

ULSTER COUNTY LEGISLATURE

COMMITTEE REPORT

NAME OF COMMITTEE: Ways and Means Committee

DATE: July 2, 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 and G. Noonan

LEGISLATORS ABSENT: R. Gerentine

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; Legislator Hector Rodriguez

Ways and Means Committee

July 2, 2008

I) RESOLUTIONS

Resolution No. 206 Authorizing The County Treasurer To Accept A Bid For Private Sale On Parcel Of County Owned Property

Motion offered by Legislator Noonan, seconded by Legislator Dart.

Motion adopted.

Ayes 7

Noes 1 (Legislator Zimet)

Resolution No. 207 Appropriation For Ulster County Libraries

Motion offered by Legislator Cummings, seconded by Legislator Dart.

Adopted unanimously.

Resolution No. 208 Requesting Transfer Of Funds From The Asset Forfeiture Line To The Overtime Line – Amending The 2008 Ulster County Budget – Sheriff's Office

Motion offered by Legislator Dart, seconded by Legislator Noonan.

Adopted unanimously.

Resolution No. 209 Requesting Transfer Of Funds From Contingent Account for Payment To The NYS Office Of General Services – The Balance Of County's Share Of New Voting Machines And Supplies For Such Machines – Amending The 2008 Ulster County Budget – Board Of Elections

Motion offered by Legislator Gregorius, seconded by Legislator Cahill.

Legislator Zimet – Has a letter from the NYS League of Women Voters that has several warnings pertaining to our electronic voting machinery. The letter states that Ulster is the only county using this machine and that not only has it not been certified, but that there are many problems with it already. She is very concerned and wants to table the Resolution until Gary Bischoff returns from a trip.

Legislator Rodriguez(speaking as a member of Laws and Rules Committee) – talked to Stuart Fraser at Elections, he stated that they had presented it to Laws and Rules but needed to act aggressively to

purchase machines and get them delivered. He does not feel the remainder of machines will be ready for this election cycle. It might be best to table it.

Legislator Cummings – Our understanding was that we had to order all 108 machines or we would be fined heavily by the State. What changed? We were also told that this machine was chosen by most counties.

Legislator Noonan – There is no sponsor-if Laws and Rules approves it, we can vote.

Legislator Lomita – It is the will of the committee to table The Resolution until Laws and Rules meets Monday night and have The Elections Commissioners present for the next meeting.

Legislator Gregorius – Are all optical scanners a problem or just this one?

Art Smith – We already paid \$63,450 to The State and received some machines. Since Legislators Rodriguez and Cummings are on Laws and Rules-They can represent us to The State if there is a problem.

Resolution is tabled until 7/9/08.

Resolution No. 210 Amending The 2008 Ulster County Budget – Additional CHIPS Funding – Public Works (Highways And Bridges)

Motion offered by Legislator Cahill, seconded by Legislator Provenzano.

Adopted unanimously.

Resolution No. 211 Amending The 2008 Ulster County Budget – Temporary Services – Mental Health

Motion offered by Legislator Cahill, seconded by Legislator Gregorius.

Adopted unanimously.

Resolution No. 212 Authorizing The Chairman Of The Ulster County Legislature And The Chairman Of The Community Services Board To Sign Contracts For The Year 2008 – Mental Health

Motion offered by Legislator Provenzano, seconded by Legislator Cahill.

Adopted unanimously.

Resolution No. 213 Authorizing The Chairman Of The Ulster County Legislature

To Enter Into Agreement With The New York State Division Of Probation And Correctional Alternatives For The Intensive Supervision Program (ISP) – Probation

Motion offered by Legislator Dart, seconded by Legislator Noonan.

Adopted unanimously.

Resolution No. 214 Authorizing The Chairman Of The Ulster County Legislature To Execute Inter-Municipal Agreements For Various Programs – Social Services

Motion offered by Legislator Provenzano, seconded by Legislator Gregorius.

Adopted unanimously.

Resolution No. 215 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of Health To Implement A Comprehensive Rabies Program – Public Health

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Adopted unanimously.

Resolution No. 216 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 Gregorius.

Legislator Zimet has questions on how Homeland Security money is being used.

Legislator Dart – Sheriff needs a heavy duty vehicle that can withstand heavy usage.

Legislator Cahill – The new administration may spend even more money on Homeland Security. Wonders why we are buying four SUV's but no hybrid. These vehicles could be taken home by the officer.

Legislator Gregorius – Do we buy off the State Purchase list? Are there hybrids on the list?

Legislator Lomita – Asking Legislator Dart to pass our concerns to the Criminal Justice Committee.

Motion adopted unanimously.

Resolution No. 217 Authorizing The Chairman Of The Ulster County Legislature To Execute A Contract With The New York State Department Of Health To Continue The Immunization Action Plan – Amending The 2008 Ulster County Budget – Public Health

Motion offered by Legislator Dart, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 218 Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-municipal Agreement To Provide Public Transit Service To The New Paltz Area – Hiring Bus Drivers – Amending The 2008 Ulster County Budget - Ulster County Area Transit

Motion offered by Legislator Zimet, seconded by Legislator Provenzano.

Legislator Cahill – We have a draft agreement with the town and County, and it will be public soon. The town board has not voted on it yet but when polled were very positive.

Motion adopted unanimously.

Resolution No. 219 Authorizing The Chairman Of The Ulster County Legislature To Enter Into Agreement With The New York State Department Of Health For The Early Intervention Program – Social Services

Motion offered by Legislator Provenzano, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 232 Setting A Public Hearing On Introductory Local Law No. 3 Of 2008(A Local Law Prohibiting Smoking Upon All Real Property Owned Or Leased By The County Of Ulster), To Be Held On Wednesday, August 6, 2008 At 6:00 PM

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Asst. County Attorney Bea Havranek – The County will be totally smoke free by July 21. This Resolution gives The Commissioner of Public Works the authority to pass a no smoking ban on all grounds of all buildings. Some buildings have a full ban in effect already.
Legislator Provenzano – They can always smoke in the streets.

Legislator Gregorius – We own the Fairgrounds. Do we have an agreement with The Agricultural Society?

Bea Havranek – Ag Society agreed to have limited smoking areas.

Legislator Noonan – Feels we are losing productivity by putting employees in the streets.

Legislator Cahill – We have to make it inconvenient. Employees should smoke on regular breaks. This is a supervisory issue, not a Legislative one.

Motion adopted unanimously.

II) Resolution No. 233 Setting A Public Hearing On Introductory Local Law Number 4 Of 2008 (A Local Law Amending Rule 17 Of The Rules Of Order Of The Ulster County Legislature To Require A Super-Majority (2/3) Of The Total Vote Of The Legislature To Carry Any Question, Proposition, Resolution, Motion, Or Any Other Matter Involving The Granting Of Authority To Increase County Taxes Of Any Kind) To Be Held On Wednesday, August 6, 2008 At 6:15 PM

Asst. County Atty. Bea Havranek – This Resolution is out of order-it is procedurally defective. We only need one hearing for a Local Law. We cannot do that based on a recent State opinion. In addition, this action is limited by The Charter. We have specific parameters to adhere to. The Charter cannot be violated.

Legislator Noonan – We can't deny voters the right to make a decision on this issue. A request for a Public Hearing cannot be deemed to be out of order-maybe the Law can be out of order but not the request for a Public Hearing. All the Committee should discuss is the date and time of The Hearing.

Legislator Provenzano – Respectfully disagrees. It is not right for a seasoned Legislator to request something they know is out of order just to prove a point.

Legislator Dart – It is like considering something illegal.

Legislator Cahill – After all of these years, why question it now?

Legislator Noonan – It was the suggestion of a new Legislator.

Bea Havranek – The Resolution is too broadly written.

The Resolution was pulled on advice of Counsel.

Resolution No. 225 Reappointing Cynthia Ruiz, Director Of Public Transit

Legislator Lomita – This Resolution was originally deemed to not involve Ways and Means, but it does cost advertising dollars so it is included.

Motion offered by Legislator Cahill, seconded by Legislator Provenzano.

Request made to convene in Executive session at 5:45 PM – Legislator Dart opposed the Executive session.

Executive session ended at 5:25 PM.

Motion adopted unanimously.

Motion to adjourn offered by Legislator Dart. Approved unanimously.

Meeting adjourned at 5:28 PM.

Respectfully Submitted,

Alan Lomita, Chairman
Ways and Means Committee