

ULSTER COUNTY LEGISLATURE

COMMITTEE REPORT

NAME OF COMMITTEE: Ways and Means Committee

DATE: August 6, 2008

TIME: 4:45 PM

PLACE: Library/Conference Room B
Ulster County Office Building
244 Fair Street - 6th Floor
Kingston, New York

LEGISLATORS PRESENT: Chairman A. Lomita and Legislators B. Cahill,
F. Dart, D. Gregorius, J. Provenzano, S. Zimet,
S. Cummings, R. Gerentine(arrived 5:10 PM),
G. Noonan and D. Donaldson

LEGISLATORS ABSENT:

OTHERS ATTENDING: Legislator Wayne Harris; Legislator Philip
Terpening; County Administrator M. Hein;
Deputy County Administrator A. Smith; Deputy
County Administrator S. Ronga; Deputy County
Administrator M. Dellay; Sr. Management
Analyst F. Fawcett; Sheriff Paul VanBlarcum;
Mental Health Director Marshall Beckman; 911
Director Art Snyder; County Clerk Nina
Postupak; Personnel Officer Brenda
Bartholomew

Ways and Means Committee

August 6, 2008

I) **REVOTE ON 2009 BUDGET EXTENSION**

Motion to open for discussion offered by Legislator Gregorius, seconded by Legislator Cahill.

Legislator Cummings – Not happy with August 20th being close-off date for Budget changes. Does not give enough time for review. Wants Budget submitted in early October. Wants to keep original October 2nd date. If there is no support for October 2nd, will compromise with October 10th.

Legislator Lomita – When County Administrator comes to us as the chief Budget Officer and says they need the two weeks because of the 2% State Clawback, heat crisis and rise in oil prices, I want to support him.

Legislator Gregorius – We have not seen the DSS Budget yet. If we hold to an 8/20 deadline we will have no opportunity to review in Committee.

Administrator Hein – We will make all information available to The Committee until submitted.

Legislator Zimet – Will vote for the extension because of unusual circumstances but has bad feelings about serving on Budget Subcommittee-meeting every week for months and we are always told that this is not a good year for resolution of issues. She supports Legislator Cummings call for keeping an early Budget but will vote against her best interests.

Legislator Gregorius – The problem is we were halfway through our budget when State issued its clawback. While he would rather be earlier, we have to consider it as is and commend The Administrator's Office for trying to do the right thing.

Legislator Dart – We have no idea what we will have to face with DSS chargebacks or with Golden Hill, which is not included here. Even if we accept 8/17, we still have 2 months as Legislators to review. It is prudent to grant the 2 week extension.

Administrator Hein – We will still be handing Budget in before we did last year. The Budget committee work helped us.

Legislator Provenzano – No one debates that Budget committee did good

Ways and Means Committee

August 6, 2008

work and their suggestions were acted on. We have to be flexible to current conditions. Who would have guessed clawbacks two months ago? It is disingenuous to insist on a date when we have no idea where the State agencies are going with this.

Legislator Noonan – We are not following committee's recommendations, and are defeating the purpose by making compromise suggestions. The end result is we are taking away two weeks for The Legislature to dissect the Budget. How can you tell we need two extra weeks in October when it is only August?

Legislator Cahill(speaking through The Chair to Mike Hein) If State did not impose clawbacks would you need the extra two weeks?

Administrator Hein – No, and we still don't know true extent.

Motion to compromise extension date to October 10, 2008 defeated 2/6
Ayes: Legislators Noonan and Cummings.
Noes: Legislators Lomita, Cahill, Dart, Gregorius, Provenzano and Zimet.

Motion to consider original request for October 15, 2008 adopted 6/2
Ayes: Legislators Lomita, Cahill, Dart, Gregorius, Provenzano and Zimet.
Noes: Legislators Cummings and Noonan.

II) **STATE CONSIDERATION OF REQUEST FOR RECORDING FEES** **RESOLUTION**

Resolution No. 237 Setting a Public Hearing On Introductory Local Law No. 6 Of 2008(A Local Law Providing For Enhanced Personal Privacy Protection For Documents Recorded In The Office Of The County Clerk, And Authorizing An Increase In Fees Collected By The County Clerk For The Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument, To Be Held On Wednesday, September 3, 2008 At 6:10 PM

Motion to open for discussion offered by Legislator Dart, seconded by Legislator Provenzano.

County Clerk Nina Postupak – Bill has just been signed into Law changing per page fee from \$3 to \$5 and per document fee from \$5 to \$20. In 2007 we did 28,000 documents averaging \$17. This would net \$492,000. In 2007, we did 192,000 pages which would net \$385,000. Total realizable additional revenue \$878,000. Even with the mortgage slowdown we will gain. Documents are down almost 20% from 2007 and pages are down

Ways and Means Committee
August 6, 2008

10% but this would still net an additional \$739,890 increase in fees. In addition, we are given authority to charge for a cover page. Every clerk already charges but we never had the authority to do so before this. The extra fees would give us an additional \$90,000. This is all based on a historical average of 8 pages per document.

Legislator Zimet – Not complaining but why is the State allowing such a huge jump from \$5 to \$20?

Nina Postupak – County Clerks had no input in it. It seems the State felt that the 2% cut should be mitigated in some way so this was one way to help us out financially.

Legislator Noonan – Which people would be hit hardest by these increases?

Nina Postupak – Attorneys and title companies most affected.

Motion adopted unanimously.

III) **RECLASSIFYING POSITIONS EMERGENCY 911**

Resolution No. 258 Reclassifying Positions – Amending The 2008 Ulster County Budget – Emergency Communications/Emergency Management

Motion to open for discussion offered by Legislator Dart, seconded by Legislator Noonan.

Legislator Provenzano – Why couldn't this wait until Budget?

Director 911 Art Snyder – There is no cost to the County in this resolution. We lost six people and have to regroup. This is fiscally prudent because between 2002 and 2006 we averaged \$45,000 a year in overtime. In 2007 we hit \$140,000 and we are at \$85,000 right now just covering. Need help retaining people, especially veteran staff.

Legislator Cummings – Does this Resolution put you at parity with the Sheriff's dispatchers?

Director Smith – This is not about parity, Brenda Bartholomew researched the "consequence of error" factor and changed classification to a three tier system of Trainee, and two levels beyond. This will help in retention.

Personnel Officer Brenda Bartholomew – This is not about parity-it is turnover. We train for a long time and this makes the Trainee title logical.

Legislator Zimet – Criminal Justice committee discussed this for two years and reviewed three options. This is the best and Brenda did an incredible job.

Legislator Cahill – Art Smith originally proposed this money from contingency but it was not palatable to us. This is an acceptable compromise. We should look similarly at other departments suffering with high turnover.

Legislator Gerentine – Supports this but very concerned about finances. If we wait until January 2009, how will it affect you? We must make it palatable.

Director Smith – This is a major morale issue on top of being a budget issue. This need should be addressed now.

Legislator Provenzano – Also supports this but we are in bad financial situation. Any department head can ask for increases and justify them. Everyone is sacrificing. 911 is extremely important but does not agree with argument about being underpaid. It should be a 2009 Budget item.

Legislator Noonan – Originally had same reservations as Gerentine and Provenzano but after discussions will support reclass now. Wonders about how this looks with a freeze on though.

Legislator Lomita – The freeze allows for emergency services.

Brenda Bartholomew – The cost ongoing will be \$60,000 next year.

Legislator Zimet – This is Budget neutral. We are losing employees internally. It is a parity issue.

Legislator Gregorius – Concerned about 2009 and beyond costs. It is not a deal breaker but we lose DSS people to other Counties. Productivity loss is huge.

Motion adopted. 8/0

Legislator Gerentine reserves judgement until session.

IV) **MENTAL HEALTH/BENEDICTINE RESOLUTION**

Resolution No. 264 Accepting Increase In Federal Salary Sharing Dollars And Reallocating Funds From Mental Health (Contracted Mental Health Services) To Mental Health (Mental Health Programs) – Amending The 2008 Ulster County Budget – Mental Health

Motion to open for discussion offered by Legislator Cummings, seconded by Legislator Cahill.

Legislator Lomita – Informed Committee that The Resolution must be amended on the floor. The \$90,000 financial impact has to be changed to \$115,000.

Mental Health Director Marshall Beckman – We already had an ongoing budget of \$25,000 to which we added \$90,000. We had the worst hospitalization rate in the region before this program. We have 100% Federal Aid but can only be used on Mental Health services. It cannot be given to Hospital. Clinic waiting list is huge because we cannot provide proper levels of care.

Legislator Gerentine – The current program ends in 2009-what happens then? There may also be an impact when hospitals merge.

Marshall Beckman – Benedictine intends to continue program and provided a level of support letter to that effect.

Motion adopted unanimously contingent upon it passing Health Services Committee tonight.

V) **RESOLUTIONS**

Resolution No. 236 Setting A Public Hearing On Introductory Local Law No. 5 Of 2008 (A Local Law To Provide Defense And Indemnification Of County Officer And Employees Of The County Of Ulster), To Be Held On Wednesday, September 3, 2008 At 6:00 PM

Motion offered by Legislator Cummings, seconded by Legislator Dart.

Adopted unanimously.

Ways and Means Committee
August 6, 2008

Resolution No. 238 Setting A Public Hearing On Amended Proposed Introductory

Local Law No. 2 Of 2008 (A Local Law Known As The Ulster County Ethics And Disclosure Law), To Be Held On Wednesday, September 3, 2008 At 6:20 PM

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Legislator Cahill – Wants to hold up on the Public Hearing until after caucus and vote next week. Motion to amend Resolution to add one week, seconded by Legislator Provenzano.

Legislator Zimet – Our Committee unanimously sent it back to Committee and then brought it to us. Why should we send it to caucus?

Legislator Cahill – We should respect Chairman of Legislature. He has a public information meeting tonight and we should hear comments.

Legislator Provenzano – Will not support until caucus hears it. The Ethics Committee asked for concerns to be put in writing. Caucus ruled to delete section 'c' (nepotism) and it was put back in the Bill by Committee. Caucus has not discussed it since.

Legislator Zimet – It was in deference to The Chair that a Public Hearing is set. Have Attorney Havranek there to explain The Law.

Legislator Lomita – The amendment is to wait for one week to set hearing date.

Motion to amend failed 2/6.

Motion to adopt resolution as written adopted 6/2.

Ayes: Legislators Lomita, Dart, Gregorius, Zimet, Cummings and Noonan.

Noes: Legislators Cahill and Provenzano.

Resolution No. 241 Authorizing The Chairman Of The Ulster County Legislature To Enter Into A Lease Agreement With The Ulster County Community College Small Business Incubator For Social Services Offices – Public Works (Buildings And Grounds)

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Adopted unanimously.

Ways and Means Committee

August 6, 2008

Resolution No. 242 Authorizing The Chairman Of The Ulster County Legislature To Execute A Lease Agreement With Historic Kingston Waterfront, KOSCO, LLC, For Boat Docking Space On Rondout – Sheriff's Office

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Adopted unanimously.

Resolution No. 244 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract And Any Amendments To The Contract With The New York State Department Of Health Center For Environmental Health To Enforce Adolescent Tobacco Use Prevention Act And The Clean Indoor Air Act – Public Health

Motion offered by Legislator Cahill, seconded by Legislator Dart.

Adopted unanimously.

Resolution No. 245 Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To The Contract With The New York State Department Of Health To Continue The Immunization Action Plan – Public Health

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Adopted unanimously.

Resolution No. 246 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract And Any Amendments To The Contract With The New York State Department Of Health To Renew The Children With Special Health Care Needs (CSHCN) Program – Public Health

Motion offered by Legislator Cahill, seconded by Legislator Provenzano.

Adopted unanimously.

Resolution No. 247 Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To Extend The Agreement With The New York State Department Of Health For The Rape Crisis Program – Probation

Motion offered by Legislature Cummings, seconded by Legislator Dart.

Adopted unanimously.

Ways and Means Committee
August 6, 2008

Resolution No. 248 Authorizing The Chairman Of The Ulster County Legislature To Enter Into Contracts With The New York State Department Of Environmental Conservation To Effectuate A Grant Award For A Water Quality Improvement Project

Motion offered by Legislator Gregorius, seconded by Legislator Provenzano.

Adopted unanimously.

Resolution No. 249 Authorizing The Chairman Of The Ulster County Legislature To Submit An Application Under The Environmental Protection Fund Local Waterfront Revitalization Program For The Ulster County Regional Waterfront Revitalization Plan

Motion offered by Legislator Provenzano, seconded by Legislator Dart.

Adopted unanimously.

Resolution No. 250 Authorizing The Chairman Of The Ulster County Legislature To Execute Amendments To Agreements With The Various New York State Government Agencies For Reduction Of State Revenues To Counties During The State Fiscal Year 2008/2009

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Adopted unanimously.

Resolution No. 251 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of State For A Community Projects Program – Amending The 2008 Ulster County Budget – Fire Coordinator

Motion offered by Legislator Dart, seconded by Legislator Cummings.

Adopted unanimously.

Resolution No. 252 Authorizing The Chairman Of The Ulster County Legislature And The Chairman Of The Community Services Board To Execute Contract Amendments – Amending The 2008 Ulster County Budget To Accept Additional Funding From The New York State Office For Alcoholism And Substance Abuse Services (OASAS) And New York State Office Of Mental Health (OMH) For Cost Of Living Adjustments (COLA's) For Contract Agencies – Mental Health

Ways and Means Committee

August 6, 2008

Motion offered by Legislator Provenzano, seconded by Legislator Cummings.

Adopted unanimously.

Resolution No. 253 Authorizing The Chairman Of The Ulster County Legislature And The Chairman Of Community Services Board To Execute Contract Amendments – Amending The 2008 Ulster County Budget – Additional Funding For Supported Housing Programs – Mental Health

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Adopted unanimously.

Resolution No. 254 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract And Any Amendments To The Contract With The New York State Office For The Aging To Renew The Long Term Care Insurance Education And Outreach Program (LTCIEOP) – Amending The 2008 Ulster County Budget – Office For The Aging

Motion offered by Legislator Gregorius, seconded by Legislator Zimet.

Adopted unanimously.

Resolution No. 255 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement And Any Amendments To The Agreement With The New York State Division Of Probation And Correctional Alternatives For The Enhanced Supervision Of Sex Offenders (ESSO) Program – Amending The 2008 Ulster County Budget – Probation

Motion offered by Legislator Zimet, seconded by Legislator Dart.

Legislator Dart – Even though the program just started it is already achieving results. Two out-of state predators were caught.

Resolution No. 256 Authorizing The Chairman Of Ulster County Legislature To Execute An Agreement With The New York State Department Of State To Accept A 100% State Funded Grant For The Purchase Of Automatic External Defibrillators (AED's) For Local Municipalities For Police Agencies In Ulster County And Memorandums Of Agreement – Amending The 2008 Ulster County Budget – Sheriff's Office

Motion offered by Legislator Cummings, seconded by Legislator Zimet.

Ways and Means Committee
August 6, 2008

Adopted unanimously.

Resolution No. 257 Authorizing The Chairman Of The Ulster County Legislature And The Commissioner Of Social Services To Execute An Amendment To Agreements(s) With The New York State Office Of Children And Family Services For The 2008 Resource Allocation Plan – Amending The 2008 Ulster County Budget – Youth Bureau/Social Services

Motion offered by Legislator Cahill, seconded by Legislator Cummings.

Adopted unanimously.

Resolution No. 259 Amending The 2008 Ulster County Budget For EtG Alcohol Testing – Probation

Motion offered by Legislator Gregorius, seconded by Legislator Zimet.

Adopted unanimously.

Resolution No. 260 Amending The 2008 Ulster County Budget – Child Support Incentive Allocation – Social Services

Motion offered by Legislator Gregorius, seconded by Legislator Zimet.

Adopted unanimously.

Resolution No. 261 Amending The 2008 Ulster County Budget To Provide Funds For Lost State Revenues As A Result Of The 2008/2009 State Budget Reductions To Counties And The Rising Costs Of Fuel For Vehicles – County Administration

Motion offered by Legislator Provenzano, seconded by Legislator Cahill.

Art Smith – We provided all Legislators with a copy of the backup.

Legislator Gregorius – We need a simplified version that balances so we can understand it. Need net costs in gross terms.

Art Smith – All info is in the backup-we do have work to do on it. We will rework it and provide it next week.

Ways and Means Committee
August 6, 2008

Legislator Noonan – Why aren't Federal Aid reductions showing?

Art Smith – There was a huge document related to Federal aid cuts in DSS. We still have to assess it.

Motion adopted unanimously.

VI) **MISCELLANEOUS**

Legislator Noonan – Resolution No. 263 was not reported through Caucus. It should not be included in the pack.

Legislator Cummings – Has a letter from a constituent on Route 209 – wants to know status.

Legislator Gregorius – Met with Attorney Josh Koplovitz. There may be a mistake on tax bill. We are working on it with their attorney.

Legislator Noonan – Can we ask this attorney to appear in next week's meeting?

Legislator Lomita – Will ask attorney to attend.

Motion to adjourn offered by Legislator Dart, seconded by Legislator Cahill.

Meeting adjourned 5:55 PM

Respectfully submitted,

Alan Lomita, Chairman
Ways and Means Committee