

# ULSTER COUNTY LEGISLATURE

## COMMITTEE REPORT

NAME OF COMMITTEE: Ways and Means Committee

DATE: February 19, 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 4:55 PM)  
and G. Noonan

LEGISLATORS ABSENT: None

OTHERS ATTENDING: County Administrator M. Hein; Deputy County  
Administrator A. Smith; Deputy County  
Administrator K. Spinozzi; Deputy County  
Administrator S. Ronga; Sr. Management  
Analyst F. Fawcett and Assistant County  
Attorney B. Havranek

### I) **AGRICULTURAL SOCIETY RESOLUTION**

Resolution No. 72 Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With The Ulster County Agricultural Society, Inc., Granting Use Of The Ulster County Fairgrounds For A Term Of Five (5) Years Contingent Upon The Review And Approval By The County Attorney – Amending The 2008 Ulster County Budget – Public Works (Buildings And Grounds)

Motion offered by Legislator Gregorius, seconded by Legislator Noonan.

Attorney Havranek explained to the Committee that there had been an intense

series of negotiated agreements with the Agricultural Society in which they were offered a five year agreement with a 60 day escape clause. The Agricultural Society insisted on a minimum ten year agreement with an escape clause that, depending on the date exercised would be over 18 months. The Public Works Committee offered a 4-1/2 month escape clause to which the Agricultural Society insisted on an evergreen clause in which there would be an automatic five year extension. The County Attorney argued against it and the resolution now being considered is the afore-mentioned five year agreement, without the evergreen clause. At this point there is no agreement and this resolution merely authorizes the chairman to accept an agreement if it is worked out with the approval of the County Attorney's Office. Otherwise, we will opt to operate it ourselves. We have already booked several venues.

Legislator Lomita stated that Legislator Kraft, as Chair of the Public Works Committee has made every attempt to reach a settlement with the Agricultural Society, making many concessions. The consensus is that we have conceded too much already and the agreement should be accepted as it is or withdrawn completely. They refuse to work with us. Legislator Gregorius is not happy with an almost two year escape clause potential.

Assistant County Attorney Havranek stated that the Agricultural Society has until March 1<sup>st</sup> to sign the current agreement or it will be withdrawn and this resolution will be null and void. By this time next year the County will be governed under a new administration and we can take the issue up again.

Legislator Cahill reiterated that the Agricultural Society always wanted a long term (15 year) agreement and would not accept the fact that the County has a legal five year limit to honor. They never had an agreement before, and should be more agreeable.

Legislator Noonan mentioned that he had spoken to a member of the Agricultural Society and he was sure they had not approved the agreement in their meeting of Monday, February 18, 2008.

A vote was subsequently taken it was approved unanimously.

## **II) LATE RESOLUTION**

### Resolution No. 76 Appointing Robert A. Wenzel As County Auditor

Motion offered by Legislator Provenzano, seconded by Legislator Cahill.

Legislator Zimet asked how the selection process proceeded.

Legislator Provenzano responded that we were fortunate that we had someone

of this caliber to accept the position. It is a case of the right person being available at the right time. He is a very talented auditor who is willing to step up to the plate and understands that the position may disappear in ten months time. There were many talented applicants making it a hard decision but Mr. Wenzel was always at the top of the list.

Legislator Cahill – We used a matrix system to rate the candidates.

Legislator Lomita state that the initial vote had only one dissenter – Legislator Noonan, who favored another candidate who had an MBA but when we ran a background check, the vote became unanimous.

Legislator Provenzano had informed Legislator Noonan that the background check on his candidate had some work history that was questionable.

A vote was subsequently taken and the motion was approved unanimously.

### III) **MISCELLANEOUS**

Resolutions No. 30 and No. 31 (Vehicle Resolution and Bond Resolution) were opened for discussion by Legislator Gerentine.

Legislator Lomita reminded the Committee that in Caucus there wasn't 22 votes to pass the bond as written so an agreement was made to take \$96,000 from Contingency. An amendment to do so will be made on the floor tonight in session. As a matter of logic – such an amendment should hereinafter be made during Budget, not after.

Legislator Dart wanted to discuss Resolution No. 41 which reorganized the Office of the District Attorney. He felt he should make an amendment on the floor to change the position from Part-Time to Full-Time despite the fact that it is only funded until June, at which time we expect the Operation Impact grant to be renewed.

Legislator Zimet reminded the Committee that Don Williams had every opportunity to make changes to staff and felt that this was an inappropriate time to re-shuffle. Every department head has to live within their budget.

Legislator Noonan asked if there were vacant lines – answer No.

Deputy County Administrator Arthur Smith – District Attorney Holley Carnright is not looking for additional money at this point – just wants to use the part-time line (#1209) on a full-time basis until the end of June.

Legislator Gerentine – He needs the full-time position to clear up a backlog and

has every reason to believe the grant will be renewed in June.

Legislator Dart believes he is willing to take the gamble that the grant money will come and he will not lose the position.

Legislator Lomita advised Legislator Dart to not add an amendment and let it pass as it is and ask for additional funds later.

Legislator Zimet asked for an update on the Tamarack.

Assistant County Attorney Havranek – The only update available is that taxes have been paid up to date. The issue of whether they are a sanctioned Indian Tribe is still a Federal issue.

Motion to adjourn offered by Legislator Dart, seconded by Legislator Noonan.  
Meeting adjourned at 5:11 P.M.

Respectfully submitted,

Alan Lomita, Chairman  
Ways and Means Committee