraising to cover expenses and that is how it should be implemented. Also, shared services between Ulster County and the Town of New Paltz could also be a possible solution with helping with the maintenance of the Dog Park.

Fabiano: Q/Even if there are no tax dollars involved, and it is completely run by volunteers, does the County still assume the Liability because the County owns the property? A/Kavanagh/Yes

Fabiano: Q/Who monitors the rules of the Dog Park? A/Generally Dog Parks are self-policed. If an owner/dog is not following the rules, people will notice, and they are asked to leave. As far as whether a dog is vaccinated, a dog should have its tags on at all times.

Fabiano: Q/Would there be a problem with Health Department rules and/or regulations with regards to the proximity to the pool area? A/Cunningham/He is not sure of the Health Departments requirements; his concern would be the proximity to the well? Mr. Clouser stated that in his opinion the well will not be an issue.

Loughran: Q/What role, if any, would New Paltz have in regards to this project? Are they going to offer services? A/At this point, they have no role because the property is County owned. The Dog Park Committee at this point has not approached the Town /Village of New Paltz; the Public Works Committee has been their first venue. Legislator Zimet explained that it is going to depend on where and how the County precedes with this particular project. It will be up to the County to make those decisions.

Hochberg: He supports the proposal, and thinks it is a good idea. He commented to the Dog Committee that when you look at the expenses, sometimes a project that is estimated to be \$25,000 turns out to be much larger than anticipated. He just wants to make sure that someone is watchful of that happening.

Fabiano: Q/Cunningham/In your opinion, from what you have heard tonight, is this project feasible? A/His concerns about the initial costs are minimal; he does have some concerns about on-going maintenance and possible parking liabilities.

Fabiano: Stated that at this time, considering the financial condition of the County, with talk of possible lay-offs, he could only support this project if there is no cost to the taxpayers.

Felicello: Stated he disagrees with Chairman Fabiano and feels that Ulster County should support and maintain the Dog Park. He believes the cost and maintenance would be minimal.

Cunningham: Q/Has there been any consideration in having a nominal annual fee for a permit or use? A/It is being considered as a possible funding source.

Felicello: Stated that he disagrees with an annual fee because you're taxing people unnecessarily. Constituents are already being over taxed. Marion Dubois stated that most Dog Parks do not charge a fee.

In Conclusion, a motion was offered by Chairman Fabiano, Seconded by Legislator Maloney, to support the continued investigation of the proposed Dog Park in New Paltz, providing that no County Dollars are being included in the funding.

## **RESOLUTIONS:**

**Resolution Draft No. 0715, July 20, 2010** - Conveying Parcel Of County-Owned Real Property Acquired Through The Greater Catskills Flood Remediation Program To Town Of Ulster For Kayak Park

Motion offered by Legislator Loughran, Seconded by Legislator Maloney, All in Favor, Carried.

Discussion: None

**Resolution Draft No. 0705, July 20, 2010** - Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Shared Services Agreement With Town Of Gardiner For Maintenance Of County Roads

Motion offered by Legislator Loughran, Seconded by Legislator Maloney, All in Favor, Carried.

Discussion: None

**PUBLIC WORKS DEPARTMENT UPDATES:** Sue Ronga and David Bolles, Deputy Commissioners of Public Works gave the following updates:

- Received letter from the State, funding for CHIPS, same as last year with an additional \$1,200
- Passed out a packet of photos regarding current projects
- Kerhonkson Bridge, looking at the photos dated 7/6/10 to 7/7/10 shows the amount of work being done day-to-day, crews are working full time on the project. Due to the delay in drilling, the end date of September 30<sup>th</sup> will most likely be delayed. But at this time, no extension of time has been authorized.
- Town of Lloyd Bridge, delay due to unclaimed underground fiber optics, they have been found to belong to New York State. Ed Pine was meeting with the project Contractor today. Will update next month.
- Boices Lane and Enterprise Drive, do not anticipate any delays.
- Bear Hole Bridge, Town of Denning, Photos, Bridge has been temporarily widened on one side to facilitate the removal and replacement of the other half, it is open to traffic on one lane. Project is on schedule.
- Ulsterville County Line Bridge, Town of Shawangunk, Photos, Project is on schedule.

- Oliverea Bridge, materials are on order, still waiting on the removal of utility lines, there are right-of-way issues. Working on an alternative.
- Route 213 Box Culvert, designed in-house, has not been started yet.
- Zena Road Box Culvert, designed in-house, has not been started yet.
- Donohue Bridge, Steel was delivered, on schedule.
- Dry Brook Road in Hardenburgh, Photos.
- Springtown Road, New Paltz, Photos.
- Turnwood Road, Hardenburgh, Photos.
- Gave update on roads being worked on with CHIPS funding. Loughran: Q/Does the County have the ability to switch roads, to stop doing work on one road and start work on another one? A/FEMA-No, CHIPS-Yes.
- Re-painting of lines by the Rondout Valley High School. Lines will be completed before school goes back in session in September.
- Shared Services Update: Gardiner, Saugerties, Woodstock (working on mileage), working on negotiating with three other Towns. Felicello: Q/Through your studies, will there be lay-offs due to Sharing Services? A/No
- Administrative merge of Buildings & Grounds and Highways & Bridges has been completed. Cut Payroll down from 4 people to 1 person, cut Purchasing down from 4 people to 2 people. Reassigning work to individuals. Will be able to do more Cost Benefit Analysis, and Budget Control.

#### **Additional Comments from Committee Members:**

Felicello: It is his understanding that the fees at the Ulster County Pool and Ulster Landing Park have been changed, the fees at the pool have increased for Family Membership and now Non-County Residents and County Residents pay the same fee. Also, the entrance fee to Ulster Landing Park has been eliminated. He wants to know who authorized the changes and why it was never brought to this Committee for approval. Brian Cunningham stated that the changes came from DPW with the County Executive's approval. Legislator Felicello stated that this is a change in Policy and it should have been approved by the Legislature. Chairman Fabiano will contact Counsel and address the issue.

Loughran: Is requesting to this Committee and the Public Works Department that the speed bumps located at the entrance to the Ulster Landing Park be removed. He believes that there should be posted speed limit signs on the road instead of the speed bumps. He believes that it is a safety issue. He has already spoken to Commissioner Sheeley about his concerns.

Hochberg: Thanked the Public Works Department for the work that they did in the Town of Hurley, signage changes. He appreciates all the work that they have done. It is now much more in character with the Community of Hurley. In addition, there was a traffic issue with trucks using a County Highway as a short cut as part of repaving Route 28. Those trucks are now using State Highways. DPW listened to the Community concerns and was again very helpful in getting the trucks to use the State Highways.

Ronga: Handed out to the Committee the information that was requested by Legislator Felicello concerning usage of the Mental Health Clinic in his District. Titled, Ulster County Department of Health Patient Services Division Clinics 2009.

**OLD BUSINESS: None**

**Motion to adjourn @ 7:22 PM**

Motion offered by Legislator Loughran, Seconded by Legislator Roberts, All in Favor, Carried.

**Respectfully submitted,  
Tammy Wilson, Senior Legislative Employee**