

ULSTER COUNTY LEGISLATURE

COMMITTEE REPORT

NAME OF COMMITTEE: Ways and Means Committee

DATE: December 10, 2008

TIME: 4:30 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(4:35), F. Dart, D. Gregorius, J. Provenzano, S. Zimet(4:38 PM), S. Cummings, R. Gerentine and G. Noonan(4:35)

LEGISLATORS ABSENT:

OTHERS ATTENDING: County Administrator M. Hein; Deputy County Administrator A. Smith; Deputy County Administrator S. Ronga; Deputy County Administrator M. Dellay; Sr. Management Analyst F. Fawcett; Asst. County Attorney Bea Havranek; Legislators Phil Terpening, Gary Bischoff and Wayne Harris; UCDC Rep. Patrick Sheehan; Buildings & Grounds Manager Brian Cunningham

I) **RESOLUTIONS**

Resolution No. 355 Levy For Unpaid Sewer Rents

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 356 Levy For Unpaid Water Rents

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 357 Ratification Of Tax Rolls

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Motion adopted unanimously.

Resolution No. 358 Approving Completed Tax Rolls And Directing The Execution Of Delivery Of Warrants

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 359 Authorizing And Directing Charges Against Various Towns And The City Of Kingston For Home Relief Costs

Motion offered by Legislator Cummings, seconded by Legislator Gregorius.

Legislator Dart – Wanted to go on record one more time that he has always felt this was a County responsibility.

Motion was adopted: 5 Ayes
2 Noes (Legislators Dart and Provenzano)

Resolution No. 360 Authorizing Distribution Of Mortgage Tax Receipts Pursuant To Section 261 Of The Tax Law

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Legislator Gregorius suggested that we consider the fact that we should consider a transfer tax as opposed to a mortgage tax because especially for wealthier individuals, there often is NO mortgage and the County loses out on fees for high dollar transactions.

Motion adopted unanimously.

Resolution No. 362 Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With Various Municipalities For Supplying Of Data And Information Concerning DWI Cases 2009

Motion offered by Legislator Provenzano, seconded by Legislator Dart.

Motion adopted unanimously.

Resolution No. 363 Authorizing Chairman Of The Ulster County Legislature To Enter Into Agreement With Municipalities For STOP DWI Task Force Patrols For 2009

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 364 Continuation Of Existing STOP DWI Programs For 2009 Probation And District Attorney

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Motion adopted unanimously.

Resolution No. 365 Continuation Of Ulster County Sheriff Task Force Patrol Funding Calendar Year 2009 - Authorizing Letter Of Agreement

Motion offered by Legislator Cummings, seconded by Legislator Dart.

Motion adopted unanimously.

Resolution No. 366 Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To The Contract With The New York State Department Of Health For The Lyme Disease Education And Awareness Program (Arthropod-Borne Disease Program) – Public Health

Motion offered by Legislator Provenzano, seconded by Legislator

Cummings.

Motion adopted unanimously.

Resolution No. 367 Authorizing The Chairman Of The Ulster County Legislature To Execute A Lease Renewal Agreement With Michael Paquette, Current Owner Of Walkkill Body Shop, Inc., For A Substation Of The Ulster County Sheriff's Office

Motion offered by Legislator Cummings, seconded by Legislator Noonan.

Motion adopted unanimously.

Resolution No. 368 Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To Contract With The New York State Division Of Criminal Justice Services – GPS Tracking System For Sex Offenders – Probation

Motion offered by Legislator Dart, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 369 Authorizing The Chairman Of The Ulster County Legislature To Execute An Amendment To Agreement With The New York State Office Of Homeland Security – Sheriff's Office

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Motion adopted unanimously.

Resolution No. 370 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With New York State Division Of Criminal Justice Services – Operation IMPACT V – District Attorney – Sheriff's – Probation

Motion offered by Legislator Dart, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 371 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Transportation – Accepting New York State Share For Mass Transportation Projects For Federal Fiscal Year 2007 - Ulster County Area Transit

Motion offered by Legislator Dart, seconded by Legislator Cummings.

Motion adopted unanimously (was contingent upon the date in the Resolution Title being corrected if necessary, but it was correct as written).

Resolution No. 372 Authorizing The Chairman Of The 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 Police Agencies – Amending The 2008 Ulster County Budget – Sheriff's Office

Motion offered by Legislator Cummings, seconded by Legislator Provenzano.

Motion adopted unanimously.

Resolution No. 373 Authorizing The Chairman Of The 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) – Amending The 2008 Ulster County Budget – Sheriff's Office

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Legislator Cahill – Wanted to take the opportunity to formally thank Legislator Robert Parete for doing an excellent job in preparing those grants. It was a long, hard process.

Motion adopted unanimously.

Resolution No. 374 Authorizing The Chairman Of The Ulster County Legislature To Execute The Necessary Applications And Assurances With The New York State Department Of Environmental Conservation For Funding Provided From The Hudson-Fulton Champlain Quadricentennial Grant Program

Motion offered by Legislator Provenzano, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 376 Authorizing The Chairman Of The Ulster County Legislature To Execute The Deed, Any Agreements And Documents Regarding The Conveyance Of County Railroad Property

Motion offered by Legislator Lomita, seconded by Legislator Gregorius.

Attorney Havranek – Explained the process by which 25 years ago, we

entered into an agreement with the IDA to convey surplus County property via a Local law that negated the need to go to competitive bid. The corner of Cornell & Temper was a 25 year ground lease for Kingston Associates but they eventually defaulted, terminating the Lease. The County now has a property, a piece of which had been built upon by a family who cannot sell it unless deeded that small piece of County property. Attorney Havranek feels it is in the County's interest to grant an easement to allow them a clear deed. A fair market value of \$20,000 was set by Hudson Valley Appraisers.

Legislator Gregorius – Does this in any way limit the eventual extension of bike and pedestrian pathways along the tracks?

Attorney Havranek – The County still owns the tracks and the opposite side so we are fine.

Motion passed: 9 Ayes
 0 Noes
 1 Abstention (Legislator Provenzano)

Resolution No. 379 Authorizing Louis M. Klein, Esq., Administrative Hearing Officer, Pursuant To Local Law No. * Of 2007

Motion offered by Legislator Cahill, seconded by Legislator Gregorius.

Attorney Havranek – County Law requires that we appoint a Hearing Officer. Attorney Klein agreed to these duties at \$150 an hour which is a reduced rate for attorney's fees, and since we may never require these services, it is a good deal for the County.

Legislator Noonan – Not happy with the financial impact of the resolution states "undetermined". It should at least mention the \$150 hourly charge.

Legislator Cahill – Is it budgeted?

Art Smith – It is in County Attorney "Fees for Service" line.

Legislator Gerentine – Would like the financial impact line to state "at \$150 per hour" to cap it.

Motion adopted unanimously.

Resolution No. 386 Supporting The Joint Application By Orange, Ulster, Sullivan And Neighboring Counties To The New York State Department Of State's 2008-2009 Local Government Efficiency Grant Program For The Purposes Of Seeking

Funding For A High Priority Planning Grant To Enter Into Study Of Regional Collaboration In The Administration Of Jails With The Intent To Achieve Cost Savings And Economies Of Scale

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Legislator Dart – We should do everything we can to realize savings and revenues through careful planning of jail resources. This allows us to utilize our facility for board-ins from other counties.

Legislator Cahill – It would be desirable if we could extend out shared services to include food service and health care. They are both expensive programs.

Motion adopted unanimously.

Resolution No. 388 Amending The 2008 – 2013 Capital Program And Establishing Capital Project No. 314 For Interior Renovations Of Various County Buildings

Motion offered by Legislator Dart, seconded by Chairman Donaldson.

Legislator Lomita – This Resolution is the culmination of months of discussions on what it would take to install office of the County Executive. We did it as efficiently and cheaply as possible, using existing County office space. Several departments have to re-shuffle while Self-Insurance is moved temporarily to Mental Health. The series of moves is necessary to assimilate 10 new positions.

Brian Cunningham – We start work tomorrow moving Insurance, but the move will not be completed until March or April.

Chairman Donaldson – While this may seem like a last minute deal, it is a long term project and should be appropriately bonded. The \$608,000 in the resolution is at the high end. We want to keep it around \$300,000 by using in-house labor. In January, it will be up to the County Executive to make it work. We have a significant space problem and have a constitutional requirement to seat the Comptroller and staff on 1/02/09.

Legislator Provenzano – Thanks to architect Paul Vosburg for preparing a plan that is readable. She also is shocked by the cost but feels The Committee has done a good job under the circumstances. Pleased that Legislature has the opportunity to take responsibility to make sure everyone has the resources to work efficiently. As a group we should have pushed this through earlier but we are ready to do so now.

Legislator Gerentine – Has no real problem with the design but is concerned over the cost and feels we should put an amendment on floor to rescind the Budget amendments that created two new positions at last minute for \$112,000 and \$88,000 and put that \$200,000 in contingency for the move. We don't need those two positions on 1/02/09. WE can consider funding them later in the year.

Legislator Zimet – Offended by attitude that if we do not act tonight that we will suffer through whatever The Executive does on his own in January.

Legislator Cahill – Until January 1st we still have the initiative, but The Executive is not without controls after that. We still control the purse and therefore have veto power.

Legislator Provenzano – Feels we should accept responsibility as a group and support the Executive.

Legislator Gregorius – Since none of this has been vetted, we should discuss this in Caucus first.

Legislator Dart – Disagrees with the concept that we are placing blame on each other for the lateness of the resolution. This is a work-in-progress that is still ongoing.

Legislator Gregorius – The point is we just passed the Budget last week without the benefit of these documents. My vote might have been different if this had been presented at that time. When we look at three options ranging from \$680,000 to over \$2 million, it makes the \$680,000 option look like a real bargain. Now we're told the costs might actually be \$300,000 but no one is sure. I am not against The Plan but have many questions and will vote No until more info is available.

Chairman Donaldson – We work with The Committee system and it serves us well. I was not happy with the way the plan was going so he did not want it presented in its form at that time. These are worst case scenarios and we are not sure that 17 Pearl will ever be home for Insurance. We have immediate space problems that have to be addressed and moving Insurance out allows us the space to shuffle in. The cost of moving to Mental Health was minimal which is why we settled on that and it is only transitional. We may still be negotiating with The Executive for many months, but we have some segments of the move we have to do now.

Brian Cunningham – The \$608,000 is just one plan and the price reflects four prime contractors doing the work at prevailing wages. Over \$105,000

of that figure was specifically for renovations at 17 Pearl which may never happen. If we simplify the plan and use in-house labor, the \$300,000 figure is ample enough. There is a two month wait on work stations anyway, so we will concentrate on getting the space set up for finishing in February or March – assuming the funding is approved.

Attorney Havranek – Felt there was sufficient need to approve resolution to counter potential morale and efficiency issues.

Legislator Provenzano - It would have been nice to have The Committee's recommendation earlier but she personally vocalized her concerns during the past months and The Committee reacted positively to my suggestions. They worked hard to forge this compromise.

Legislator Zimet – Concerned that the press will report that we are spending more than \$300,000 to house newly hired people while taxpayers are struggling to keep their jobs.

Motion failed: 5 Ayes (Legislators Lomita, Dart, Provenzano, Donaldson and Cahill)

5 Noes (Legislators Zimet, Cummings, Noonan, Gerentine and Gregorius) – Need six to approve.

Meeting adjourned at 5:35 PM.

Respectfully submitted,

Alan Lomita, Chairman
Ways and Means Committee