



Commentator

May 2011

The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League does not support or oppose candidates for public office but does encourage its members as individuals to participate actively in the political process. The League acts on those issues the membership chooses for study and action

The LWV of the Mid-Hudson Region covers the Ulster County area and the Dutchess County area. We belong to the LWV of New York State and the LWV of the US.

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CALENDAR		
2011		
MAY		
3	7:45-9:45 pm	Board Meeting at Gloria Plasker's, 106 Park St., Hurley
5	2:30 pm	Resource Development meeting at Margaret Sellers's, 80 Ringtop Rd., Kingston
12	1:30 pm	Shared Services Study Committee Meeting, Lee Cane's, 50 Lipton St., Kingston
18	6:00-8:30 pm	ANNUAL MEETING at Esopus Town Library, Port Ewen (starts with potluck supper)
19	8:00 am	"The US Economic Outlook - Where Are We Headed." SUNY New Paltz. See details under Program News
24	5:30pm	Solid Waste Study Committee Meeting, Gateway Diner, Highland (near Mid-Hudson Bridge), packback56@yahoo.com
JUNE		
5	1-4 pm	Annual Luncheon at Wiltwyck Golf Club, Kingston
7	7:45-9:45 pm	Board Meeting at Gloria Plasker's, 106 Park St., Hurley
9	2:30 pm	Resource Development meeting at Margaret Sellers's, 80 Ringtop Rd., Kingston
28	5:30pm	Solid Waste Study Committee Meeting, Gateway Diner, Highland (near Mid-Hudson Bridge) packback56@yahoo.com
TBA	4 - 8 pm	Board 2011-12 PLANNING Meeting

Check our Calendar on-line at
<http://lwwvmidhudson.org/calendar.html>
 for updated information

Commentator archives, State and National League newsletters are at <http://lwwvmidhudson.org/Newsletters.html>

MEMBERS: Need a ride? Want to car-pool?
 Contact Dare Thompson, (845) 236-3074 or
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Interested in one of our committees? Just show up at a meeting.
 Our members are always welcome.

Prez Sez...

Elsewhere in this issue there is an article about redistricting, and as a member of the Ulster Commission on Reapportionment, I can tell you that drawing lines well is a time-consuming, stressful business. But as absorbed as I've been in that, I'm grateful for a lot of other League activity going on.

We're trying to get on top of what Ulster and Dutchess can do in the future about **resource recovery** as both counties deal with Resource Recovery Agencies that have not performed as well as they should and now face some critical deadlines. Please don't hesitate to get involved. There's a great committee forming. See page 3.

Meanwhile, **Shared Services** committees chaired by Lee Cane in Ulster and Ellie Charwat in Dutchess are also moving forward. Ulster is winding down its work, but Dutchess welcomes new members.

Irene McInnis has been busy (with help from others) getting the June 5 **Awards Luncheon** details in order. If you didn't receive an invitation, let us know. We want you there! Our honorees are Al Spada, Martin Ruglis, and Ellie & Martin Charwat.

Others have been getting League business (and refreshments!) in order for our **Annual Meeting** on Wed., May 18. We hope you'll be there too. It's a relaxed and happy time to look backward and forward, do some business, meet and chat with **Jessie Pauli** (see below) and, above all, enjoy one another's company. If you can participate in the 6 pm potluck, let me know what you'd like to bring - or just come. Guests and prospective members are most welcome!

Dare

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UC WEBSITE ENHANCEMENT

Ulster County's website now sports a searchable and indexed compilation of the Charter, Administrative Code, Administrative, and General legislation. Click on "Code of Ulster County" at <http://www.co.ulster.ny.us/legislature.html>

PROGRAM NEWS

Thursday, May 19, 8 AM. William Dudley, president of the Federal Reserve Bank of New York, on "The US Economic Outlook - Where Are We Headed." Multi-Purpose Room, Student Union Building, SUNY New Paltz. Presented by SUNY's CRREO with the Department of Economics and Pattern for Progress. Continental breakfast, \$15. Register at www.newpaltz.edu/crreo/events.

Students Inside Albany

Students Inside Albany is an opportunity for young people to see firsthand as well as to experience government in action. **Jessie Pauli** was our student representative this year. Fresh from her experience in Albany, here is an excerpt of Julie's thank-you note to our Voters Service chairperson, Cindy Bell:

Thanks Cindy! It was such an incredible experience. You have no idea how much I enjoyed it. The shadowing was amazing. And I also happened to meet some of the best people I've ever met and we have already developed life long bonds and plan to meet up. The entire conference was an experience like no other, and I'm grateful for your allowance of me to participate.

Reapportionment

In **ULSTER COUNTY** the Commission on Reapportionment will have what is hoped to be its last meeting on Monday, May 2, at 7 pm. The commissioners should complete the map they've been shaping, one that reduces the number of legislators from 33 to 23.

Once it approves a map the Legislature will schedule a public hearing and vote, probably in mid-May.

There is some chance that the Legislature (or even the Commission) will vote for a weighted voting system rather than the map. This would give each town one legislator and each legislator's vote would be weighted according to the population he or she represented. There are 20 towns plus Kingston and 23 legislators so it's not clear where the extra two legislators would be assigned. Needless to say, the League would be opposed to this since it is not in keeping with the Charter. It's also not likely to survive a court challenge.

For information and redistricting proposals visit the commission's web page at <http://www.co.ulster.ny.us/reapportionment/index.html>



Barbara Bartolletti speaking at our Fair Redistricting Efforts program on 4/28/11

You may remember the lawsuit brought to clarify the reapportionment approval/adoption process recently. To read the court decision in John Parete & Thomas Kadgen vs. UC Legislature and UC Reapportionment Commission see:

http://lwvmidhudson.org/files/Decision_re_UC_Reapportionment_Commission_Powers.pdf.

In a nutshell, the charter should have *specifically* delegated the legislative power to adopt a reapportionment plan to the Commission. Having failed to do so, that authority continues to reside in the legislature. In support of its analysis, the court observed that the charter *does* specifically delegate charter revision authority to a commission. Having specified the delegation in one section implies the failure to address the issue in another was intentional.

In **DUTCHESS COUNTY** there appears to be some hope that the drawing of lines will be a little more democratic than it first appeared. A newly formed Redistricting Steering Committee will be apparently be meeting in public and making efforts to get opinions from throughout the county. But the appointed panel of 8 includes four current legislators and 2 former legislators and it is yet to be seen how much it will take public concerns (and fairness) into account. It is critical that the public be involved and vocal.

As LWNYS Legislative Director Barbara Bartoletti told us just the week, in **NEW YORK STATE** the pressure is on to get fair redistricting legislation by the end of this session in June or all hope is probably lost for this decade. The Assembly is likely to cooperate, but the Senate is saying that they've taken care of the problem by voting for a constitutional amendment that would put fair redistricting off until 2022. **It is particularly important that you contact your State Senator (probably Ball, Bonacic, Larkin, or Saland) and demand fair redistricting NOW!**

For information and redistricting statewide see the LWNYS website <http://www.lwv.org/>.

Solid Waste

An Opportunity to get into a New Study from the Ground floor!

The League Board has ok'd the proposal of a new study for League members, so if the study is approved at our Annual Meeting on May 18th, you'll have a chance to join the "Mid Hudson LWV Solid Waste Committee."

We already have a core group of veterans in environmental science, engineering, law and recycling. We also have novices who want to learn more about the region's solid waste management issues. But we welcome YOU too.

On April 26th we met to develop a plan to educate our study group. There's lots of work to be done and the more people involved, the better. Time is short so we look forward to all hands on deck.

Our League has an invaluable history in environmental stewardship and now we have an exciting chance to apply what we've learned from that history and from current research as both Dutchess and Ulster County face critical decisions about the management of organics, recyclables, and trash.

This will be a good example of the League principles of regional cooperation with people from Dutchess, Ulster, and perhaps adjacent Counties working for the best outcome for all.

Cindy Lanzetta, Chairperson - packback56@yahoo.com

ADVOCACY COMMITTEE REPORTS

Ulster County Shared Services Study

DOCUMENTS ONLINE AT: <http://www.co.ulster.ny.us/municipal.html>.

- [Ulster Intergovernmental Summary Report](#)
- [Economic Study](#)
- [Judicial Study](#)
- [Highway Study](#)
- [Action Plan](#)

Additional links of interest include

- The Draft Report can be found on the County Website at www.co.ulster.ny.us/municipalities/FINAL%20DRAFT%20Highway%20DOC%20with%20charts%20and%20maps.pdf
- Frank Cassetta's concise summary is at our website at lwvmidhudson.org/files/Highway_Service_Cooperation_-_Summary.pdf
- the Shared Services Program within the NYS Department of State Division of Local

**LWV GHHCC
Study Group 2**

**OBSERVER
CORPS -
ULSTER
COUNTY**

**Reapportionment
Commission**
[http://www.co.ulster.
ny.us/reapportionment/
index.html](http://www.co.ulster.ny.us/reapportionment/index.html)

Government Services <http://www.dos.state.ny.us/lgss/sharedservices/index.html>
Best Practices page of the NYS Association of Counties. www.nysac.org/County_Corner.php/

League Consensus Report to the Ulster County Legislature.

Summary: http://lwvmidhudson.org/files/GHHC_Consensus_Summary.pdf

Statement: http://lwvmidhudson.org/files/GHHC_Consensus_Statement.pdf

Pros & Cons: http://lwvmidhudson.org/files/GHHC_Study-Pros_and_Cons_10-19-10.pdf

Materials and resources used by the League in formulating its consensus

http://lwvmidhudson.org/Action_Study.html.

The ninth meeting of the Reapportionment Commission was convened at 3 PM on April 6, 2011 by facilitator William West and adjourned at 4:15. Members present except for Benkert and Catalinotto who were both excused. Other attendees: Vicki Fabello, Commission Secretary, Bea Havranek, County Attorney, Beth Murphy, photo-journalist, Jack Hayes, UC Legislator, Rob Leikowitz, Senior Planner, Victor Work, Democratic Elections Commissioner, Tom Kadgen, LWV, and members of the public.

Minutes of March 23 approved. After brief but labored conversation the commission agreed it had decided to utilize whatever number it received from the census report which would include prison population of the four prisons in UC.

During the above discussion, County Attorney Havranek noted:: 13 counties in NYS have not counted the prison population; yes, the commission could pass a motion recommending that the legislature pass a local law that the prison population can't be counted; the legislature would have to have a public hearing if they put out a local law. Final presentation of such would probably be sometime in May. Commission did nothing further on the above topic.

Commissioners each spoke of the difficulty each had for whatever reason in trying to utilize the soft ware on their home computers. Commissioner West stated the commission needed to have more meetings during the month, i.e., another afternoon meeting as well as someone else was needed to be involved in order to develop some plans showing the possible legislative districts. After a rather specific discussion the commission agreed to meet 4-12 as well. It was determined that Rob Leikowitz, Senior Planner from the UC Planning Department would put together some possible plans for the commission to show to the legislature along with whatever plan(s) the Commissioners developed. Commissioner Lowe pointed out that the perception of the public must not appear that the commission is delegating its work to someone who is a county employee as commission has responsibility to do its own work; will need to provide oversight. The commissioners expect to present their work to the legislature on April 12 and on the 13th discuss where they will proceed from there.

Commissioner West said anyone from public who produces a plan should have that provided to the legislature too. (He advised Ms. Tantello to submit her plan accordingly during the public comment period).

The facilitator for the next meeting of the commission will be Commissioner Thompson. Commissioner Benjamin reminded the group that it needs to develop its report which the commission is going to develop with recommendations for the next group that does this type of work. Commissioner West then passed out what he referred to as a concept paper and noted that it was a draft as written on the paper. Initially there was some discussion about whether the public personnel were entitled to receive a copy. Eventually, it was decided that yes, all individuals present, aside from the commission members would receive a copy, which was then passed out.

The idea expressed dealt with the desire of the various towns to have their own legislator; and to achieve such utilized a modified weighted voting plan. The county attorney will be asked to provide commentary on weighted voting. Commissioner West indicated nothing in his research shows that such has been declared unconstitutional. Commissioner Lowe wanted to know what provides the commission with the authority to utilize weighted voting. This matter to be discussed at the next meeting.

Lee Cane, Observer Corp

The 10th meeting of the Reapportionment Commission was convened at 3:10 on 4-13-11 and adjourned at 5:03. Facilitator for the meeting was Commissioner Lowe.

All Commissioners were present. Other attendees Vicki Fabella, Commission Secretary, Bea Havranek, County Attorney, Rob Leifkowitz, Senior Planner, Laura Walls, Deputy Comptroller, Dennis Doyle, County Planner, Legislators Maloney and Roberts, Beth Murphy, photo journalist, Hugh Reynolds, Kingston Times, Tom Kadgen, LWV and members of the public.

At the commencement of the meeting Commissioner Lowe referenced that something had been taken out of order of the arranged agenda at the previous meetings and shouldn't have been; she does not want such to occur again; need to have a decision made on hiring someone to handle some of the commission's work; referenced that Commissioner Benjamin had not been able to complete his comments; Commissioner Lowe apologized for this.

(Note: To this observer no specifics as to what the above pertained to appeared to be provided)

The first order of business was a review of the commission's meeting with the county legislature on April 12. Apparently the reaction of the legislators generally had not sat well with the commissioners. Apparently the legislators had tended to represent their own districts; their comments apparently showed the tension that existed between the legislature and the executive. In addition there appeared to be a reaction from the legislators to the commissioners' intent to hire someone to assist them with the work that was viewed negatively...but it was not supposed to be a criticism of the Planning Department.

Commissioner Lowe commented that it was important that the results, the reapportionment plan, be that of the commissioners. This also elicited a comment from Rob Leifkowitz to the effect that everything he does is theirs, the commissioners; he does what the commissioners tell him to. A further point expressed by the legislature was that the commission plan be submitted to it, the legislature, three days prior to the meeting at which the legislature was to vote on it.

Next topic to be addressed was the prep work for the town session the evening of 4-13 at the Community Center in New Paltz. Only Commissioners Lowe, Thompson, Messina and Benkert would be present. Commissioners will run the meeting; and will present the same material as presented to the county legislature on 4-12.

This was followed by discussion on Draft Plans/Final Report. Referenced comment made on the 12th by legislature that the deviation either was too narrow. Commissioner West suggested that the 5% deviation either was to be followed to determine if that will help to resolve any of the problems. Group was reminded that the 5% deviation was the difference between the highest and lowest legislative districts rather than 5% either side of 7384. Again the group was reminded that the commission must follow the charter: compact, contiguous legislative district...nothing about keeping the towns whole. Three maps had been developed; map #1 had the smallest deviation. Commissioner Benjamin commented that with three maps, anything over a 2.5% deviation needs a "strenuous" reason..."justification"...legally defensible.

The group then moved on to Old/New Business (here and in the next item when determining the next meeting date, additional meeting days, and agenda items...considerable tension was shown by some of the commissioners resulting in several negative comments being exchanged by some of the commissioners, and Commissioner Lowe having to remind them about speaking one at a time, or that such negative verbal comments were out of order.) Commissioner Lowe again apologized for Commissioner Benjamin being disenfranchised (at previous meeting). Some concern of Commissioner West (as previously noted also by the legislature on the 12th) that anything done by an employee of county (Planning Department is part of the executive side of government) and therefore it would be viewed as a product of the executive. Commissioner Catalinotto suggested hiring a consultant to develop a plan...a contract for \$10,000 and under would not require a RFP. Comment that such redistricting consultants work for one political party or another. Event though one name had been suggested, can't realistically accept only one. Commissioners Lowe, Catalinotto and West were supposed to be a 3 person sub committee to develop guidelines to what commission wants in a consultant, not select a consultant. The \$10,000 mentioned would include as a part of the job, providing expert testimony if there was a challenge.

Commissioner West indicated that he would want someone not connected in anyway to the executive branch. County Attorney Havranek took exception, stating she was not there to defend or protect the executive, indicating she was offended by Commissioner West's comments. Commissioner Catalinotto still wanted a consultant to fall back on and said he had

been advised a contract could be done in a day. County Attorney Havranek said no, contracts do not get done in a day. At this point it was noted that the Commissioner has an April 26 deadline to submit its plan.

Mrs. Havranek reminded the group that given Judge O'Connor's decision, if no plan is brought forward from the commission, the court will decide.

Rob Leifkowitz suggested that the commissioners meet in open meeting 9AM to midnight, if necessary, keep at it; make the plan. While there may have been a few other comments, as well as negative items and what appeared to this observer as open hostility, i.e., towards the alleged politics of Commissioners Catalinotto and West that has tainted the atmosphere as Commissioner Benjamin commented, Commissioner Catalinotto took exception, did not like the comments, the commissioners eventually agreed to follow Mr. Leifkowitz's suggestion and will meet Wednesday, April 20 to do the plan, finalize a map stay all day and on Saturday April 23 meet if necessary. The cost for latter will come from the commission's budget; Director of Planning will arrange since the former's money is in that department's budget.

As Commissioner Lowe had said, such an arrangement would allow the Commissioners to be in the room when things are done, be involved in working on the end product...what's best for the people, what's best for 23 legislative districts..a reason for commissioners traveling about the county holding public hearings to learn what the people wanted.

Lee Cane, Observer Corp

The Reapportionment Commission was convened on April 25, 2011 by facilitator Commissioner Vernon Benjamin at 5:15 and adjourned at 6:45. The next meeting was scheduled for Wednesday, April 27 at 3 PM.

The Commissioners were all present (Benjamin, Benkert, Catalinotto, Lowe, Messina, Thompson, West). Other attendees: Legislators: Wadnola, Hansut, Ronk, Frey, Rodriguez, Mahoney, Loughran; Rob Leibowitz, Senior Planner, Elections Commissioners Turco and Work; Dennis Doyle, Director of Planning, Reporters Doxey and Reynolds, Beth Murphy-photo recorder.

The meeting was devoted to a review of the work that had been accomplished on Saturday, April 23 by the Commissioners.

Initially Commissioner Benjamin and the others reviewed the UC map showing the way that the 23 legislative districts would look at that point.

Between Saturday and Monday there were apparently several e-mails and calls from interested/concerned individuals.

One of the comments was the hope that the Commissioners would examine the plan that Michael Baden, a member of the public from T/Rochester, had developed. This was done.

One of the e-mails received was from Legislator Frey. His concern was that Bishop's Gate, a residential development of homes, and the Barclay Heights development, would be located in the same legislative district (one of 3 Saugerties districts). Considerable time was spent then, and later in the meeting the Commissioners returned to this particular point as well. However, how the three legislative districts for Saugerties were going to look had not been fully finalized by the end of the meeting.

Another plan was put up on the screen and the remainder of the meeting was devoted to an evaluation of its merits. From comments made it appeared that this map was more in line with keeping more of the towns whole than other plans. The discussion also included a review of the city of Kingston, which is to have 3 legislative districts. It appeared that the 3 districts would be made up as follows: #1 (wards 1,2,3;) #2 (wards 3, 5, 9) and #3 (wards 6,7, and 8).

At the request of Commissioner Messina, Mr. Leibowitz was to run off maps of the latest plan, large enough in size for the commissioners to see boundary lines, streets, etc. The point being that this would enable them to "sleep on it" and come Wednesday afternoon to make some decisions.

Following adjournment, Commissioner Benjamin opened the session for public comment.

The question regarding including the inmates at the prisons located in UC came up. The inmates have been counted. The observation was made that come September, the prisoner number could be removed from the count (the state has not yet passed a law allowing such). Therefore, would it not be well to allow for more population in T/Shawangunk to make up for that difference/ particularly if the county is challenged. The response was that the county attorney had advised the commission to proceed with the redistricting with prisoners counted.

A member of the New Paltz Board asked about certain facilities located in New Paltz, i.e., salt holder, pool, etc. She was advised that all the places she had mentioned were located in the town legislative district.

A final point referred to the T/Shawangunk being the fastest growing town in UC in the last 10 years. Apparently it is within the Watch Tower religious group that is located in the town that this growth, about 1000, has occurred. Further, it was suggested that while this group does not apparently vote, it can influence those who do vote.

On April 27, 2011 the next meeting of the Reapportionment Commission was held. The facilitator for the meeting was Commissioner West. The meeting was convened at 3:06. Initially, Commissioner West sought agreement from the other Commissioners, all of whom were present, to have the public comment/question period first rather than last. The Commissioners were agreeable.

Dr. Gerry Benjamin advised the commission he had come because of his concern that weighted voting had been brought up and might in fact be adopted. His personal opinion was that such a procedure was unconstitutional. An elected representative doesn't just represent a specific group of people. The person does in fact participate in meetings, debates, sits on committees, etc. He noted that the Charter Commission did not have such a process in mind when writing the charter but rather just the 23 single member districts. Should weighted voting be actually adopted, he believes it is an invitation to litigation. Further Chairman Wadnola had told him that his legal advisors had advised that adopting such a procedure would be problematic.

The second point Dr. Benjamin noted was that so far there had been no indication how the weighting would be done; no discussion about such as yet.

County Attorney Havranek agreed with Dr. Benjamin that the county would face an immediate lawsuit (a second one in such a short time). The burden would then shift to the county to prove that weighted voting was in fact fair and equitable.

There were other comments with regard to thanks for the work the commissioners had done; that the decisions should not be based on protecting incumbents, etc.

At about 3:25 the commission moved on to its work.

Initially, because the discussion had been concerned with the question of weighted voting, Commissioner Benjamin expressed the position that the group should complete such before moving on to the map work. This was not supported.

The group took up its work examining the latest map for redistricting, which had been worked on on Monday....for close to 30 minutes the members argued over which map they should be concentrating on: the one introduced on April 25 or the one from April 23; and who put the map produced on Monday together. There was tension, raised voices, and a lack of civility exhibited. Eventually, a motion was made and unanimously passed that the commissioners would work on the map introduced on April 25.

In the discussion there appeared to also be general acceptance of the point that was made more than once that whichever map is presented by the commission to the legislature will be the result of the work of all of the commissioners.

(Note: They were reminded that whatever Rob Leibowitz does is at the direction of the Commissioners.)

For the remainder of the time up to 4:50, when the group took a break, the group dealt with whatever problems appeared to exist in the southern towns: Marlboro, Shawangunk, Plattekill; and were moving to deal again with Saugerties when this observer had to leave.

Lee Cane, Observer Corp

Governmental Services & Administrative Committee

Date: April 25, 2011 Start Time: 6:00 p.m. Finish Time: 7:02 p.m.

Chairman Kevin Roberts called the meeting to order, followed by approving minutes from February 14, 2011, meeting.

Mr. Victor Work and Mr. Thomas Turco, Commissioners, Board of Elections, addressed the committee on a draft resolution authorizing to execute a contract with the NYS Board of Elections to receive allocated funds for HHS voting access for individuals with disabilities polling place access and a draft resolution requesting transferring of funds new voting machines and supplies were approved. Mr. Work and Mr. Turco discussed issues of storing machines. Legislators are required to file for a legislative account (subject to \$500 fine).

Ms. Amanda LaValle, Coordinator, Department of the Environment, addressed the committee on a proposed resolution on an Open Space plan grant. Motion adopted.

Mr. Leon Smith, Board Chairman, Ulster County Resource Recovery Agency, introduced Mr.

**Governmental
Operations &
Environmental
Services
Committee**

Tom Rose, P.E., UCRRRA Acting Executive Director, and announced Mr. Rose has been named to fill the position on a permanent basis with a 5 year contract, currently at the same salary. The committee asked to receive a copy of the contract. Mr. Rose discussed briefly the cleanup effort of compliance with the DEC, Flow Control items and issues, single stream and landfills. The town, except Ulster and New Paltz, contracts are expiring in late 2012 and early 2013, and discussions with the supervisors are going well.

All other proposed resolutions were adopted.

For discussion only was setting a public hearing on an Introductory Law Local Law regarding single-member districts. Another item of setting a public hearing on a local law regarding authority to create a redistricting plan lead several members of the committee to speak on their concerns about the redistricting committee and process defining of districts

Document prepared by Vic Melville, 4/27/11

Date: April 6, 2011 Start Time: 6:12 p.m. Finish Time: 7:05 p.m.

Mr. Brian Shapiro, Chairperson, did not call the meeting to order as there was not a quorum. He called this meeting an "airing" of views on the agenda items in anticipation the items will be addressed at a later time. As this was an informal meeting, non committee attendees were free to join the discussions.

Mr. Shapiro announced that Legislator Susan Zimet has resigned from the committee.

Items on the agenda that were discussed:

A draft resolution requiring publications shall be on 100% recycled paper: There was a discussion concerning 100%, practice for current reports, use of alterate media and the State EO#4.

A draft resolution confirming appointment of member to the Environmental Management Council: Referred the Government Services and Administrative Committee and discussion of the EMC reporting to that committee. [This was not on GS and AC agenda of April 25.]

State mandates meeting recap: Discussion of how to influence mandates re Criminal Justice Council and the Department of Social Services. This observer commented on the Ways and Means joint meetings discussions about the involvement of the oversight committees. Marshall Beckman and Robert Sudlow, Deputy County Executives, are to be invited to address the committee.

Hydro-Fracking Forum: Planned for May 28, 6-8 p.m.

Climate Smart & Green Jobs Community Resolution Discussion: A City of Kingston resolution, The Solar Energy Consortium (TSEC) involvement, and solar farms on landfills and restrictions were discussed. I commented the Carbon Nation film is being shown and discussed in the community.

Mr. Tom Kadgen of the LWV Mid-Hudson Region also attended this meeting and participated.

Document prepared by Vic Melville, 4/27/11

**Economic
Development and
Tourism**

Date: April 4, 2011 Start Time: 4:47 p.m. Finish Time: 6:32 p.m.

Mr. James F. Maloney, Chairman, called the meeting to order, followed by roll call and approval of the minutes of the March 7, 2011, meeting.

A resolution appointing and reappointing members to the Ulster County Industrial Development Agency were approved.

Resolutions pertaining to authorizing the chairman of the county legislature to execute an agreement with the Ulster County Development Corporation (UCDC) for base amount (\$200,000)and approving administrative guidelines for performance based amount (\$200,000) were discussed at length. As in previous years, there was considerable discussion of the focus and effectiveness of the UCDC efforts. Lance Matteson, president of UCDC, discussed the achievements and setbacks and indicated the results are good considering the economy.

Mr. Matteson discussed priority growth areas and the new Ready to Go (RTG) program that UCDC and the county planning department worked together on. Legislator Walter Frey Jr. requested that March Gallagher, Deputy Director for Economic Development, attend the next committee meeting.

The resolution for performance based funding was amended to certify the base jobs numbers. This resolution was passed (Legislator Aiello strongly dissented) after more discussion of results and a request of development plans (re TechCity).

Mr. Rick Remsnyder, Director Tourism, discussed the new travel guide and marketing plans (radio, TV, magazines) and promoting tourism within the county and at nearby airports.

**Legislative
Programs,
Education and
Community
Services**

Mr. Carl Meyer, Co-CEO of the Solar Energy Consortium (TSEC) thanked the committee for approving the resolution authorizing the chairman of the legislature to execute an agreement with UCDC for specific TSEC related services. He said Ulster County attraction is favored by : 1. nearness to New York City, 2. IBM, 3. Community likeness to Europe, 4. Social environment. He said the teamwork in the county is good. Several legislators discussed particular subjects and the Cahill bill (renewable energy) being proposed in Albany.

Mr. Dennis Doyle, Director of Planning, updated the committee on census material and data, transportation grants, the I-587 project, the RTG program, and Community Development Block Grants (CDBG).

Document prepared by Vic Melville, 4/27/11

Date: April 5, 2011 Start Time: 5:05 p.m. Finish Time: 6:32 p.m.

Mr. Wayne Harris, Chairman, called the meeting to order followed by approval of the minutes of the March 3, 2011, and March 8, 2011, meetings.

Ms. Marianne Collins, Dean of Advancement and Continuing Education, SUNY Ulster, discussed: 1. Current enrollment, 2. the High Falls Water District, and 3. The Darlene L. Pfeiffer Center for Entrepreneurial Studies. Regarding enrollment and the budget, enrollment is edging up (the High School Academy may be leveling out) and lower state funding is expected leading to layoffs likely. The Business Resource Center daytime enrollments are up and encouraging. The nursing program has a revised curriculum and testing procedure, stabilizing faculty population and new facility that being well received. Regarding the water district, the issue of charges has been resolved such that the charge same as High Falls. This makes student housing more feasible. Marletown wants water. Regarding entrepreneurial center, the gift for it was acknowledged.

Graduation is Wednesday, May 18.

Ms. Lydia Reidy, Executive Director, Cornell Cooperative Extension of UC, reviewed its activities including healthy kids and low income programs, ag economic development (the state put back some funds that restored the Integrated Pest Management (IPM) program and others) and farm programs. The invasion of the "stink bug" is a serious situation as they "eat any live plants". Regional cooperative, shared services, youth development, and community action efforts are being worked on. Planning for Farmers Markets is going well. Golf Day is May 19.

Mr. Jim Cosgrove of the UC Library Association addressed the committee on the status of their programs and funding. Cuts have a compounding effect and that show the need for county funding support. The expiring of the access to the historical New York Times data base is a big disappointment. They are involved with other organizations to compound their efforts.

A new leader (Sue Hoger) in the Office for the Aging is to begin in May or June.

A resolution authorizing the chairman of the Ulster County legislature to execute a contact with the New York state Division of Criminal Justice Services re STOP DWI was adopted.

Legislator Michael Matson submitted a subcommittee report on the Home Delivered Meals program. There was a discussion on RFP's, use of volunteers, considerations for a new contract and to consider a resolution on standards.

A resolution to confirm appointment of members to the Ulster County Youth Board was adopted.

The candidacy for Director of Veterans Service Agency was discussed.

Document prepared by Vic Melville, 4/27/11

**Health and
Human Services**

The Legislative Health and Human Services Committee was convened by Chairman Walter Frey at 5:53 on April 21, 2011 and adjourned at 6:54.

Members present: Frey, Harris, Petit, Ronk, Loughran, Parete (arrived late)

Members absent: Maio, Briggs, Stoeckeler

Minutes for March 3 and March 29 were approved.

Prior to introducing Michael Berg, Chairman Frey advised the group of representatives from the Golden Hill Health Care Center that when the agenda listed on the county web site listed Golden Hill then the meeting would deal just with that, otherwise the agenda would be for all other concerns of the committee. He felt that separating these areas would work better for handling discussion.

Michael Berg of Family of Woodstock was then introduced and provided an update of what had been transpiring with that organization.

Family operates five homeless shelters for individuals, families, runaways and teenagers.

Long term Housing Programs are operated for chronically homeless (may stay as long as 18 months); there has been a 75% success rate: stay about 8 months; cease to be Social Services recipients, get employment, stay clean and sober.

Adult Care Management Program: handles a variety of matters: security deposit, furniture moving, landlord advocacy, etc. Has handled 353 cases in the last year.

RUPCO obtained a \$1 million grant for Family to use to help people during this downturn in the economy. During 2010 Family was able to assist 201 people who do have to meet eligibility requirements. He said that \$700,000 was used to help the clients and \$300,000 for administrative expenses. Those clients who receive such assistance may only receive it once.

Further, since Family managed to do this in a matter of 9 months rather than taking the 22 months it could have, it will apparently receive an additional \$260,000 more from the state.

The Hot Line Center operated in Woodstock with walk in centers in New Paltz and Ellenville had 200,000 contacts during the last year. Some of the delineations to the calls:

1800 drug related, 2000 domestic violence, 22,000 mental health, 37,000 all types of Social Services, and 3,700 education and employment

Also have a variety of services, i.e., child care counselors who had 1800 plus calls.

He made the comment that the quality of child care has declined apparently because of the federal law that allows a provider, who takes less than three children, to include her/his child in the count, but the provider does not have to be licensed

Two other subjects which Mr. Berg advised the committee about: Food and Housing.

With respects to food, his group wanted to develop a method of getting food directly from the local growers to those who are hungry. It is now delivering directly from the growers to the consumers via the food pantries. To ensure full usage once growing season over, the county has given Family permission to use the freezer at former jail; then Family arranges the delivery. He noted that working families are coming to the pantries; emergency food demand has increased by 20%.

Mr. Frey noted that in May, students from the New Visions group at BOCES will be at the committee meeting to talk about getting food from the fields that is there, particularly at the end of the season, and using it for those in need.

Family will compete for the Meals on Wheels contract; believes it can utilize these fresh foods, improved the quality of food and therefore the meals provided. Mentioned interest in providing such particularly in the Ellenville area.

As to Housing: Mr. Berg said he did not believe that he had been as successful as he would have hoped for. Even though he has been involved with the such since 1988 and over 1000 unites of housing developed.

He claims that there is a great resistance to developing affordable housing generally, excepting if for seniors.

There were six resolutions: four were passed. The other two were handled as follows:

#90 dealt with the projected sale of the county's certified home health agency license and long term home health care program license. The county legislature had authorized the sale to Willcare July 20, 2010 pending approval by the NYS Department of Health. Apparently the health counsel for the NYSDH meets 2-3 times per year, hence the long time in waiting for approval. The committee decided it wanted more information about the process involved before it approved the resolution involving a subordination agreement. Resolution tabled. Mr. Frey advised the committee if he could out more information he would call a special meeting of the committee prior to next week's meeting of the county legislature.

#100 requiring healthy vending machine options in county buildings was pulled from consideration at Legislator Parete's request...he had not wanted it voted on at this time....needed more options to be noted. Further, other members of the committee expressed the point that the last resolve , if a suitable vendor could not be found by September 1, 2011 that all vending machines would be removed from county premises was not acceptable...people had to have choices...Resolution to be accordingly reviewed.

Lee Cane, Observer Corp

The special Legislative Health and Human Services Committee meeting was convened by Legislator Robert Parete, Deputy Chair at 5:45 on 4-26-11 and adjourned at 6:00 PM.

Committee members were present, except for Chairman Frey and Legislator Stoeckeler. Other attendees: Marshall Beckman, Deputy County Executive, County Attorney Havranek, and

First Asst. County Attorney Johnson.

The meeting was called in order to handle the motion tabled at the April 21, 2011 meeting, which involved a subordination agreement which was part of the sale of the County Certified Home Health Agency License and the Long Term Home Health Care Program License. Both licenses and the personnel who were so employed were part of the local Department of Health.

Mr. Beckman distributed a one-page explanatory sheet on the subject: provided the reasons for county selling the licenses: cost to operate the program nearly \$700,000 (2009) and the sale would generate \$1.1 million in 2011 plus a balloon payment for \$300,000 in 2013 with 7% interest. (Note: The original resolution to sell the licenses had been passed by the county legislature in July 2010). NYS Department of Health had to approve the sale, which to date it has not done (see summary for April 21 meeting for further details).

In March, 2011 Mr. Beckman received an e-mail from an owner of the Litson company when Litson went to borrow the \$1.1 million advising Mr. Beckman that the bank would require a subordination agreement from the county for the \$300,000 that Litson would owe the county. Three weeks later Litson finally provided clarification that this was a demand from the bank not a request. (Note: UC had never sold a license before so this process was not expected).

There is no risk to the county as the parent company of Litson will guarantee the payment of the \$300,000 with interest should Litson default. NYS Department of Health must still approve. Per Mr. Johnson that approval should not take much longer.

Mr. Beckman noted that should the sale not go through, then UC would lose \$1.1 million in revenues already budgeted for 2011. The local DOH budget would have to be increased by about \$500,000 in order to re-establish staffing positions and other expenses needed to operate the programs. Thus, the county would have to increase its financial contribution by \$1.6 million.

Following discussion of the above the committee took the motion from the table and approved the motion to consenting to the subordination agreement. Mr. Parete requested that Mr. Beckman keep the committee advised on a monthly basis until all matters with this topic are finalized.

Lee Cane, Observer Corp

Board of Health

The UC Board of Health was convened by President Dr. Tack at 7:02 on April 11, 2011 and adjourned at 7:44.

Members present: Drs. Tack, Stellato and Godfrey; Joan Authenreith, Mary Ann Hilderbrand, Dr. Delma (came late)

Other attendees, Dr. Hasbrouck, Director UCDOH, Dr. Heller, ME, Kevin DuMond, Andrew Zweben, attorney, Katrina Kouhout, secretary to Dr. Hasbrouck

Minutes, March 14, 2011 approved.

Ms. Authenreith advised Board that she is receiving calls from parents who are having difficulty obtaining insurance for their children. Apparently many of the parents have difficulty with English, the insurance paper work (14 page application) is quite daunting for them to complete. Dr. Hasbrouck suggested that she contact Mrs. Veytia who has experience in these matters.

Dr. Hasbrouck highlighted some of the points in the Director's Update: Dr. Shah, new NYS Commissioner of Health visited UC, highlighting the choose 600 calorie menu labeling and tobacco free outdoors public places; two staff members who are lodging inspectors were praised in a letter to the editor earlier in April by the place that they had inspected; and also the NYSDOH noted this and the positive picture this presented; and that the NYSDOH Bureau of Licensure approved the local DOH to begin a management agreement contract with Willcare that would allow the latter to take over the clinical/case management presumably to have started April 1. (the complete report can be found at www.ulstercountyny.gov/health)

He went on to note that as Kevin DuMond will be retiring as of April 29, the selection process for his successor has begun: over 30 have applied, which was narrowed down to 5 and all have been interviewed....a final decision is close.

Further the UCDOH/UCDMY merger: there have been two meetings, the next one is 4-19. Dr. Hasbrouck noted that the retooling/reorganization of these two departments being considered in order to determine what is best for the client. The question about privatizing of some services was raised by Dr. Tack (apparently a rumor making the rounds). Dr. Hasbrouck noted the methadone clinic is already operated by Kingston Hospital. It is possible the chemical dependency line may also be privatized. Every aspect is on the table primarily due to the fiscal environment. He did say that there will always be a mental hygiene unit. Dr. Tack advised that he wanted such on agenda and to keep the local DOH up to date on developments.

**The Ulster
County
Association of
Town
Supervisors**

The next item dealt with the Scandinavian Grace Café formal hearing review. The explanation was provided by Andrew Zweben, attorney for the DOH.

Initially, Mr. Zweben explained the process generally used in cases that are handled as a result of non-compliance with sanitary code provisions through the Environmental Division. The other cases that have been handled were successfully settled, the people involved understanding what had occurred and their responsibilities, except for one.

The owner of the café was charged with 12 violations between the NYS Sanitary Code, the UC Sanitary Code and an agreement and stipulation he had entered into with the UCHD (apparently these matters had been a problem for about 2 years). The maximum amount of fines given the number of violations is \$10,000.

Among other things, the owner had twice been cited, had closed signs posted by the department and he had twice removed them. The basis for this was owners' failure to comply with the installation of a disinfection unit on his water supply.

At this point apparently following a formal hearing and having admitted to all of the violations, the matter has been referred to the Board of Health to determine the penalty to be imposed.

Dr. Tack instructed the Board members to read the material provided, get back to Dr. Hasbrouck with any observations and question; the matter will be dealt with at the next meeting (to be placed first on the agenda), person in question to be advised he is to be given up to 15 minutes for presentation and answering Board questions.

Dr. Heller, the Medical Examiner noted that there were 21 case calls, of which 5 were autopsies, 2 suicides, 2 site visits. He also noted his monthly totals prior to April had not included Dr. Grottenberg's, but they do now. Reviewing such to ensure that all the figures are more accurate. He is also completing whatever additional course work on line as required.

Mr. DuMond reported that he will follow up on the Scandinavian Grace case; that all the other cases have been handled appropriately and all the fines paid. The environmental inspectors are doing their inspections on a regular basis, attending hearings, doing follow ups, etc.

Dr. Tack thanked Mr. DuMond for his years of service and wished him the best in retirement. Lee Cane, Observer Corp

The meeting of the UC T/Supervisors Association was convened at 8:45 on 4-19-11 by President T/Shawangunk Supervisor John Valk and adjourned at 9:48. The next meeting is May 17. Thirteen towns were represented.

Minutes were approved. Treasurer reported all dues have been paid.

County Executive Michael Hein was the first speaker. His presentation was a general review of events and actions presently going on.

Initially, he thanked the group for examining the no smoking policy in public spaces and showing support thereby for the concept.

He noted that the county has a program that shows support for veterans (there are 15,000 in UC) which he and the county clerk have spearheaded such and more than 50 businesses have agreed to acknowledge the discount card available just to the veterans. Further, NYS has a law which acknowledges that veterans who do not have a HSD/GED will be considered to have the GED based on their status and life experience. The veterans of WWII, Korea and Vietnam are involved.

Reapportionment Commission: There are 7 people engaged in a difficult process. The process is to provide an independent redistricting of the county legislature. This is the first time that it has been an independent process such as this. His office has nothing to do with the work; Planning Department takes its instructions from the 7 commissioners and runs the programs they want. The process requires the commission to present a plan to the county legislature which must vote on the plan.

If the Legislature should attempt to manipulate the plan in any way he will veto it. As he noted the legislature could override his veto.

Mr. Hein expects the commission work to be done shortly; must allow for possible litigating; judge could in the end decide. The political parties have to have the opportunity to select who will run for office.

Shared Services: Mr. Hein was pleased, noting that it was the worst winter in the last 25 years. There are six towns which signed the contract for winter plowing 2010-2011. (Note: the town of Hardenburgh has had a contract with the county for about 20 years). As Mr. Hein pointed out, the town residents can judge for themselves now that the year has passed.

Supervisor Katz noted residents in Gardiner thanked him for taking over; now they can "get

out." He said town is considering taking over all the county roads in the town.

Healthy NY: Program will be celebrating May 8-15. Over 50 businesses will be involved. Mentioned the Women's Expo, again at Tech City, celebrating its 10th anniversary. Over 7,000 people are expected to attend. He noted that failure to look to health impacts financial considerations given how health costs have skyrocketed.

The last point dealt with the recent legal problems with DEP and the releases of the water. He does not feel that he beat the latter just kicked it in the toe. The DEP must get permission from DEC and UC government to do any releases.

The second and last item involved the concerns of the supervisors regarding the old election machines and a question on using paper ballots as done in Sullivan County.

Elections Commissioners Turco (R) and Work (D) and their deputies were present to provide updated information and answer questions.

The state has provided a two year extension for using lever machines as such must be available in village and school elections. Arrangements have been made with the county to store these machines (weigh 800 lbs. each) at the old jail. Board of Elections will pick up, but towns will be charged for such. All the Board will do is store, as it is not responsible for supplies or that be kept operational. Eventually will be sold for scrap metal. Any town seeking a % of that money would have to consult UC Executive and the Legislature.

Apparently there are instances when paper ballots can be used, as an option, when there are very small numbers of people involved. Towns would need to consult the Board of Elections when they want to use.

As to the redistricting of the legislative districts by the Reapportionment Commissioner, the Board of Elections has written a letter to it within the last few days asking the commission to take into consideration the election districts in developing the legislative districts.

Mr. Turco noted that the commissioners are new to the process and need to deal with learning the material. Noted that June 7 was the first day to sign designating petitions as to who will be running for office; political parties must have opportunity/time to select those who will run.

Mr. Work noted that the commission will meet starting at 9 AM on April 20 and work all day if necessary to come up with a plan.

Mr. Turco seemed to think since there is a judge already involved, could be that the judge may end up doing the plan.

Following the completion of the agenda items, the supervisors briefly commented on the subject of the legislative districts. They appeared to have mixed feelings about the ability of the Reapportionment Commission being able to come up with a plan, given the shortage of time.

Another item of concern that was briefly mentioned was a report issued by county DSS that noted the amount of money, \$3 million, spent on non-emergency MA transportation. Appeared that some felt this needed to be looked at.

Lee Cane, Observer Corp

MEMBERSHIP NEWS

We are proud to announce that the Hudson River Valley Greenway recently appointed our own LWV-MHR board member, Cindy Lanzetta of Marlborough, as one of two new members of the Greenway Conservancy Board. (The other is Stephen Yarabek, long-time representative of Congressman Hinchey on the National Heritage Area's Management Committee.)

When the Southern Ulster Times interviewed Cindy about this appointment, she said, "I love the Hudson River and I am very honored to be here and sit with people who to me are just icons of the environmental movement." She praised the Greenway for its "gentle" approach. By offering grants and planning help, they encourage communities to improve; they don't impose any mandates or otherwise force them to do anything. Cindy received both a Greenway pin and a Heritage pin at the ceremony.

Congratulations, Cindy - and thank you for all you do for our environment!

For more information about the Greenway, go to <http://www.hudsongreenway.state.ny.us>

I/we wish to become members of the LWV of the Mid-Hudson Region through May 31, 2011

Name: _____

Address: _____

Telephone: (day) _____ (eve) _____

Email: _____

I/We enclose: Individual Membership (\$50) _____ Household Membership (\$75) _____

Additional gift to the LWV Education Fund (*tax deductible*;) for our use

(Please send a separate check which **MUST** be payable to NYSLWV Ed Fund) \$ _____

If you are upgrading to a Household Membership, please include the name and email address of new members _____

Will receive *Commentator* _____ online &/or will read it on website or _____ Please mail *Commentator*

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May 2011
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