

ULSTER COUNTY LEGISLATURE

COMMITTEE REPORT

NAME OF COMMITTEE: Ways and Means Committee

DATE: September 3, 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(4:58), S. Cummings, R. Gerentine(5:30),
G. Noonan and D. Donaldson

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; Legislators Phil Terpening
and Ken Ronk; Personnel Officer Brenda
Bartholomew; Commissioner DSS Roberto
Rodriguez; Deputy Commissioner DSS Pat
Jelacic; Director UCAT Cynthia Ruiz; Director
Real Property Dorothy Martin; Director
Employee Relations Jim Farina; Corrections
Superintendent Brad Ebel; League of Women
Voters Coordinator Tom Kayden; UCDC
representative Patrick Sheehan

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I) **RESOLUTIONS (SUPPORTED)**

Resolution No. 271 Amending The 2008 – 2013 Capital Program And Establishing Capital Project No. 313 For The Purpose Of Data Collection, Surveys, Engineering and Environmental Analysis For The Purchase And Installation Of A 25,000 Gallon Diesel Fuel Storage Facility For The Ulster County Area Transit Facility – Amending The 2008 Budget – Public Works (Buildings And Grounds)

Motion offered by Legislator Cahill, seconded by Legislator Dart.

Cynthia Ruiz – We are attempting to install a 25,000 gallon Diesel storage tank at the UCAT facility. We currently have a 6,000 gallon Diesel tank and a 2,000 gallon unleaded tank.

Legislator Cahill – Once installed, could other County departments use the fuel?

Cynthia Ruiz – We are working on an in-kind service agreement.

Legislator Provenzano – Why not at Budget time?

Cynthia Ruiz – We have leftover Federal funds from 2005 and 2006 that will expire, we have a 10% County share and the time to save money on fuel is certainly timely. The size of the tank eventually installed depends on the quoted price, plus we have to assure that we have a full tanker load dropped plus have more room. We are currently buying on State Contract and used to buy from DPW. When we have the larger tank we will probably do better on our own because we will buy for the whole year.

Motion adopted unanimously.

Resolution No. 272 Amending The 2008 – 2013 Capital Program And Establishing Capital Project No. 312 For Building Construction “Upgrade And HVAC Controls For The Ulster County Area Transit Facility – Public Works (Buildings And Grounds)

Motion offered by Legislator Gregorius, seconded by Legislator Cummings.

Cynthia Ruiz – The Capital Project finishes off the Second story of the

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Building, which accommodates to our planned growth. This second phase is deliberate and allowed for some value engineering studies to be conducted. The results are we will have better function and reduced energy costs due to efficiencies.

Legislator Provenzano – Despite the small County share wonders why we need additional construction done when the project supposedly came in on time and under budget.

Cynthia Ruiz – We did accomplish our goal but we deliberately held off on second phase until assessments could be made.

Legislator Cahill – Is the planned space usable to UCAT and others and is it budgeted?

Cynthia Ruiz – The downstairs Conference Room was always too small, especially for training. It will be turned into office space. The upstairs Conference Room is much larger and can specifically be used for other non-transportation related departments. We have to be careful if we use the extra space for other departments because of Federal constraints. On a temporary basis we could allow usage – especially for Planning Department.

Motion adopted unanimously.

Resolution No. 278 Requesting Reappropriation Of Funds From Unanticipated Job Access Reverse Commute Revenue To Be Used For Local Match For Fuel Costs - Ulster County Area Transit

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Motion adopted unanimously.

Resolution No. 273 Reclassifying Positions – Amending The 2008 Ulster County Budget – Sheriff's Office

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Legislator Lomita – There are two obvious problems with offering this Resolution now. First of all, there is a freeze on new positions and reclassifications and secondly we are only 6 weeks away from addressing the 2009 Tentative Budget. Why present this now?

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Brad Ebel – The State Commission of Corrections did a staffing analysis and required changes. It dragged on but we are ready now. Once these are approved, we intend to drop the level of supervisors through attrition.

Legislator Provenzano – We have never seen documents from the State. Can you supply staffing analysis?

Legislator Lomita – Asked Brad Ebel to have the Sheriff make it available to this Committee by next week's meeting. There is an understandable degree of cynicism here and it seems we are constantly adjusting titles to the point that we are concerned.

Legislator Dart – We are in a new facility and there are growing pains. We have to adjust as we go along. Duties are shifting upwards allowing a downgrade and therefore savings.

Legislator Lomita – The Resolution is only Budget neutral because they downgrade a Corporal. There is no savings next year; in fact it will cost us much more because two high level positions were upgraded. What would happen to us if we refused the reclassifications?

Motion approved 8/1.

Ayes: Legislators Donaldson, Cahill, Zimet, Cummings, Noonan, Provenzano, Dart, Gregorius

Noes: Legislator Lomita

Resolution No. 274 Requesting Transfer Of Funds To Provide Mandated Safety Net Services For Towns And City Of Kingston – Amending The 2008 Ulster County Budget – Social Services

Motion offered by Legislator Gregorius, seconded by Legislator Provenzano.

Motion approved 7/1.

Ayes: Legislators Lomita, Cahill, Zimet, Cummings, Noonan, Gregorius, Provenzano

Noes: Legislator Dart

Resolution No. 275 Requesting Transfer Of Funds To Provide Mandated Preventive And Protective Service Of The Services For Recipients Program – Amending The 2008 Ulster County Budget – Social Services

Motion offered by Legislator Dart, seconded by Legislator Noonan.
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Adopted unanimously.

Resolution No. 276 Requesting Transfer Of Funds To Provide For Physically Handicapped Children Services Program – Amending The 2008 Ulster County Budget – Social Services

Motion offered by Legislator Cahill, seconded by Legislator Provenzano.

Adopted unanimously.

Resolution No. 277 Requesting Transfer Of Funds To Provide For Emergency Assistance To Adults Services Program – Amending The 2008 Ulster County Budget – Social Services

Motion offered by Legislator Cummings, seconded by Legislator Cahill.

Legislator Cummings – Since the DSS Budget is so large it is hard to digest. Have we ever asked for a waiver for underutilized or disused programs?

Commissioner Rodriguez – Not aware of any but it is unlikely that the State would issue a waiver and leave itself holding the bag. The State systematically evaluated programs for utilization, and has done eight so far this year. They are reviewing HEAP now.

Legislator Cahill – Are these Resolutions the result of Program changes or strictly Budget adjustments?

Commissioner Rodriguez – Most are due to an increase in workload. Our case files continue to escalate because of the state of the economy, which is getting worse.

Legislator Gregorius – There was recently a Program analysis written by the State and it was a good result for DSS, Central Services and the County as a whole.

Legislator Provenzano – Do we look at contracts for services?

Commissioner Rodriguez – State includes contracts in its reviews. They have to be reviewed by the State regardless of our internal Contract Management process. We usually follow the State boilerplate.

Legislator Gregorius – He and Legislator Noonan looked at the whole Ways and Means Committee

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contract process. When the new County Comptroller comes on board, they will have responsibility to review and recommend contract language.

Resolution No. 290 Salary Adjustments For Ulster County Department Heads, Managerial Staff, Legislative Employees And Board Of Elections Employees As Managers Not Represented By A Collective Bargaining Agreement For The Years 2008 And 2009 And Modifying The Ulster County Personnel Policy Manual

Motion offered by Legislator Dart, seconded by Legislator Provenzano.

Legislator Terpening – Indicated that the management salary increases were only slightly higher than the CSEA contract because it took into consideration financial increases other than salary. This was meant to address compression issues. The Health Care premiums remained the same at 10% compared to CSEA after 1994 being 15% and before that approaching zero.

Legislator Noonan – Why are we voting on the Resolution before the Public Hearing?

Art Smith – We have to address Public Officials now.

Motion approved 7/1.

Ayes: Legislators Lomita, Cahill, Dart, Gregorius, Provenzano, Zimet and Cummings.

Noes: Legislator Noonan.

Resolution No. 291 Setting A Public Hearing On Introductory Local Law No. 10 Of 2008(A Local Law Applying The Salary Revisions Of Resolution No. 290 Of 2008 To All County Officers Serving For Fixed Terms) Be Held On Wednesday, October 1, 2008 At 6:30 PM

Motion offered by Legislator Dart, seconded by Legislator Cahill.

Legislator Cahill – These listed titles are those in existence before charter takes effect.

Legislator Zimet – Once again timing is a question. Why not wait for Budget 2009?

Legislator Gregorius – These people were not in the first group and had to be considered separately.

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Legislator Cahill – Nothing says we have to do this.

Legislator Lomita – Amendments can be made on the floor .

Motion adopted unanimously.

Resolution No. 292 Setting A Public Hearing On Introductory Local Law No. 7 Of 2008(A Local Law Amending Local Law No. 5 Of 1999 – A Local Law Amending Local Law No. 1 Of 1987 As Amended By Local Law No. 1 Of 1999 To Increase The Income Range By Which Senior Land Owners With Limited Income Are Eligible For A Partial County Tax Exemption On Their Residence), To Be Held On Wednesday, October 1, 2008 At 6:00 PM

Motion offered by Legislator Cummings, seconded by Legislator Provenzano.

Legislator Zimet – Not against this but every time we give exceptions we leave another group behind and it always snowballs. We do things from our hearts and then upset others.

Dorothy Martin – All of the contiguous counties have adopted such policies already.

Motion adopted unanimously.

Resolution No. 293 Setting A Public Hearing On Introductory Local Law No. 8 Of 2008(A Local Law Amending Local Law No. 6 Of 1999 [A Local Law Amending Local Law No. 2 Of 1999 To Increase The Allowable Income Range Providing For A Partial County Tax Exemption Of Real Property Owned By Certain Persons With Disabilities And Limited Income]), To Be Held On Wednesday, October 1, 2008 At 6:10 PM

Motion offered by Legislator Provenzano, seconded by Legislator Cahill.

Motion adopted unanimously.

Resolution No. 294 Setting A Public Hearing On Introductory Local Law No. 9 Of 2008 (A Local Law To Provide For An Exemption From Real Property Taxes For Real Property Owned By Veterans Who Rendered Military Service To The United States During The “Cold War”), To Be Held On Wednesday, October 1, 2008 At 6:20 PM

Motion offered by Legislator Dart, seconded by Legislator Noonan.

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Motion adopted unanimously.

II) **RESOLUTIONS**

Resolution No. 270 Authorizing The Conveyance Of County Owned Property To Original Owner

Motion offered by Legislator Gregorius, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 279 Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With New York State To Accept Funds For A Local Government Improvement Fund Grant (Active Records Category) – Amending The 2008 Ulster County Budget – County Clerk

Motion offered by Legislator Dart, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 280 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement And Any Amendments To The Agreement With New York State Division Of Criminal Justice Services For The Aid To Prosecution Program (APP) – District Attorney

Motion offered by Legislature Cahill, seconded by Legislator Dart.

Motion adopted unanimously.

Resolution No. 281 Authorizing The Chairman Of The Ulster County Legislature To Execute Requests For Proposals, Additional Assurances, Agreements And Any Amendments To The Agreements With The New York State Housing Trust Fund Corporation, Division Of Housing And Community Renewal, For Participation In The Greater Catskills Flood Remediation Program – Emergency Communications/ Emergency Management

Motion offered by Legislator Zimet, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 282 Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement And Any Amendments To The Agreement With The New York State Emergency Management Office For The Emergency Management Performance Grant Program – Emergency Communications/ Emergency Management

Motion offered by Legislator Provenzano, seconded by Legislator Dart.

Motion adopted unanimously.

Resolution No. 283 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 For Grant Funds For The Ulster County Office For A Medical Transportation Van – Amending The 2008 Ulster County Budget – Office For The Aging

Motion offered by Legislator Zimet, seconded by Legislator Cummings.

Motion adopted unanimously.

Resolution No. 284 Authorizing The Chairman Of The Ulster County Legislature To Execute Contracts And Agreements With The New York State Department Of Economic Development To Allow The County Planning Board To Act As Census Designated Affiliate

Motion offered by Legislator Provenzano, seconded by Chairman Donaldson.

Motion adopted unanimously.

Resolution No. 285 Authorizing The Chairman Of The Ulster County Legislature To Execute Contracts And Agreements With The New York State Housing Trust Fund Corporation Represented By The Office Of Community Renewal (OCR) And Sub-Recipients Of The Funding For A 2008 Community Development Block Grant (CDBG) – Planning

Motion offered by Legislator Dart, seconded by Legislator Gregorius.

Motion adopted unanimously.

Resolution No. 286 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 Continue The WIC (Women, Infants And Children) Program – Public Health

Motion offered By Legislator Zimet, seconded by Chairman Donaldson.

Motion adopted unanimously.

Resolution No. 287 Authorizing The Chairman Of The Ulster County Legislature To Execute A Renewal Agreement And Any Amendments To The Agreement With The New York State Unified Court System For Court Attendants Contract (C200300) To Cover The Period April 1, 2008 To March 31, 2009

Motion offered by Legislator Dart, seconded by Chairman Donaldson.

Motion adopted unanimously.

Resolution No. 289 Amending Personnel Policy Manual For Ulster County And Ulster County Employee Handbook To Provide Health Insurance Benefits To Include Heterosexual Domestic Partners Of Employees Of Ulster County Equal To Those Currently Provided To Spouses

Legislator Dart as sponsor announced that he will refer the Resolution back to Personnel Committee and it will not be considered at this time, until real costs can be determined. He will refer to Committee from the floor.

Resolution No. 295 Setting A Public Hearing On Introductory Local Law No. 11 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), To Be Held On Tuesday, October 7, 2008 At 6:45 PM

Motion offered by Legislator Lomita, seconded by Legislator Dart.

Legislator Cummings – Laws and Rules has not considered it yet.

Legislator Lomita – Vote will be taken contingent upon it passing through Laws and Rules.

Motion adopted unanimously.

Resolution No. 296 Setting A Public Hearing On Introductory Local Law No. 12
Of 2008 (A Local Law Prohibiting Smoking 50 Feet From All Building Entrances
Upon Real Property Owned Or Leased By The County Of Ulster), To Be Held On
Wednesday, October 1, 2008 At 6:00 PM

The feeling of The Committee was that The Resolution is not ready to be considered now and will be reconsidered next week.

Legislator Cummings – The College has a specific spot on the campus to smoke.

Legislator Lomita – Should it be amended or put off until October?

Legislator Cahill – Will not take effect until November.

Legislator Terpening – DSS has a No Smoking rule.

Legislator Ronk – All literature indicated people accept a 50 foot buffer zone.

Motion to adjourn offered by Chairman Donaldson, seconded by Legislator Cahill.

Meeting adjourned 5:45 PM.

Respectfully submitted,

Alan Lomita, Chairman
Ways and Means Committee

