



Commentator

January 2010

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.

President: Jean McGarry
jfmcg@hvc.rr.com
 845-336-6622
 Newsletter: Jim McGarry
lwmhr@hvc.rr.com
 845-336-0304
 Membership: Betty Chin
Blc2003@hotmail.com
 845-331-2572

CALENDAR		
2010		
JANUARY		
30	10am	Local committee study on Shared Services at Jacki Moriarty's, 167 Apple Hill Dr., Hurley. New committee members are welcomed.
FEBRUARY		
1	10:30am	Observer Corps meeting at Deisings, 111 North Front Street, Kingston
2	7:15pm	Board meeting at Gloria Plasker's, 106 Park Street, Hurley
9	2- 4pm	Redistricting Reform: Visions for the Future in NYS Invited Speakers: Governor David Paterson, NYS Legislative Leaders, Gerald Benjamin, SUNY New Paltz, Blair Horner, Legislative Director, NYPIRG. Moderated by Susan Arbetter, WCNY TV at the Rockefeller Institute, 411 State Street, Albany 12203 For more information, contact: LWVNYS, 518-465-4162 or email: lwvny@lwvny.org There is a limited amount of seating; call the State LWV Office to reserve seats
27	9am-1pm	Helping Municipalities Reduce Energy Usage, Emissions, and Costs. Lecture Room 100, SUNY New Paltz
APRIL		
25	1-4pm	LWVMHR Golden Anniversary celebration at Wiltwyck Golf Club

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

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

MEMBERS: Need a ride? Want to car-pool?
 Contact Jean McGarry, 336-6622 or jfmcg@hvc.rr.com

Interested in one of our committees? Just show up at a meeting.
 Our members are always welcome.

Prez Sez...*Greetings,*

This is a very special year for the League of Women Voters. The League of Women Voters of the United States celebrates its 90th birthday and as you all know, our local league is busy planning its 50th anniversary celebration in April.

Obviously, the impetus for the founding of a League of Women Voters came from the spirit of the suffrage movement followed by the passage of the 19th amendment in 1920. That spirit has never died. One can only imagine the impact that a group of very determined women had on individual liberties and civil rights in the 1950's and 1960's. So enlightened were these women that in 1974, men were allowed to join the league as full voting members. The league played no small role in helping to secure the successful passage of the Help America Vote Act and the Bipartisan Campaign Finance Reform Act, both in 2002.

Probably the greatest achievement of the league throughout its history is realizing the importance of educating and informing the public. The result has been the mobilization of citizens at every governmental level, from all walks of life, from both sides of the aisle, to join forces and effect change. That's no small feat. Mark your calendar on April 25th. We have much to celebrate.

Jean

PROGRAM NEWS

Helping Municipalities Reduce Energy Usage, Emissions, and Costs – February 27th 9am-1pm

In this workshop aimed primarily at municipal officials and the environmental advisors and

advocates who work with them, experts will provide an overview of energy conservation and alternative energy initiatives and funding strategies. Assemblyman Kevin Cahill, Chair of the NY Assembly Energy Committee, will be the kick-off speaker.

Other speakers include representatives from NYSEERDA, Pace Energy & Climate Center, Mid-Hudson Energy Smart Communities, and our collaborating partners, the Center for Research, Regional Education and Outreach (CRREO) at SUNY New Paltz, Hudson River Sloop Clearwater, Hudson Valley Regional Council, Hudson Valley Smart Growth Alliance, and Sustainable Hudson Valley.

The event is endorsed by many other organizations including both the Ulster County and Dutchess County Association of Town Supervisors and Mayors.

Our sponsor is Central Hudson, and a CH energy conservation specialist will be on hand to answer questions. There will also be vendor displays of energy-saving items.

This workshop is a follow-up to a very successful program on Climate Change in October. A survey of the attendees at that event suggested a need for practical ways for governments to reduce their own greenhouse emissions and work with constituents to reduce theirs.

More detailed information will be mailed or emailed soon to League members and posted on our website.

Meanwhile, please contact your own town officials (supervisors, board members, CAC members, planners, etc.) and encourage them to attend, possibly with you. We all need to work together and keep this issue front and center if we are to make a real difference. **To see the program flyer go to:**

http://midhudson.ny.lwvnet.org/files/Keeping_PACE_with_Energy_Options_flyer.pdf

Save the Date

Save the Date

50th Anniversary Celebration

This year our league celebrates 50 years of service to the Mid-Hudson Region. We'll gather for a sumptuous luncheon

and wonderful fellowship

on April 25th at Wiltwyck Golf Club. There will be speeches and congratulations all around as well as a popular and inspirational guest speaker. You won't want to miss this remarkable event. Details will be mailed in the coming months.



Legislators Breakfast

Last November, a few weeks after a stunning election that changed the controlling party in both Ulster and Dutchess County Legislatures and ousted several long-time legislators, our League hosted a first-ever breakfast to thank all those who ran for a seat in the Ulster legislature (whether they won or lost).

There was an excellent turn-out including many who weren't re-elected, and those attending seemed pleased to know that even though the public doesn't always pay much attention to what they do, and the press is often just looking for something controversial to report, the League understands and values their hard work.

Several of us spoke, but the words of Tom Kadgen, chair of our Advocacy Committee, were key. He reminded everyone that the League is continuing to monitor the implementation of the new County Charter to make sure that the balance it intends to establish between the new administration and the legislature is actually achieved. He also said that we will be following with great interest the redistricting that will take place soon (both because of the 2010 census and because Ulster's legislature's size is being reduced significantly), and we will be looking out for the interests of ALL voters, as we always do.

We hope to hold another such event in Ulster in 2011 and welcome help in Dutchess County to hold a similar event there. It was very well worth the work involved, and we thank everyone who helped this time, especially Irene McInnis.

Dare Thompson

ADVOCACY COMMITTEE REPORTS

Meeting with UC Legislature Chairman

On January 14th Tom Kadgen, Frank Cassetta, Renée Sachs and Jim McGarry met with Chairman Fred Wadnola in his office overlooking the Catskill mountains. The primary purpose was to "meet and greet" and express a paramount interest the League has in preserving the fundamental tenets of the Ulster County Charter. Mr. Wadnola pointed out to us that he was still working to get up to speed as it has been some 9 years since his service in the Legislature but that thus far the issues that had been brought to his attention related to the language of the Administrative Code implementing the provisions of the Charter. He didn't elaborate. He did indicate that he is of the opinion that the charter provision regarding formation of a Charter Revision Commission was required in 2011 (Charter § C-5-B - *Within five years after the enactment of this Charter...* The charter was adopted by the legislature and approved by the voters in 2006. Charter § C-134 regarding when effective - *provisions provided herein for the election of a County Executive and a County Comptroller shall become effective, and there shall be an election for the offices of County Executive and County Comptroller to be held at the general election in November 2008. The provisions of the remainder of this Charter shall be effective on and after January 1, 2009.*)

The group also inquired about his thoughts on the time-line for implementing the Commission on Reapportionment. The members urged him to consider the earliest possible date be used as the task at hand is likely to be controversial and litigious.

The meeting was cordial and productive. Mr. Wadnola welcomed us to visit at any time. We assured him we would.

Meeting with UC Board of Elections

This is a year of huge change for the Board of Elections. To better understand the implications of these changes, league members Cindy Bell, Dare Thompson along with Jean & Jim McGarry met with Commissioners Tom Turco and Kathy Mihm on January 13th.

The New York Board of Elections has certified new voting machines in time for next fall's elections. The machines replace the old pull-lever system and work by filling in "bubbles" on paper ballots. The paper ballots are then scanned. League members expressed concern about the need for training and educating the electorate on using the new voting method, as well as the need for recruiting and training of new polling inspectors. According to Mr. Turco and Ms. Mihm, education and training of the electorate will be available through the distribution of informational pamphlets as well as on-site visitations to all the townships. It was agreed by all attending the meeting that

the key to the success of a smooth voting process in November was the training of voting inspectors. According to the Commissioners, a conference in Albany at the end of the month will put the wheels in motion when there is a pilot program for the programming of the new machines. Minimal training for all inspectors will be 3 hours. Emphasis on working together with political affiliation playing no role in the polling place is of utmost importance.

Another concern of League members was the impact of redistricting and reapportionment in Ulster County. How much time would the Board of Elections need to be in compliance? What would be the impact of any delay? Considering the possibility that Census results may be delayed, the formation of the reapportionment committee might be fraught with controversy, that 10 incumbent legislators will not be returning to office in 2012, that reapportionment rarely satisfies all interests, and that judicial intervention is often the last step, a final determination of the 23 legislature election districts may pose problems for the Board of Elections. Commissioners Turco and Mihm assured us that their office is up to the task. Our readers may recall the last reapportionment process was substantially delayed yet the Board of Elections was able to cope flawlessly.

Some Reapportionment procedural information: Briefly stated, the County Executive is to widely solicit public interest in serving on the commission no less than 3 months prior to the anticipated date that Census data will be available. As soon as practicable after the data is available, the Commission is to be formed and no later than 60 days after the data is actually available, the Commission is to meet and begin its work. Membership on the Commission is limited to County residents, eligible to register to vote and who are not public officers or employees. The Minority and Majority leaders of the Legislature each select 2 members from the pool of names the Executive has submitted and those 4 members select 3 more from the pool within 70 days of the availability of the Census data. If they fail to do so, their appointments are nullified and the process begins anew. Ultimately a Commission is to be formed no later than 6 months after the availability of data.

Another point of interest is how to reduce the disappointment of legislators reapportioned out of office. The charter provides, for the first election after reapportionment, that

“the incumbent County Legislator representing a district redrawn in such reapportionment shall be eligible for nomination for election in either his or her district of residence or any newly drawn district which is contiguous to his or her district of residence, provided that the County Legislator shall become a resident of the district represented no later than one year after taking office.”

The next two years promise to be an interesting exercise in civics. Stay Tuned!!

OBSERVER CORPS REPORTS

LINKS:

Ulster County Legislature webcast - live & archived:

www.totalwebcasting.com/live/ulster

New York State meeting webcasts: www.nysegov.com/webcast.cfm

Other local meetings: www.statewidemediaproject.org

Recent legislation, agendas and minutes of the legislatures:

<http://www.co.dutchess.ny.us/countygov/departments/legislature/clindex.htm>

(Dutchess) <http://www.co.ulster.ny.us/legislature.html> (Ulster).

<http://www.co.ulster.ny.us/committeesinfo/index.html> (Ulster County)

Our Elections Page has links to Dutchess and Ulster County towns and villages websites at http://midhudson.ny.lwvnet.org/elections.html#Local_Gov_Sites.

Ulster County Legislature Meeting

The legislature convened upon the call of Mary Loughran Carey, Clerk of the Legislature, its first meeting of 2010 . After a Pledge of Allegiance led by Legislator Loughran, and an invocation by Rev Julius Collins of the Shiloh Baptist Church Ellenville, NY, Hon. Karen K.. Peters, Justice of the Appellate Division, 3rd Department, made a few comments and offered her expectation that all would work always to secure the need of the whole community. Thereafter she took the oath of office from the legislators

The next item was the unanimous election of James Maloney as the temporary chair of the legislature who accepted a motion to elect the chairman of the legislator. Legislator Dean Fabiano nominated Frederick Wadnola, seconded by James Maloney and approved by unanimous vote of the legislators. Legislator Zimet added her congratulations and hopes for a strong and proud legislature.

After brief remarks by Chairman Wadnola, the legislature then moved onto the resolutions. Without objections, the Rules of Order, the first reading of an amendment to said rules, designation of official newspapers, authorization of tax and revenue anticipation notes, a budget amendment appropriating federal and state revenues to Social Services contractual obligations and confirmation of the appointment of Victoria St. John-Gilligan to the Board of Trustees of UCCC.

What occupied the largest chunk of legislative deliberation involved a resolution establishing the standing committees for the next two years.

- Legislator Bernardo opened the debates by offering an amendment to, in effect, permit all committees to hold hearings consistent with applicable law.
- Former Chairman Donaldson rose to observe that the amendment was unnecessary as such authority is inherent in legislative prerogatives although he was prepared to vote for the amendment. Moving on, he then observed that the resolution before the legislature included language that had not been in the version on file as of the last permissible filing date.
- Chairman Wadnola advised the body that the language had been changed to resolve a legal issue which, evidently, had later been determined not to be an issue.
- Minority Leader Provenzano observed that that issue Legislator Donaldson raised was unrelated to the debate on the amendment for the legislature.
- Legislator Zimet rose to discuss the legal opinions and the alternating language.
- Legislator Bernardo, having withdrawn her original motion, then moved to amend the resolution before the legislature to restore it to the form originally filed (to which Legislator Donaldson made reference) and included at the end the language of her original (withdrawn) motion.
- Minority Leader Provenzano, noting the lengthy amendment and insufficient time to evaluate the motion, asked that the item be put over a month.
- Chairman Wadnola noted the similarity to the original language but did request the motion be also withdrawn.
- Legislator Felicello rose to second the motion and expressed the notion that it should be voted upon.
- At the request of the chair, a written version of the motion was presented to the clerk who read it at length. (The language of the first - withdrawn -language relating to conduct of hearings was not read by the clerk.)
- Legislator Parete reiterated the proper procedure for submission and modification of resolutions; Legislator Donaldson supported his instruction.
- Legislator Felicello observed that indeed it was a basic function of a legislative meeting to amend pending legislation.
- Despite suffering jet-lag, Legislator Lomita, observing that some 15 to 20 minutes had been spent debating an amendment that was going to be approved anyway and failing to see the point of the discussion, moved the question.
- After consultation with counsel to the minority, the Democratic Caucus voted to approve amendment along with the unanimous vote of the majority.

Returning to the resolution, an amendment to change the name of a committee and reassign oversight of Soil and Water Conservation District matters passed without debate. Thereafter the resolution was unanimously adopted.

Among the usual closing memorials and comments, a number of legislators and the chair gave special thanks to outgoing Clerk of the Legislature Mary Loughran Carey and Legislative Counsel Daniel Heppner for their excellent service during their tenure.

(NOTE: The 11 Standing Committees of the UC Legislature have been consolidated into 8. For a complete list go to visit the Legislative Committees web page at <http://www.co.ulster.ny.us/committees.html>. No meetings were scheduled in January and the dates for regularly scheduled meetings have not been posted to the website.)

Jean and Jim McGarry

(NOTE: – This entry is unduly lengthy in part to demonstrate your government in action but mostly because I needed an even number of pages! – Jim)

Ulster County Budget Hearings

The first of three scheduled public hearings on the 2010 County Budget was held 11-17-09 at the UCOB in Kingston. The other two were to be held in Ellenville and at Ulster BOCES in New Paltz. The various speakers indicated the group each represented or supported. Rules of the legislature indicate that there is no response from the Legislators.

Of the 33 Legislators, 20 were present, 12 were absent and there has been no replacement for Legislator Terpening who died recently.

Supporters who spoke represented the Humane Society, SPCA, Cornell Cooperative Extension, Domestic Violence, CCP (Community Corrections Program), Family of Woodstock, CSEA- restoration of the proposed 30 county lay-offs.

Between 6 PM and 7:40, when the writer left, there were 15 people who spoke to the members of the Legislature and the public.

Some spoke briefly, some provided detailed reasons for why they were speaking, all appeared sincere and concerned, desirous only of convincing the Legislators who were listening to restore dollars to the proposed 2010 County Budget for the programs and people they spoke for.

Lee Cane, Observer Corp.

For a copy of the 2010 and 2009 budgets visit <http://www.co.ulster.ny.us/budget.html>

Ulster County Board of Health

The UC Board of Health was convened at 7:30 on November 17, 2009 by President Dr. Stellato at the UCOB (due to welcome for Dr. Hasbrouck and press meeting) and adjourned at 8:15. All members were present except for Marion Ostrander. Other attendees: DCE Beckman, County Legislator Rob Parete, Kevin DuMond, Dr. Heller and Dr. LaMar Hasbrouck.

The next meeting will be December 14, 2009.

Following the approval of the October minutes, Dr. Stellato noted the positive work performed by Mrs. Veytia during the time that she had served as Acting Director of the UC DOH prior to Dr. Hasbrouck's appointment as the DOH Director.

He then introduced Dr. Douglas Heller, a local internal medicine physician, who will become UC Medical Examiner, upon approval by the UC Legislature.

DCE Beckman was then asked to introduce Dr. Hasbrouck to the group. Mr. Beckman noted how fortunate UC was to have Dr. Hasbrouck assume the position as Public Health Director, that there was solid team working at DOH. Dr. Stellato echoed those comments.

Dr. Stellato noted that Dr. Heller will be providing interim assistance at DOH until Dr. Hasbrouck receives his NYS Licensure.

Next on the agenda was Dr. Stellato's announcement that Louis Klein would be the DOH's official hearing officer when environmental concerns and food establishment problems arose and a final contract dealing with this selection should be completed in two-three weeks.

An update to the Wawarsing-Delaware Aqueduct was provided by Mrs. Veytia in reviewing a letter sent to Paul Rush of the NYC Department of Environmental Protection sent by DCE Beckman requesting answer to questions apparently raised by a letter from Mr. Rush.

The remainder of the meeting dealt with a report by Mrs. Veytia updating the planning the local DOH has been engaged in order to deal with the flu, particularly H1N1.

-UDDOH continues weekly calls to NYSDOH on what is going on regarding cases, vaccine availability;

-UCDOH continues to see a steady increase in influenza-like illness (ILI) reported by health care providers, EM Departments and schools in UC. As of November 13 UCDOH was receiving reports from schools of 15%-20% absenteeism with flu like symptoms;

-nationally, H1N1 virus remains the dominant flu virus at this time. The number of cases nation wide including hospitalizations and deaths is occurring overwhelmingly in people 64 and younger. Flu activity is widespread in most of the country at present;

-UC DOH is working with local physicians who can now receive the vaccine;

-some of the providers who are receiving large orders and don't have the capacity to store such are being helped by UC DOH.

-at present there is still a shortage of the seasonal flu vaccine as well as H1N1 vaccine. Nevertheless, the NYSDOH expects 8 million doses of the seasonal vaccine to be delivered during the first week in December;

-UC DOH plans to have 5 clinics in the following school districts: Saugerties, New Paltz, Ellenville, Kingston, Boiceville in a few weeks as a result of receiving funding to do so. The clinics will be held after 2:30 during the week to avoid disrupting the school day.

There are a variety of web sites available to the public to keep abreast of that the local DOH is doing as well as NYS DOH:

www.UlsterCountyNY.gov/health

<http://www.flucliniclocator.org/>

http://www.health.state.ny.us/diseases/communicable/influenza/vaccination_clinics/

Additionally, one can call seasonal flu hotline: 340-3093; NYSDOH Hotline 1-800-808-1987.

Lee Cane, Observer Corp

The Ulster County Board of Health was scheduled to meet on December 14, 2009 at 7:30. Due to a lack of a quorum, Dr. Stellato was unable to convene a formal meeting.

Dr. Stellato and Dr. Delma were present, Drs. Tack and MacFadden, David Clegg, Joan Authenrieth and Marion Ostrander were absent. Dr. Heller, Medical Examiner, Kevin DuMond, Acting Environmental Health Services Director and Karen Salzer, Board Clerk were also in attendance. The next meeting of the Board will be January 11, 2010.

Throughout the time that the group talked, Dr. Hasbrouck and DCE Beckman both talked to those present via an ongoing conference call. Mrs. Veytia did the same thing from the clinic site at the Edson School in Kingston. Those present talked from 7:45 to 8:12 about various items referenced on the agenda.

Dr. Stellato noted that Dr. Heller had been approved by the county legislature as UC Medical Examiner on December 7. Dr. Heller advised the group that he had been very busy with calls, being on call every other weekend (Dr. Grovenberg backs him up) and he has had three autopsies to handle. He works with a physician in Albany who does the actual autopsy; they discuss each and Dr. Heller writes out the death certificate. He is keeping a log of whatever work he does. Dr. Hasbrouck suggested that it might be a good idea to have Dr. Heller report monthly to the Board on what he is seeing in his performance as the Medical Examiner. Dr. Heller was agreeable and Drs. Stellato and Delma thought so too.

DCE Beckman advised the group that the Town meeting in Ellenville had gone well. Dr. Hasbrouck had covered all the items quite well; about 25 people showed up, asked good questions and, while Dr. Hasbrouck had opened the meeting to any concerns, attendees stuck to the meeting topic (water leak did not come up). Mr. Beckman has had no response to letter to NYC DEP as yet. He further suggested that the Board have Dr. Hasbrouck discuss the Sanitation Code at Board meetings over time as to the Board's responsibility.

Dr. Stellato then commented on the recently released Comptroller's report on the UCDOH. He believes that everyone on Board should read, in order to get an idea what the Board should be doing. He also feels it is important to examine what the law requires, what its oversight obligations are and what advice it should be giving. He intends to commence such in January. Dr. Stellato indicated that the Board had been really lax and it must overcome such. Dr. Hasbrouck indicated he was also agreeable with this position.

As to Kevin DuMond's report on updating the enforcement process, Dr. Stellato said given how important the permit/enforcing process was he wished to wait until January to have Mr. DuMond give the report when the members were present. Dr. Hasbrouck said that the policy and procedures would be developed and brought to the Board for its input. Mr. DuMond was agreeable.

Mrs. Veytia then called at about 8PM from the Edson School in Kingston where one of the five clinics to handle flu vaccines was being held. She noted that they opened at 3:30 and would close at about 9:30. Close to 500 people had been through the vaccine process already during that time period. There was a cross section of the groups to be

served: healthy people, seniors, high risk pregnancy and children...no one had been turned away. Dr. Hasbrouck mentioned that the Town Hall session which had been scheduled at UCCC would be rescheduled for January.

Lee Cane, Observer Corp

The UC Board of Health meeting was convened by Chairman, Dr. Stellato at 7:30 on January 11, 2010 and adjourned at 8:32. Members present Clegg, McFadden, Authenrieth, Tack, Delmar; absent Ostrander. Other attendees Mrs. Veytia, Dr. Hasbrouck, Dr. Heller, Kevin DuMond, and Karen Salzer, Board Clerk.

The next meeting will be February 8, 2010.

Initially, minutes of the November meeting were approved; there none to approve for December in as much as there was no quorum, so there was no formal meeting, just informal discussion.

First order of business was a report from Dr. Heller, the medical examiner. He noted that he has been very busy, has found the people he has dealt with, i.e. police, medical people, families, very helpful. The majority of the calls have been straight forward. If there is nothing suspicious he signs off on the death certificate. He did note that during December there had been a number of suicides, which he felt, upon being questioned, could possibly be attributed to the crush of the economywhat people had been going through. Dr. Heller pointed out that being a medical examiner involves more than signing a form; interacting with people is a must. He was interested in Dr. Hasbrouck' query about having training related to being a medical examiner; and has actually looked into such.

The second item on the agenda was a report from Kevin DuMond, Director of the Environmental Division, specifically an update on the enforcement process. Dr. Stellato noted he had asked Mr. DuMond to make this presentation as a mean of explaining what has been done in view of the Comptroller's report on the DOH released In December, 2009.

Mr. DuMond's report was divided into three parts and very detailed and explicit.

The first part dealt with the application and permit process. He noted that by state law everyone who operates any type of food service, pools, etc. whether annual or seasonal must have a permit from the DOH to do so. As of the close of 2009 all applications for and permits to be granted had been done.

The second part involved the actual inspection of all the above facilities. Very labor intensive, i.e. there are 800 food service facilities alone in UC. All the inspections were done in 2009. He explained that there are 3 categories of risk: low, medium, high. Each involves inspections, some more frequently in a given year than others. Those which are cited for negative reasons may lead to an informal hearing, which requires another inspection to ensure that the problem has been corrected.

Part three dealt with Enforcement and Policy. This is being worked on with the County Attorney. Informal hearing process will remain in place. However, the formal hearing process will be redone to meet current needs. He noted that Louis Klein had been retained as the independent hearing officer. The process here that is being developed will have DOH staff provide information, the county attorney will handle the case before the hearing officer, who will make recommendations. The fine schedule will also be revised.

An additional point made concerned the Sanitation Code, which has not been reviewed/revised since 1980. He meets with the county attorney on a weekly basis, every Tuesday, to work on this.

Mr. DuMond observed that he felt all the above would be to the advantage of the DOH and UC.

The third agenda item was an up date report by Mrs. Veytia on the handling of the H1N1 Plan. During a one week period in December, 2009 the DOH implemented its plan to vaccinate residents with the H1N1 vaccine through the school system and county agency in Ellenville, New Paltz, Kingston, and Saugerties. Over 1400 individuals were vaccinated. The plan included an extensive group of people: 75 DOH staff members, volunteers from county departments and EMS personnel, the Bruderhoff, local police and the sheriff's department as well as cooperation from the county executive's office, county buildings and grounds, and information services. No errors

**Ulster County
Legislative Health
Services Committee**

occurred in the vaccine management. A second round of vaccinations is planned soon in the same areas but not through the school system. A report of the results of the plan was sent to the NYSDOH. Dr. Hasbrouck indicated that he was impressed with the fact that over 1400 individuals had been served with out a medical mishap. Another positive point was that the DOH had shown it can respond well to a medical emergency.

The last subject for discussion was the Comptroller's Report on the DOH issued in November, 2009. This effort was done by the Comptroller and his staff in response to a request by the County Executive Michael Hein in June, 2009.

Dr. Stellato expressed the view that the report has valid criticism; that the Board had been overseeing a department they knew nothing about. He wishes to work with Dr. Hasbrouck on what he wants as well as what the Board wants. Further any audits, that are conducted by the NYSDOH, which previously had been sent to the former director and never shared by the latter with the former Board members, are to be shared with the Board members now.

Dr. Tack made several suggestions/requests: would like an organizational chart with an indication of who reports to whom, what every ones duties are; a full job description of all positions; orientation for new board members; what is DOH suppose to do as per the county charter; check with other counties which have charters to learn what those DOHs do; and a means by which employees can express their concerns/grievances that they may have.

Comments made by other board members appeared to suggest general support for such suggestions.

Dr. Hasbrouck spoke briefly about what has been done in the last few weeks since he came on board, i.e., meetings with senior staff, discussion to address many of the points that had been made. He also provided a brief design on the black board of how the DOH table of organization is developing.

Lee Cane, Observer Corp

The Legislative Health Services Committee was convened by Chairman Robert Parete at 6:36 on December 3, 2009 and adjourned at 7:35. Members were present except for Legislators Briggs, Donaldson, and Roberti.

Minutes of the September and October meetings were approved, Chairman Parete thanked Karen Binder, Deputy Clerk of the Legislature for assistance throughout the year, and Tammy Wilson for subbing for Ms. Binder; and all those in attendance for their support and work throughout the year.

There were five resolutions: confirming appointments of members of the Community Services Board and related Mental Health Boards; appointment of Dr. Heller to the position of the medical examiner; authorizing the UC Legislature Chairman to execute a contract with the NYS DOH to continue the program for Children with Special Needs; amending the UC Personnel Policy Manual and Employee Handbook regarding health insurance benefits under Family Coverage; and supporting a grant application to NYSDOT with regards to a connector trail between two trails. All passed, with number four dealing with health insurance passing contingent upon receipt of information regarding the financial aspect.

The second half of the meeting dealt with financial reports pertaining to DOH, MH and Golden Hill.

Dr. Hasbrouck noted that he has been very busy in the three weeks since he assumed the position of Public Health Director. The items in his agenda included dealing with the problems that were included in the Comptroller's recently released report, the flu situation and commencement of plans for changes in the manner in which the DOH functions.

He indicated that they were working on realigning the DOH, making DOH more accessible to people, more transparent, as well as developing more partnerships and more automation. Through a series of town hall type meetings in Saugerties, Ellenville, and SUNY-Ulster he will provide information on the above.

Dr. Hasbrouck noted that while the DOH had received 30,000 flu doses locally, there was still a short fall; and he thanked Mrs. Veytia for everything she has done.

DCE Beckman responded to Chairman Parete's question regarding the elimination of two programs within the DOH : the Certified Home Health Agency and the Long Term Home Health Care Program As of mid-June, 2010 both of these DOH programs will be

terminated, which would be a savings of \$150,000 in the DOH budget for the last six months of 2010. Mr. Beckman indicated that UC will put out an RFP to sell the license it has for these programs. Further, two providers of such service have shown interest in this matter (these apparently are presently not doing business in UC).

Dr. Edward Brown reviewed the budget status of UC Mental Health. At present, expenses are down and therefore the budget is also down. However, this has little to do with the present economy, but rather how NYS funds the services provided by MH. The budget is down \$550,000. There have been 20 staff reductions, some through attrition. There are eight vacancies that exist at present. Those who are among the group of 30 scheduled to be laid off are being evaluated for possible consideration.

Nevertheless, the staff must handle the same number of clients and the same number of visits. In order to handle the new requirements in these areas which will soon be implemented, the use of electronic technology has been introduced. Once up and running, consultants will be hired to train the staff.

Dr. Brown explained that clinical restructuring is to be phased in over the next four years. Fees that will be received during that time will be reduced necessitating the need for staff to be more productive. The mental health system is moving towards handling cases in a more episodic manner rather than a continuation of the "in the system for life" manner.

He noted that in 2010 there will be a need to develop a spending plan.

Finally, he noted that the Facets Program previously adopted and operating in the Kingston and Saugerties school districts will have only the former involved. Saugerties has withdrawn due to the severe budgetary problems it is having, not because it does not support the program.

Sheree Cross, Director of Golden Hill Health Related Facility spoke about the county nursing home.

The budget for 2010 was done on a best guess due to a lack of information from NYS regarding what its Medicaid rate would be. The revenues it received come mostly from Medicaid, followed by Medicare and self-pay. Salary and benefits represent 75% of the budget and such has gone up. The remaining 25% covers the rest of the expenses and has remained flat. Energy costs have apparently gone down.

Electronic technology has been begun, but there are apparently some problems with respect to wiring at Golden Hill. While the federal government has allocated \$30 billion dollars for electronic technology it is for providers rather than institutions or government entities. However, effort has begun in the Hudson Valley to address this matter and the county hopes to have dollars for the electric technology program.

There will be just enough funds in the Enterprise Fund (fund balance) to put up to use to obtain the IGT dollars to use during 2010.

At present the daily cost of a resident is \$315: private pay provides \$304, Medicaid provides \$177.

In 2010 the county will need to address the matter of the pipes. Money has been allocated in the 2010 budget to cover the cost of a study dealing with the pipes.

Mr. Beckman concluded this part of the meeting by noting that the present economy has created a very challenging situation for each of these departments.

Lee Cane, Observer Corp

Ulster County Legislative Ways and Means Committee

The Legislative Ways and Means Committee was convened at 5:15 on 11-10-09 by Chairman Lomita and adjourned at 5:50. Members present. Other attendees included Art Smith, Budget Director, Elliott Auerbach, Comptroller, Andy Kossover, Public Defender.

The primary concern for the committee was how to resolve the handling of the medical bills of the inmate in the county jail. This matter was a hold over from the October meeting.

Mr. Kossover, the Public Defender advised the committee that while he and the DA, Holly Carnright, have not read the report on the inmate, submitted by the psychiatrists, the latter have said the inmate is fit to be sentenced.

Judge McDonough has said he would move to proceed with the sentencing quickly. However, he is presently presiding over a trial up state. He will come to UC when it is over and proceed with the sentencing; his arrival is expected early next week. The judge has agreed to go to the jail, if necessary, in order to perform the sentencing.

Mr. Kossover noted that within 24-48 hours of being sentenced, the inmate would be transferred to a state facility, which would need to have hospital facilities available given the array of medical problems that the inmate suffers from. Marcy is one facility that is being considered.

In responding to a question regarding the possibility of an appeal, Mr. Kossover noted that there is an automatic appeal filed in a murder case: can result in the lower court being affirmed, reversed or remanded for a new trial.

The remainder of the meeting was a dialogue between Comptroller Auerbach and the members of the committee.

The Comptroller's position was that the matter was strictly a financial matter. The county has already paid \$37,000 since January 1, 2009, which had been paid by the sheriff's department through vouchers. However, he noted that no one has seen the bills, and none have been produced for the Comptroller's office to examine. He did note that at this time his office has examined the contract that the county has with CMC (Correctional Medical Care).

The Comptroller advised the committee that he would suggest that \$187,000 which is what the bill for medical services is now (through July, 2009...and there will probably be more until such time as the inmate is transferred), be transferred from the contingency fund into a medical services account earmarked and encumbered for this inmate so that when and if the bill had to be paid it could be. None of the \$187,000 would be spent until the Comptroller's office approved such spending (he later pointed out that not having the dollars readily available to settle, to pay, will inhabit his office to get a lower sum).

Members of the committee expressed concerns about costs, whether the contract with CMC had been evaluated as well as observing that they had attempted to resolve the questions around what rates the county was being billed, i.e. Medicaid or other. An additional question raised by a committee member was who would negotiate with the state with respects to the rates, etc., and once that was determined, when did the Comptroller expect to receive the bills and how long would it take for the latter to review such. A further concern voiced by a committee member was what was the process being used that allowed the payment of the \$37,000? Is the County being properly billed?

The Comptroller stated that his office, DSS and a consultant versed in such matters would do the negotiating; it would take about two weeks to review the bills, which he expected to receive from the sheriff's department 11-11 (the Under Sheriff could not provide such for the \$37,000 when initially asked). At that point in the meeting, the Under Sheriff arrived and delivered the bills to the Comptroller(apparently over 150 pages worth).

Further, the Comptroller indicated his staff will review to determine whether the county has been properly billed at the Medicaid rate.

Chairman Lomita then moved that the matter be referred to the committee for its December 7 meeting, at which time it will review the acquired information to be provided by the Comptroller.

Lee Cane, Observer Corp

The Ways and Means Committee, chaired by Legislator Alan Lomita, conducted three public meetings: November 30, December 1, and December 2, 2009 dealing with the 2010 budget proposed by County Executive Michael Hein.

The process that was followed is dictated by the County Charter under Article III Executive Branch section C-25 I. The County Executive is the chief budgetary officer of the county, and as such, prepares and submits to the county legislature, the annual budget, capital program and accompanying message, all provided for in Article IV of the Charter, and executes the county budget and capital program in accordance with the resolutions and appropriations made by the county legislature.

All of the above was submitted by the County Executive to the County Legislature on October 1, 2009 consistent with Article IV Financial Procedures section C-34. The county budget consists of the proposed expense and capital budgets.

The proposed county budget shall be balanced with projected revenues equaling or

exceeding estimated expenses for the next ensuing fiscal year and shall be presented in 3 sections: estimated revenues and receipts, estimated expenses, proposed capital authorizations and expenditures.

Chairman Lomita convened each of the meetings; members of the committee were present. The agenda for each of the three meetings was set to deal with legislative amendments and departmental appeals as they pertained to outside agencies, personnel, technical matters, and miscellaneous items.

This is the first year that the process as prescribed by the charter has been employed.

The initial day dealt with the various topics noted above. On the second day the committee voted on what it had discussed the first day and took up the miscellaneous amendments which were then voted on when the committee met on the third day.

Whatever aspect was involved, the legislators listened to what those making appeals said, asked relevant questions, and made an effort to gain as much additional information as possible in order to make their decisions.

In the instances when questions arose as to the rationale behind the county executive's decisions, Chairman Lomita directed questions to the former's office. Both DCE Beckman and DCE Sudlow appeared and answered questions.

There appeared to be a real effort made at cooperating between both branches.

One concern presented often during the three days involved the proposed layoffs of 30 county employees. Two of the 30, staff people at the Board of Elections, were added back into the budget. This decision was made after a detailed presentation by the two elections commissioners. It was noted that in 2010 the lever machines will be gone, replaced by the optical scan equipment in accordance with HAVA mandated requirements. The commissioners pointed out that the loss of the two positions was a 25% cut in the staff. This was one of the areas that caused question about what the rationale was for the cuts. Commissioner Turco stated that the Board of Elections was sent a notice indicating that the reduction would take place; that DCE Sudlow had advised when asked that the reduction was across the board.

Chairman Lomita reminded the group more than once that the legislature can restore whatever the county executive cuts. Eventually it was pointed out that everything would be done to find positions, lines, to rehire those who are part of the group of proposed layoffs.

On the second day Laura Walls, representing the Comptroller's office, presented an appeal that the Legislature not transfer the \$92,000 from the Comptroller's budget to the Legislature so that the latter can pay for hiring an independent auditor to audit county finances. She said it was the Comptroller's responsibility to do the audits; Legislators said its counsel, using the same language said it was the Legislature's responsibility. The legislators voted to transfer the \$92,000 to itself.

One Legislator, Kevin Roberts, submitted an extensive array of amendments totaling about \$2 million dollars. The County Executive's office worked with him and the cuts he recommended were reduced to approximately \$100,000. The dollars in question were moved into the contingency fund, earmarked, and the departments in question would have to come to the legislature and advise what they needed.

Considerable discussion occurred regarding the tourism budget. This ended in the \$180,000 involved being placed in the contingency fund and earmarked for tourism until such time as the county legislature learns exactly what the ad campaign will be.

On the third day, 12-2-09, discussion continued on items brought up the day before particularly as it pertained to the above point about the tourism budget. No changes were made. Attempts by Legislator Dart to have an amendment that legislative salaries would be cut by 10% and to cut out all health insurance for those who work part time were not seconded.

Then at 4:47 the regular session of the Legislative Ways and Means Committee was convened by Chairman Lomita and adjourned at 5:15 on 12-2-09. Such resolutions as it needed to handle were passed, two of which were passed contingent on Personnel Committee passing as well. The committee then took up the question of how to handle the \$180,000 plus bill owed by the county for the medical care of the inmate who has been in and out of the hospital and the jail for the better part of 2009. The Comptroller reported that his office was waiting for Kingston Hospital to submit the bills; and further that his office has found that there are duplicate bills which have been submitted. He recommended that the county delay paying anything until after his office completed a

The Ulster County Association of Town Supervisors

full review.

On December 7, 2009 the Legislature met in special session to vote on the proposed 2010 budget. While called for 7 PM, the session was not convened by Chairman Donaldson until about 7:25. Once convened time was devoted to the public comment period. Those who spoke addressed concerns for the projected 30 layoffs. One speaker did comment on the fact that what was a \$24 million dollar surplus that the county had in January, 2009, would now with the projected budget for 2010 be reduced to about half of that. Whether legislators voted for or against, the budget was as much the legislators as the county executive's. Mr. Pitcock's final comment was expenditures must be reduced and taxes raised.

During the time spent specifically on the budget various attempts were made to amend it. While some amendments were passed, others were not. When the final vote on the budget as amended was taken the legislators voted against 14-16. That said, the budget as presented by the County Executive will stand.

The final comment was made by Daniel Heppner, the attorney for the county legislature. He raised the question about whether the 2010 budget as presented was balanced as required by the charter. No other comment to that was made.

Lee Cane, Observer Corp

The UC Town Supervisors Association was convened at 8:37 M on 11-17-09 by President John Valk, Supervisor T/Shawangunk and adjourned at 9:55.

The December meeting is scheduled to be a luncheon on December 15 at the Reservoir Inn at noon at a cost of \$15.....all details to be confirmed. The next regular meeting will be January 19, 2010.

First on the agenda was a presentation by Kimberly Huppert, Ulster Savings Insurance Department who spoke on Health Insurance developments. She distributed a packet of material explaining three developments in health insurance rates brought about by Governor Paterson:

- access to health insurance expanded by allowing children through age 29 regardless of financial dependence to be covered under a parent's group insurance policy;
- to help ensure continued access to group health insurance by extending the period of continuation of coverage under a group contract or group remittance contract from 18-36 months. This applies to those employers with less than 20 employees; similar to COBRA.

- NYS Deficit Reduction Plan-this involves surcharges and increases to premiums for those involved with commercial health insurance coverage.

The second item on the agenda dealt with weatherization. Wayne Harris, a county legislator, introduced the topic stating that the UC Community Action group through NYS Division of Housing and Community Renewal had acquired considerable stimulus money and had about 18 months in which to use it. The Executive Director of the group then handed out brochures, directions, applications as well as providing explanation of who was eligible, what type of work could be done to provide the weatherization services. He advised that the group's biggest problem was getting the information out to the public and the Association offered the use of its web site as well.

The CE Michael Hein and his chief of staff, Adele Reiter arrived at this point. The CE commented on the fact that the shared services report work was progressing. One of the possible positive developments would involve highway departments. By adding the ADL system, paid for with a \$461,000 grant, those towns which had been involved in the study associated with that grant, have found that it has been a tool which enables them to do a better job. Apparently, the sheriff's department already has this tool and has found it to enhance its work.

Further, Mr. Hein noted that Dr. Hasbrouck, the new Public Health Director had begun work; and that he could not say enough good things about Mrs. Veytia who had served as the Acting Director in the interim.

Lee Cane, Observer Corp

The meeting of the Association of Town Supervisors of Ulster County was convened at 8:30 on January 19, 2010 by President John Valk (Supervisor T/Shawangunk) at the Olympic Diner and adjourned at 9:50. The next meeting will be March 16, as there is

none in February.

Initially, officers were elected: John Valk remains as president, Pat McDonough of Rosendale, vice-president and Jeff Moran of Woodstock, secretary.

As this was the first meeting of the year, introductions of new people and certain regular attendees were made by Mr. Valk.

Dare Thompson of the LWVMHR was provided an opportunity to comment on an upcoming League event dealing with the environment and distribute a related flyer to the group.

The association voted to endorse the related concept.

As the scheduled guests were not then present, the group addressed the topic of shared municipal services for the majority of the remainder of the meeting.

The concerns of the Town Highway Superintendents were noted in that their association is thinking about hiring an attorney to review their final draft of the county proposal when it is published to ensure that the towns are protected. It was also noted that the individual town attorneys would still have to review the proposals as well.

It was suggested that there would be an individual agreement, with each town and therefore duplication should be avoided.

Annual dues of \$50 was voted on to continue; and the association elected to pay \$11.50 per year to become members of Pattern for Progress.

It was then announced that there was a second meeting on shared municipal services being held at 10:30 1-19-10 at the County Office Building to which Mr. Valk and Mr. McDonough had been invited to attend. Apparently there are to be a total of four such meetings 10:30-12:30 to which the County Executive wanted T/Supervisors and Highway Superintendents to come to with their questions, concerns, etc. do discuss such as it applied to the shared services proposal.

T/Hardenburg Supervisor Jerry Fairbairn commented on the fact that the town had maintained a contract with the County for about 20 years involving substations, materials, and some personnel. He noted that it was important that everyone understand that the county roads would probably be given the priority of being plowed first, town roads later. Could expect a lot of calls wanting to know when will roads be done. Towns need to know what will county do for them. Recommended nothing more than one year contract. While town feels underpaid, town does make some money. In fact if it saves money this system could be very good. He reminded everyone that this process is not mandatory.

Town did get a lot of help from the county but maybe county could take over bridge work. Also, if personnel is to be let go maybe instead of contracting work out which requires paying prevailing wage, it would save dollars to keep the county group intact.

Certainly the contract with NYC to care for roads to the reservoir should be kept; as that generates good money.

He reminded the group again that the T/Supervisors and T/Highway Superintendents need to reach consensus on everything involved, money, equipment, materials, etc.

Other concerns raised involved costs to perform the work and need to employ same criteria to determine cost per mile, costs for equipment, personnel, materials to do the work, future capital expenses, and what depreciation costs on equipment might be.

Highway Superintendent from T/Plattekill asked the group to think about what would happen after a few years if plan implemented, and it appeared things were not working out. One response was that wouldn't be a contract with town the first year and it was in the county's best interests to work with the towns.

The thought was also expressed that more work should have been done by the county before the material on highways was released.

The representative from the Census Bureau having arrived, Ms Leanday was given the opportunity to present her material and report to the group. Apparently there are certain areas in the county, Warwasing, Denning, Hardenburgh, Olive, Shandaken and Woodstock that are considered to be more rural than the other areas. Therefore, the census survey will be delivered by hand to the person's doorstep. The Bureau is looking for people to take jobs in those areas for about 6-8 weeks employment; \$11-\$18 per hour depending upon the position, plus mileage. About 400 applicants from these areas will be needed; need to take a test. Employment will start when person is called; receives 4 full days of paid training and mileage.

MEMBERSHIP NEWS

Results of the census will be released in stages starting in 2011.

Since additional surveys will be made available in case some did not get delivered, the group suggested that the town halls in the areas involved would be the best place where people having a problem would go for assistance. There will be people provided by the Bureau to oversee the boxes of surveys and be available to provide help....paid to do this....can be shared with other areas.

Press material will be sent to Mr. Valk to distribute to the members.

Lee Cane, Observer Corp

The New York State Voter is now on-line. For members without computer access, a paper copy of the State Voter is available for \$5.00 per copy or \$20 for the rest of the fiscal year. Requests should be sent to:

State Voter, LWVNYS, 65 Grand St. Albany, N.Y. 12207

***Congratulations to Eleanor Charwat
recognized by the Dutchess County Regional
Chamber of Commerce Foundation
for her contributions to women.***



I/we wish to become members of the LWV of the Mid-Hudson Region through May 31, 2010

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*

**(Complete the above form and return it to us with your check at
PO Box 3564, Kingston, New York 12402)**

League of Women Voters
Mid-Hudson Region
PO Box 3564
Kingston, NY, 12402

January 2010
Commentator